

Application for consultation to determine the status of a novel food, pursuant to art. 4(2) of Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel food

Recipient Member State:

Główny Inspektorat Sanitarny (The Chief Sanitary Inspectorate) – Poland.

Name and description of the novel food:

The request concerns Hemp (*Cannabis Sativa* L.) herb.

Hemp herb refers to the dried and ground aerial parts of the hemp (*Cannabis sativa* L.) plant, which includes leaves, stems and inflorescences (flower clusters) but not the seeds and roots. They are harvested from approved cultivars industrial hemp. These cultivars are registered under the EU Common Catalogue of Varieties of Agricultural Plant Species, ensuring that the plants contain less than 0.2% tetrahydrocannabinol (THC).

The product is intended to be used as an ingredient in food supplement.

Status:

The product is novel food.

Novel food category:

Art. 3(2)(a)(iv) of the regulation (EU) 2015/2283

Reasons statement:

Competent authorities of the EU Member States and the European Commission were consulted. A history of consumption to a significant degree as food before 15 May 1997 in the European Union has not been demonstrated for the hemp herb. Therefore, this product is considered as a novel food.

Please note that if the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops) from which the resin has not been extracted is part of the hemp herb, it is considered a narcotic substance within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961. Therefore, it cannot be qualified as food within the meaning of Article 2 of Regulation (EC) No 178/2002.

Please be aware that other specific national legislation may also prevent the placing on the market of hemp plant (*Cannabis sativa* L.) and derived products as food in Member States.

Conclusion:

Hemp (*Cannabis Sativa* L.) herb is novel food, if not considered narcotic.