

June 14th, 2024

Feed Ingredient Committee
American Association of Feed Control Officials (AAFCO)
Erin Bubb, Ingredients Definition Committee Chair
100-1800 S. Oak Street
Champaign, IL 61820-6974
USA

Delivered by email:
ebubb@aaaco.gov

RE: Cannabinoid Limits in Livestock Feed Ingredients

Dear Ms. Bubb,

With many member states lifting their ban on hemp cultivation in the 1990s, Europe, led by France, the Netherlands, Germany, Poland, Austria, and the Baltic states, has become the world's largest hemp-producing market. As a consequence, Europe is also the largest hemp livestock feed ingredient producer.

The European Industrial Hemp Association (EIHA) is concerned regarding the current application from the Hemp Feed Coalition (HFC) to AAFCO to register hempseed meal as a livestock feed ingredient for laying hens with maximum cannabinoid limits of 2 ppm for total THC and 20 ppm for total CBD. We believe this feed ingredient definition does not reflect current research on feed-based cannabinoid risk, would needlessly exclude most commercially available hempseed meal, and therefore create a market that would not be commercially viable. We also believe that moving forward with this registration would create precedent that will complicate commercially viable hemp livestock feed ingredient registrations in Europe and other important global markets.

The process of registering hemp feed ingredients began many years ago, culminating in the 2011 European Food Safety Authority (EFSA) recommendation (EFSA Journal 2011;9(3):201) to introduce a maximum THC content of 10 mg/kg (10 ppm) to hempseed-derived feed materials. In 2015, EFSA concluded that (EFSA Journal 2015;13(6):4141) exposure to Δ^9 -THC via consumption of milk and dairy products, resulting from the use of hemp seed-derived feed materials at the reported concentrations, is unlikely to pose a health concern. Continued research on the feeding of hemp derived feed materials have indicated that no more than 0.1 % of ingested THC is deposited in livestock tissues of concern (fat, organs, meat, milk, and eggs) and that at least 99.9 % of THC is either excreted or metabolized by the target livestock species. As a result, hempseed derived ingredients have been successfully fed to a wide range of livestock species at various production stages for many years. There has never been even one reported adverse animal health or human health event related to the feeding of

approved hemp ingredients of the consumption of food from animals fed approved hemp ingredients. Hempseed and its derivatives, and hemp fibre have proven to be valuable and safe livestock feed ingredients in the highly regulated European market.

The European hemp industry is familiar with the registration of hemp feed ingredients. The process to gain approval for livestock feed ingredients in Europe is much of the same as both Canada and the US. The process begins with submission of an application by the company wishing to manufacture and market the feed product. Once approved, regulation of feed culminates in the publication of the Catalogue of Feed Materials (legally binding guide for permissible feed materials EU) and inclusion in the online Feed Material Register.

The registry currently lists several hemp and hemp byproducts including: hempseed, hemp (seed) expeller (cake or meal), hemp seed oil, hemp flour and fibre (both from stems), hemp shells (husks), provided that the materials are below the EU limit of 0.3 % THC for industrial hemp.

Regarding animal feed, there is an ongoing discussion among the Member States (MS) about the adoption of maximum levels (ML) of THC in feed material. This is a crucial area of focus for, as it has significant implications for the hemp industry.

To contribute to this discussion, EIHA has proposed specific THC limits for feed materials. These proposed limits are part of our advocacy efforts to ensure that regulations are both practical and based on scientific evidence, facilitating a safe and sustainable use of hemp products in the feed industry. A brief overview of the limits proposed by the Member States and EIHA is contained in the following table:

Proposed THC Limits in Hemp Feed Ingredients (mg/kg or ppm)		
Products	EU initial approach	EIHA proposal
Hempseed	3	5
Hempseed Meal	3	5
Hempseed Oil	7.5	15
Hemp Flour (Fines)	7.5	15
Hemp Fibre	7.5	15
Complete Feed	0.5	3
Feed Catalogue: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015R2283 Feed Register: https://www.feedmaterialsregister.eu/register .		

Regarding existing entries in the feed catalogue, Member States and the European Commission are establishing binding maximum THC levels, at least equal or higher to those for food products. The current catalogue entries include hempseed, hemp expeller (hempseed meal), hempseed oil, hemp flour (fines), and hemp fibre, as described in Regulation (EU) No 68/2013. The new maximum levels should be adopted in the course of 2024.

It is time that our industry can finally grow, produce and sell according to internationally valid regulations – without constantly encountering new and major obstacles. Our line of arguments is clear: the cultivation of all parts of the hemp plant for industrial purposes is legal. The UN 1961 Single Convention on Narcotic Drugs (C61) supposed to only deal with the illicit farming and trafficking of high-THC cannabis and cannabis resin. C61 has specifically excluded low-THC hemp used for industrial and horticultural purposes. Linking any national hemp regulatory strategy to C61 is therefore inappropriate and not defensible.

The European Industrial Hemp Association requests the American Association of Feed Control Officers (AAFCO) to:

1. Deny any hemp seed or hemp stem derived feed ingredient application that includes a maximum total THC concentration of less than the level approved for human food in the USA (i.e. 10 mg/kg or 10 ppm); limits for THC in feed can be set higher on a sound scientific basis;
2. Deny any hemp seed derived feed ingredient application that includes maximum total THC concentrations that are less than the natural constituent total THC concentrations normally observed in commercially available hempseed derivatives;
3. Deny any hemp seed or hemp stem derived feed ingredient application that includes any maximum total natural constituent CBD concentration; and,
4. Encourage the adoption of hemp seed or hemp stem derived feed ingredient definitions that reflect the normal expected upper total THC limits for:
 - a. whole hempseed;
 - b. hempseed screenings;
 - c. hempseed fines (flour);
 - d. hempseed hulls (husks);
 - e. hempseed meal (expeller);
 - f. hempseed oil; and,
 - g. hemp protein (high fibre, concentrate, refined concentrate, and isolate).

The European Industrial Hemp Association (EIHA) represents the common interests of hemp farmers, producers and traders working with hemp fibres, shives, seeds, leaves and cannabinoids. Our main task is to serve, protect and represent the hemp sector in the EU and international policymaking. EIHA covers different areas for the application of hemp, namely its use for construction materials, textiles, cosmetics, feed, food, and supplements.

Please contact me directly if you have any questions regarding our request.

Yours truly,

Daniel Kruse
EIHA President

Email: daniel.kruse@eiha.org

CC: Falina Hutchinson, AAFCO Feed Investigator (FHutchinson@mt.gov)

Maren Krings, Director General, FIHO (maren@fiho.org)

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