

Public Consultation Paper for Industrial Hemp

What is industrial hemp?

Hemp is a plant which belongs to the species *Cannabis sativa*. Industrial hemp is grown for commercial use as a fibre or as a foodstuff. Hemp is one of a number of plant species that can be used for fibre production. Other fibre-rich species that can be grown in the British Isles include flax, miscanthus and cereal straw (as a by-product of arable cropping). Fibre cropping is an opportunity for economic development that would support sustainable farming and have less impact on the environment than current alternative products based on petrochemicals. Uses of hemp fibre include production of textiles, clothing, paper, animal bedding, insulation materials, building materials and biodegradable plastics. Hemp seeds can be used in animal food and as a food supplement for humans. Hemp seeds can be cold-pressed to yield oil which can also be used as a food supplement.

Why are we consulting on the regulation of industrial hemp?

Under the Misuse of Drugs Act 1976, it is illegal to cultivate any plant of the genus *Cannabis* – so at present growing hemp for industrial purposes is also illegal under the Act.

As noted above, hemp is a variety of *Cannabis sativa*. However, hemp varieties contain very low levels of the chemical THC^[1] and, therefore, do not have the psychoactive properties of cannabis used for recreational use.

The Misuse of Drugs Act 1976 makes provision for the Department of Health and Social Care to make regulations that would enable licences to be granted to grow *Cannabis* species. However, DHSC has never developed such regulations or received any requests to grant a licence to grow.

Creating a regulatory framework for industrial hemp could open up economic opportunities for its production in the Isle of Man. We are therefore seeking public views on the acceptability of industrial hemp as a commercial crop and on any particular issues relating to it that may be of concern.

How is industrial hemp regulated elsewhere?

Over 30 countries produce industrial hemp and many have a regulatory framework based on granting licences or permits. Details of the regulatory frameworks vary between countries although most aim to control production to ensure that the crop, or parts of it, cannot be diverted for illegal use (as recreational cannabis). Managing the risk of diversion is done by controlling the THC concentration of the crop and, often, by requiring the destruction of those parts of the plant (leaves and flowers) that are not required for industrial processing into fibres or foodstuff.

In the UK, the regulatory framework is based on granting licences to individual growers, allowing both cultivation and possession so long as certain criteria are met. The licensing and compliance is overseen by the Home Office, Crime and Policing Group. Over recent years, the Home Office has moved to a 'light touch approach' based on electronic applications without the need for routine site or compliance visits. Licensing is based on the following criteria:

- Applicants are expected to site their crops sensitively but there are no mandated requirements such as distance from schools, public rights of way or vehicular access.

¹ Cannabis plants contain a number of naturally occurring compounds known as cannabinoids, and the level of them varies from variety to variety. The two best known, nearly always referred to by their initials, are tetrahydrocannabinol (THC, the main psychoactive compound) and cannabidiol (CBD).

- The hemp seed used must be an 'EU approved variety'. These seeds have a THC content of less than 0.2%. No testing during cultivation or processing is required to confirm THC content in the crop.
- Those parts of the plant not covered by the licence for industrial production (i.e. the leaves and flowers) remain illegal under the Misuse of Drugs legislation and must be retted (destroyed) at the licenced location or otherwise lawfully disposed of.
- The local police should be made aware of the growing location.
- Licences are usually issued to cover three consecutive growing seasons – so have up to three years' validity, although single season licences can also be issued. Holders of a three year licence are required to complete and submit an 'Annual Licence Review Statement' at the start of the growing season. Completion and submission is mandatory and without submission a licence may be revoked.
- A Disclosure and Barring Service check is required for each applicant and the DBS application must have been lodged before the application for a licence is submitted.
- If a grower is growing at multiple sites on one farm, this would be covered by their licence. However, if they are growing on multiple sites outside their main property, e.g. on land rented from a neighbour or in an adjacent village, additional licences may be required subject to discussion with the Home Office.

Further information on the UK licensing scheme is available at:

<https://www.gov.uk/government/publications/industrial-hemp-licensing-guidance>

In Northern Ireland, the UK framework is followed with licensing by the Department of Health

<https://www.health-ni.gov.uk/publications/industrial-hemp-licensing-information>



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Supporting paperwork issued
with the Isle of Man Government consultation on Industrial Hemp

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