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## **Submission on Proposal P1042 – Low THC Hemp Seeds as Food**

Thank you for this opportunity to make a submission regarding P1042, a proposal to allow hemp seeds in foods in New Zealand and Australia.

The Hempstore is an Auckland-based specialized hemp manufacturer, distributor and retailer, established in 1997. We sell hemp seed oil and foods containing hemp seed oil, and crushed hemp seed animal feed. Our customers want to consume hemp foods for health and nutrition. They can see a great variety of hemp foods on sale around the world and are puzzled and frustrated they cannot buy them here.

### **We support the draft variation to the Australia New Zealand Food Standards Code.**

Hemp foods are nutritious and the widespread consumption of hemp based foods should be encouraged. As previously submitted (see Appendix B), we believe natural whole hempseeds should be allowed in addition to hulled seeds. Removing the hull from hemp seeds may mean they cannot retain the same degree of freshness. It also prevents hemp sprouts being used for food purposes, despite sprouts being perhaps the most nutritious form. However, we now accept that if hulling the seeds satisfies the concerns of law enforcement organizations, it is the best way to move forward.

As previously submitted we recommend that this be made subject to an automatic review within a minimum period of time, or immediately responsive to any significant developments in NZ cannabis-related laws that may occur in the meantime.

## **CBD**

Hemp seeds do not contain any cannabinoids. There may be traces present through handling and cross-contamination, but as FSANZ has noted this is at an extremely low level and it is not feasibly possible to consume enough to have any effect.

Hemp regulations already control the cultivation of hemp crops in Australia, New Zealand and around the world. We agree that hemp legislation is a more appropriate place to set controls on the levels of cannabinoids permitted to be present in hemp crops.

We note that CBD is not psychoactive, and that no other countries have set limits for CBD in hemp foods. We agree that a CBD limit in the Code may present a trade barrier and impose additional compliance costs on local producers that are not required in other countries.

We support FSANZ's decision not to impose a CBD limit in the Code for low THC hemp seed foods.

## **Cannabinoid acid precursors**

We agree that for the purposes of testing, THC and THC-A should be considered the same.

## **Marketing and advertising restrictions – no leaves, no psychoactive claims**

The suggestion by some to not allow depictions of the hemp plant on hemp foods is arbitrary, onerous, and should be rejected:

1. Depicting ingredients provides immediate recognition to consumers as to the contents of the food product they are considering.
2. Food producers in other countries are not subject to a ban on depicting the plant that the product comes from, and so the proposed advertising restrictions could present a trade barrier and impose additional compliance costs on local producers that are not required in other countries.

3. There could be issues with labelling of imported hemp food products, restricting or preventing their availability here, and imposing additional compliance costs on importers of low THC hemp seed foods and reducing consumer access.

As FSANZ noted, low THC hemp is not psychoactive, and other legislation (such as consumer protections against misleading claims) prevents psychoactive claims being made.

We believe consumer demand for hemp seed foods is based on nutritional and health benefits, not on suggestions of drug-like effects. We agree that consumers would respond negatively to any suggestion of THC contamination or psychoactive properties, and that manufacturers including ourselves would choose to focus on the lack of THC content or psychoactive properties when marketing low THC hemp seed foods.

We agree further controls in the Code are not warranted.

#### **INCB and EU advice concerning setting a THC limit in foods**

Hemp seed foods are widely available around the world without problems. Hemp foods are not psychoactive, and as FSANZ has noted it is not “realistically possible” to consume enough to reach the LOHTD for either THC or CBD.

We agree with FSANZ that the EU limit referred to in the INCB advice is not of relevance to FSANZ’s consideration of THC limits for low THC hemp seed foods.

We wish you well in your deliberations.

Yours sincerely,



**The Hempstore Aotearoa Tapui Ltd**