Health Canada
Notice of Intent — Consultation on potential amendments to the Industrial Hemp Regulations
May 16, 2026 – June 30, 2026

Health Canada has opened a consultation to comment on potential amendments to the Industrial Hemp Regulations. They aim to reduce regulatory requirements and administrative burden, while continuing to meet our public health and public safety objectives. These changes would support their commitment to reducing regulatory red tape, while maintaining key control measures for industrial hemp.

How to participate

Health Canada is asking for feedback on six questions. Those questions start on Page 3, and each will have background rationale from CHTA and industry's recommended responses to Health Canada. This is a very detailed document, and you may find some recommendations as repetitive, but these are all inter-linked to form a comprehensive policy position. Respond in a way that you are comfortable with, and especially in areas within your expertise. Response numbers matter in these open consultations, and Health Canada will need to see a large number of people who are engaged with and are impacted by their legislation. Your voice matters and you are strongly encouraged to respond.

Written submissions on the Notice of Intent published in the Canada Gazette, Part I on May 16, 2026. Send your comments in an email to cannabis.consultation@hc-sc.gc.ca. Use the subject line: "Consultation on potential amendments to the Industrial Hemp Regulations."

Health Canada is seeking comments from various groups, including: current and potential industrial hemp licence holders; industrial hemp industry associations; cannabis licence holders; cannabis industry associations; Indigenous groups; professional associations; federal partners (departments and agencies); and, provinces and territories.

Submissions from both Canadian and international hemp industry participants is welcome. It is important for Health Canada to receive global perspectives on hemp deregulation opportunities.

Key issues for consultation

The Notice of Intent targets the following areas for feedback with respect to the industrial hemp framework: defining industrial hemp; licensing; cultivating; importing and exporting; testing for THC concentration; selling flowering heads, leaves, and branches; record keeping and reporting; distinguishing industrial hemp from cannabis; streamlining the framework, including the management of the List of Approved Cultivars; and, impacts to public health or public safety from reducing regulatory burden.

Health Canada will review all submissions to this consultation. They will publish a "What We Heard" document, that summarizes key messaging. The next step will be for Health Canada to publish proposed regulatory amendments in Canada Gazette, Part I for further consultation. After reviewing and considering those submissions, all policy and regulatory amendments will be published in Canada Gazette, Part I' coming into effect that day. While timing is difficult to estimate, there is every reason to believe that the policy and regulatory amendments can be published by the end of 2026 or shortly thereafter.

Related information

Cannabis Act Cannabis Regulations Industrial Hemp Regulations Industrial hemp licensing application guide

Please review CHTA's submission (attached to cover email) as it can provided background on its recommendations. CHTA has inserted its recommendations into each of the 6 questions below. Please consider your interests, amend the recommendations as you see fit, and submit this document to the consultation.

It is important that you submit your recommendations by email to cannabis.consultation@hc-sc.gc.ca no later than June 30, 2026.

Thank you for your participation at this busy time of year.

Submitter Information	
Name	
Company	
Address	
Telephone	
Email	

Questions to guide input from interested parties

Preamble

1961 Single Convention on Narcotic Drugs
Article 28
CONTROL OF CANNABIS

1. *If a Party permits the cultivation of the cannabis plant for the production of cannabis or cannabis resin, it shall apply thereto the system of controls as provided in article 23 respecting the control of the opium poppy.*
2. ***This Convention shall not apply to the cultivation of the cannabis plant exclusively for industrial purposes (fibre and seed) or horticultural purposes****.*
3. *The Parties shall adopt such measures as may be necessary to prevent the misuse of, and illicit traffic in, the leaves* [**flowers**] *of the cannabis plant.*

Health Canada is not compliant with C61 Article 28.2 by not exempting industrial hemp (INCB Clarification, 2024) from drug controls associated with the control of opium (Article 23)

The UN Commission on Narcotic Drugs reviewed C61 cannabis controls from 2017-2018, leading up to the 2020 classification of cannabis and cannabis resin under Schedule III (Preparations containing narcotic drugs that are intended for medical use and are unlikely to be abused).

Expert Committee on Drug Dependence

The UN Expert Committee on Narcotic Drugs (ECDD) completed several risk assessments on tetrahydrocannabinol (CBD), extracts and tinctures of cannabis, cannabis and cannabis resin, and tetrahydrocannabinol (THC)in 2017-2018. The ECDD found that 6 isomers of THC have the potential to intoxicate, addict, and habituate when consumed above certain levels and represent a modest risk to human health and safety. The ECDD also found that CBD does not have the potential to intoxicate, addict, and habituate; is not toxic; is well tolerated up to high daily doses (e.g. 10-20 mg/kg body weight); and had therapeutic potential for a wide range of human health conditions.

The ECDD recommended that a footnote be added to Schedule I of the 1961 Single Convention on Narcotic Drugs to read:

Preparations containing predominantly cannabidiol and not more than 0.2 per cent [2,000 ppm] of delta-9-tetrahydrocannabinol are not under international control.

While the recommended footnote was not approved by the Commission on Narcotic Drugs, the Canadian official representative voted in favour of the addition.

International Narcotics Control Board

The continued inappropriate application of drug regulation to industrial hemp was identified as problematic by the International Narcotics Control Board. It appears that INCB identified the core constraint as regulators not exempting hemp as use was not “exclusively” for industrial (fibre and seed) or horticultural purposes. Regulators generally applied

drug controls to the entire hemp industry, as hemp flowers and leaves of the inflorescence could be processed for the extraction of cannabinoids. INCB clarified the appropriate C61 interpretation as follows;

International Narcotics Control Board
Policy Brief 110/2023
Circular Letter E/INCB/NAR/CL20/2024

*The system of control of cannabis set out in article 28, as provided in article 23, of the Single Convention does not apply to the cultivation of cannabis plant exclusively for industrial purposes (fibre and seed) or horticultural purposes. However, the specification of fibre and seed in the Single Convention can be seen as an example. Therefore, the cultivation of cannabis plant with low THC content (**commonly referred to as 'hemp'**) for the extraction of cannabinoids that are not internationally controlled can be considered as industrial cultivation. Countries are required to ensure that any internationally controlled cannabinoids obtained as a byproduct of the extraction process need to be controlled and reported in accordance with the requirements of the conventions*."

United Nations Trade and Development

The United National Trade and Development (UNCTAD) studied the global hemp industry, and found that hemp was regulated under C61 guidelines [without exemptions] and that drug regulators were generally given the regulatory responsibility for hemp. UNTAD identified that drug regulators (in addition to drug regulation) had become an impediment to growth and development of the global hemp industry:

Industrial hemp: An old crop in a new era
Policy Brief 110 (June 2023)

A regulatory framework allowing for the exploitation of all parts of the plant would facilitate the implementation of industrial strategies in order to optimize product diversification and increase the resilience of farmers and processors. Such strategies could adopt a whole-plant approach.

Countries wishing to promote an industrial hemp sector need to consider the reform of existing regulations, to facilitate the exploitation of all parts of the plant. The removal of legislative barriers to industrial hemp cultivation may increase production by farmers. For example, the common practice of having entities related to the control of narcotic drugs issue licences for growing industrial hemp should be reconsidered.

Recommendation: Health Canada to

1. Comply with Article 28.2 of 1961 Single Convention on Narcotic Drugs;
2. Implement the 2024 INCB guidance (Policy Brief 110/2023) and rescind all drug regulation of the hemp plant and all hemp products that do not contain concentrated or isolated phytocannabinoids; and,
3. Reflect the UNCTAD regulatory recommendations to migrate regulatory oversight from Health Canada (drug regulator) to Agriculture and Agri-Food Canada, the Canadian Food Inspection Agency, and Statistics Canada.

Health Canada would like to hear your feedback on the following questions.

1. **Health Canada question: What are the regulatory requirements under the IHR that impose an unnecessary burden**.

   The following IHR regulatory amendments will reduce unnecessary regulatory burdens, and monetary and non-monetary constraints to growth and development of the Canadian hemp industry.

   a. Cultivation

   The Canadian hemp licensing system is largely based on Article 23 (National Opium Agencies) of the 1961 Single Convention on Narcotic Drugs (C61). Canada is not compliant with its international agreements regarding hemp cultivation licensing, as hemp cultivation licensing is not required by the 1961 Single Convention on Narcotic Drugs (C61, Article 28 and INCB Policy Brief 110/2023).

   Industry Recommendation: Align Canada's definition of hemp with C61 (Article 28 and INCB Policy Brief 110/2023).

   Industry Recommendation: Rescind all industrial hemp licensing and permitting to: sell industrial hemp; import or export seed or grain; cultivate industrial hemp; possess seed or grain for the purposes of cleaning it; to possess grain for the purpose of processing it; and, to obtain seed by preparing it.

   b. Importing and exporting

   The Canadian hemp export and import permitting system is largely based on Article 23 (National Opium Agencies) of the 1961 Single Convention on Narcotic Drugs (C61). Canada is not compliant with its international agreements regarding hemp export and import permitting, as hemp export and import permitting is not required by the 1961 Single Convention on Narcotic Drugs (C61, Article 28 and INCB Policy Brief 110/2023).

   Industry Recommendation: Rescind all industrial hemp licensing and permitting to: sell industrial hemp; import or export seed or grain; cultivate industrial hemp; possess seed or grain for the purposes of cleaning it; to possess grain for the purpose of processing it; and, to obtain seed by preparing it.

   Industry Recommendation: Allow exports of genetic material (viable hempseed, hemp plants, and tissue culture clones/seedlings) for exclusive use in plant breeding programs without listing on the plant breeding licence, LOAC registration, or THC testing COAs, or export permits.

   Industry Recommendation: Allow imports of genetic material (viable hempseed, hemp plants, and tissue culture clones/seedlings) for exclusive use in plant breeding programs without listing on the plant breeding licence or LOAC registration. THC testing COAs and import permits are to be required for genetic materials not certified under AOSCA or an OECD seed scheme to be compliant with Canadian regulations.

   c. **Testing for THC concentration**

   The Canadian THC concentration testing system is largely based on Article 23 (National Opium Agencies) of the 1961 Single Convention on Narcotic Drugs (C61), prior to the Industrial Hemp Regulations being published (2019) and amended (2025).

   The Canadian hemp THC concentration testing requirements for hemp cultivators and hemp food processors were largely brought into alignment with C61 (Article 28 and INCB Policy Brief 110/2023) through the 2025 Cannabis Act and Industrial Hemp Regulations amendments. Hemp cultivators and processors are no longer required to test commercial hemp fields (flowers and leaves of the inflorescence) or hemp foods for THC concentration so long as Certified seed from LOAC-compliant cultivars is used.

The Canadian hemp THC concentration testing requirements for hemp breeders have not yet been aligned with with C61 (Article 28 and INCB Policy Brief 110/2023).

Industry Recommendation: Allow the import and export of genetic material (experimental viable hempseed, hemp plants, and tissue culture clones/seedlings) used exclusively for research (plant breeding) without naming or LOAC registration.

Industry Recommendation: Establish the maximum THC concentration in hemp plant flowers and leaves of hemp inflorescence at 1.0%.

Industry Recommendation: Establish the compliance trigger level for THC concentration in hemp plant flowers and leaves of hemp inflorescence at 1.5%.

Industry Recommendation: Establish the maximum THC concentration in the flowers and leaves of genetic material used by licensed seed breeders operating Seeds Act and Seeds Regulations at 2.0%.

Industry Recommendation: Maintain THC testing requirements for hemp plants grown in breeding programs at the research, breeder seed, select seed, foundation seed, and registered seed levels.

Industry Recommendation: Rescind THC concentration guidelines, regulated maximum concentration limits, and testing requirements for hemp plants produced from LOAC-compliant certified seed and all processed hemp products.

d. Selling flowering heads, leaves and branches

The Canadian hemp sales control system is largely based on Article 23 (National Opium Agencies) of the 1961 Single Convention on Narcotic Drugs (C61). Canada is not compliant with its international agreements regarding the ability for hemp cultivators to sell viable hempseed and hemp flowers, leaves, and branches only to buyers who are licensed under the Industrial Hemp Regulations or Cannabis Act.

C61 (Article 1) defines Cannabis as 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, by whatever name they may be designated. This clearly specifies that only flowers of the cannabis plant inflorescence – from which the resin has not been extracted – are subject to Article 23 drug controls. As clarified by the INCB (Policy Brief 110/2023-Circular Letter E/INCB/NAR/CL20/2024) clarified that the specification of fibre and seed in the Single Convention can be seen as an example. Therefore, the cultivation of cannabis plant with low THC content (commonly referred to as 'hemp') for the extraction of cannabinoids that are not internationally controlled can be considered as industrial cultivation.

Industry Recommendation: Exempt hemp plants and hemp products (that do not contain concentrated or isolated phytocannabinoids) Add <u>hemp</u> flowers, leaves, and branches to Schedule 2 (exempt products) of the Cannabis Act with an annotation that extraction of concentrated phytocannabinoids from hemp flowers remains a restricted activity requiring a Cannabis Act license.

Industry Recommendation: Rescind the restriction on hemp cultivators' ability to sell the whole hemp plant – including hemp flowers, leaves, and branches – to buyers that do not possess an Industrial Hemp Regulations licence or Cannabis Act licence.

Industry Recommendation: Maintain Cannabis Act licensing requirements for the extraction of concentrated phytocannabinoids from hemp flowers. Extraction processes create crude extract (intermediate product) containing concentrated cannabinoids that can be further refined and/or diluted for use as an ingredient in cannabis tinctures or as an ingredient in natural and non-prescription health products. Sale of dried hemp flowers for the purpose of making hemp tea

(infusing hemp flowers with water without subsequent concentration) should not be considered an extraction process and therefore be explicitly excluded from any cannabis licensing requirements or controls.

e. Reporting certain information

Canada is not compliant with its international agreements regarding the requirement for hemp cultivators to provide information to Health Canada on: ownership; land tenure and/or landlord approval; production locations; and cultivars used as hemp cultivation licensing is not required by the 1961 Single Convention on Narcotic Drugs (C61, Article 28 and INCB Policy Brief 110/2023).

Industry Recommendation: Rescind all reporting requirements related to industrial hemp licensing and permitting to: sell industrial hemp; import or export seed or grain; cultivate industrial hemp; possess seed or grain for the purposes of cleaning it; to possess grain for the purpose of processing it; and, to obtain seed by preparing it.

Industry Recommendation: Rescind the requirement for hemp cultivators to prepare or submit Notifications of Cultivation.

Industry Recommendation: Rescind the requirement for hemp license holders to prepare or submit export or import completion reports.

2. **Health Canada question: What are the most important control measures to ensure industrial hemp is distinguishable from cannabis, and to prevent the illegal cultivation and diversion of cannabis**?

Industry Response: The United National Trade and Development (UNCTAD) studied the global hemp industry in 2024, and found that hemp was generally regulated under C61 guidelines and that drug regulators were generally given the regulatory responsibility for hemp. UNCTAD identified that drug regulators (in addition to drug regulation) had become an impediment to growth and development of the global hemp industry

3. **Health Canada question: What changes would you suggest to streamline the IHR**?

The Canadian hemp regulatory system is largely based on Article 23 (National Opium Agencies) of the 1961 Single Convention on Narcotic Drugs (C61). Canada is not compliant with its international agreements the regulation of hemp is exempt from drug controls (C61, Article 28 and INCB Policy Brief 110/2023). The United National Trade and Development (UNCTAD) identified that drug regulators (in addition to drug regulation) had become an impediment to growth and development of the global hemp industry. .

Industry Recommendation: The Canadian hemp industry requires the following allocation of federal services:

a. Industry development policy and program services delivered by Agriculture and Agri-Food Canada (AAFC);
b. Food safety inspection and compliance services delivered by the Canadian Food Inspection Agency (CFIA);
c. Variety registration administered by the Canadian Food Inspection and delivered by the Canadian Seed Growers' Association (CSGA) (enhanced Form 300);
d. Information services, production statistics, etc., delivered by AAFC and Statistics Canada;
e. Pesticide registration services delivered by Health Canada's Pesticides Regulatory Directorate; and,
f. Food safety policies administered by Health Canada's Health Products and Food Branch.

Health Canada's Controlled Substances and Cannabis Branch would no longer have a direct roll in the oversight or delivery of hemp-industry policies or programs.

a. Health Canada Question: What requirements would you eliminate or reduce, and why?

The following recommended reductions or elimination of hemp regulatory requirements are consistent with: Canada's current international obligations; global expectations for hemp regulators; Canada's legal framework; and the needs of Canada's hemp industry.

Industry Recommendation: Amend the Cannabis Act definitions of cannabis plant and cannabis as follows:

1. **Cannabis Plant**, n – Any plant of the genus Cannabis in which the concentration of total available delta-9-THC at physiological maturity is more than 1.0% w/w in the flowers and leaves of the inflorescence.

2. **Cannabis**, n – The inflorescence of the cannabis plant (excluding the seeds and leaves when not accompanied by the flowers) from which the resin has not been extracted, by whatever name they may be designated.

Industry Recommendation: Add Cannabis Act and amend Industrial Hemp Regulations definitions of hemp plant and hemp as follows:

1. **Industrial Hemp Plant**, n – Any plant of the genus Cannabis in which the concentration of total available delta-9-THC at physiological maturity is no more than 1.0% w/w in the flowers and leaves of the inflorescence. Note: Industrial Hemp is synonymous with Hemp.

2. **Industrial Hemp**, n – Any part of the hemp plant, including any product derived from such a plant that does not contain a concentrated or isolated phytocannabinoid. Note: Industrial Hemp is synonymous with Industrial Hemp Product.

Industry Recommendation: Rescind all industrial hemp licensing and permitting to:
1. sell industrial hemp;
2. import or export seed or grain;
3. cultivate industrial hemp;
4. possess seed or grain for the purposes of cleaning it;
5. to possess grain for the purpose of processing it; and,
6. to obtain seed by preparing it.

Industry Recommendation: Rescind all reporting requirements related to industrial hemp licensing and permitting to:
1. sell industrial hemp;
2. import or export seed or grain (completion reports);
3. cultivate industrial hemp (notification of cultivation);
4. possess seed or grain for the purposes of cleaning it;
5. possess grain for the purpose of processing it; and,
6. obtain seed by preparing it.

Industry Recommendation: Allow the export of genetic material (experimental viable industrial hempseed, industrial hemp plants, and tissue culture clones/seedlings) used exclusively for research (plant breeding) without name listing in breeder licenses, LOAC registration, THC testing COAs, or export permits.

Industry Recommendation: Allow the import of genetic material (experimental viable industrial hempseed, industrial hemp plants, and tissue culture clones/seedlings) used exclusively for research (plant breeding) without name listing in breeder licenses, or LOAC registration. THC testing COAs and import permits would still be required for hemp genetic materials not certified by AOSCA or an OECD Seed Scheme as meeting Canadian regulatory requirements.

Industry Recommendation: Amend THC concentration and testing guidelines as follows:
1. Establish the maximum THC concentration in the flowers and leaves of industrial hemp inflorescence at 1.0%;
2. Establish the compliance trigger level for THC concentration in the flowers and leaves of industrial hemp inflorescence at 1.5%;
3. Establish the maximum THC concentration in the flowers and leaves of genetic material used by licensed seed breeders operating under the Seeds Act and Seeds Regulations at 2.0%;
4. Maintain THC testing requirements for industrial hemp plants grown in breeding programs at the research, breeder seed, select seed, foundation seed, registered seed, and, certified levels;
5. Rescind THC concentration guidelines, regulated maximum concentration limits, and testing requirements for industrial hemp plants produced outside of breeding programs from LOAC-compliant certified seed and all processed industrial hemp products.

Industry Recommendation: Maintain Cannabis Act licensing requirements for the extraction of concentrated phytocannabinoids from industrial hemp flowers. Extraction processes create crude extract (intermediate product) containing concentrated cannabinoids that can be further refined and diluted for use as an ingredient in cannabis tinctures or as an ingredient in natural and non-prescription health products. Sale of dried industrial hemp flowers for the purpose of making hemp tea (infusing hemp flowers with water without subsequent concentration) should not be considered an extraction process and therefore be explicitly excluded from any cannabis licensing requirements.

Industry Recommendation: Realign the provision of federal government services to the Canadian industrial hemp industry as follows:

1. industry development policy and program services delivered by Agriculture and Agri-Food Canada (AAFC);
2. food safety inspection and compliance services delivered by the Canadian Food Inspection;
3. information services delivered by AAFC and Statistics Canada;
4. pesticide registration services delivered by Health Canada's Pesticides Regulatory Directorate; and,
5. food safety policies administered by Health Canada's Health Products and Food Branch.

Industry Recommendation: Transfer the responsibility and management of the List of Approved Cultivars from Health Canada to the Canadian Seed Growers Association. Cultivar approval will be completed using an augmented Variety Recognition Process (Form 300); adding stabilized THC concentration levels in the flowers and leaves of the inflorescence of industrial hemp plants propagated from certified seed or tissue culture clones/seedlings to the existing criteria. Health Canada will no longer be involved in the recognition or registration of LOAC-compliant industrial hempseed.

Industry Recommendation: Amend Schedule 2 of the Cannabis Act as follows:

1. Industrial hemp plant
2. Industrial hemp
3. A non-viable seed of a cannabis plant
4. A mature stalk of a cannabis plant, without any leaf, flower, seed or branch, of such a plant
5. Fibre derived from a stalk referred to in item 4
6. The root or any part of the root of the cannabis plant
7. A derivative made by processing parts of the cannabis plant referred to in items 3, 5 or 6, or a product made from that derivative
8. A derivative made by processing a stalk referred to in item 4, or a product made from that derivative, that does not contain a concentrated or isolated phytocannabinoid.

The above amendments have the intended effect of:

1. Rescinding the restriction on industrial hemp cultivators' ability to sell industrial hemp flowers, leaves, and branches to buyers that do not possess an Industrial Hemp Regulations licence or Cannabis Act licence;
2. Exempting all industrial hemp-derived products that do not contain a concentrated or isolated cannabinoid; and,
3. Confirming that Cannabis Act controls continue to apply to concentrated or isolated phytocannabinoids obtained as a byproduct of the extraction process on industrial hemp flowers and leaves of the inflorescence.

b. **Health Canada question: How would you decrease the administrative burden for industrial hemp licence holders**?

Industrial hemp is an agri-food industry in Canada. Industrial hemp is grown primarily as a broadacre field crop with a small proportion grown an outdoor orchard-style crop. Its products include industrial hempseed, industrial hemp stalk and branches, industrial hemp roots, industrial hemp leaves, and industrial hemp flowers; all of which are agri-food products. Processed industrial hemp products include industrial hemp food, industrial hemp livestock ingredients, industrial hemp fibre, industrial hemp health and wellness products, building materials, insulating materials, absorbent materials, and other processed products derived from the industrial hemp plant; none of which contain concentrated or isolated phytocannabinoids.

Industry Recommendation: Reallocate the following services administered and delivered by the Government of Canada:

1. Industry development policy and program services delivered by Agriculture and Agri-Food Canada (AAFC);
2. Food safety inspection and compliance services delivered by the Canadian Food Inspection;
3. Information services delivered by AAFC and Statistics Canada;
4. Pesticide registration services delivered by Health Canada's Pesticides Regulatory Directorate;
5. Food safety policies administered by Health Canada's Health Products and Food Branch; and,
6. Variety registration administered by the Canadian Food Inspection and delivered by the Canadian Seed Growers' Association (enhanced Form 300).

The above reallocation of responsibilities requires amendments to sections of the Industrial Hemp Regulations

Industry Recommendation: Amend the following sections of the Industrial Hemp Regulations:

1. Interpretation – Rescind the following definitions:
   a. Export permit
   b. Form
   c. Grain
   d. Import permit
   e. Licence
   f. Partnership
   g. Seed
   h. Determination of THC concentration
2. Interpretation – Add the following definition:
   a. Industrial Hemp Plant, n – Any plant of the genus Cannabis in which the concentration of total available delta-9-THC at physiological maturity is no more than 1.0% w/w in the flowers and leaves of the inflorescence
3. Interpretation – Amend the following definition:
   a. Industrial Hemp, n – Any part of the industrial hemp plant, including any product derived from the industrial hemp plant that does not contain concentrated or isolated phytocannabinoids. Note: The term industrial hemp is synonymous with hemp.
4. License – Rescind
5. Import Permit – Rescind
6. Export Permit – Rescind
7. Importation
   a. 18 Accompanying document – Rescind
   b. 19 Provision of copy of import permit – Rescind
   c. 20 Information and documents – Rescind
   d. 21 Disclosure of information – Rescind
8. Exportation – Rescind
9. Possession of grain for processing – Rescind
10. Cultivation and Propagation
    a. 26(1) Seed of pedigreed status of approved cultivar – Amend – a cultivator must sow only seed of pedigree status that is of an approved cultivar
    b. 26(2) Authorized variety or germplasm – Amend - A plant breeder must cultivate or propagate only varieties of industrial hemp that are approved for research by the Canadian Seed Grower's Association.
    c. 27 Notification – Rescind
11. Declaration – Rescind
12. Sale – flowering heads, leaves and branches – Rescind
13. 29(1) Testing – Amend – A seed breeder must, for the purpose of determining the concentration of THC in the flowering heads and leaves (a) have a representative sample of the flowering heads and leaves collected and dried; and (b) have a portion of the representative sample tested at a competent laboratory using validated test methods.

14. 30 Maintenance of equipment – Rescind
15. General Provisions – Rescind
16. Documents – Rescind

4. **Health Canada question: Would you modify the current definition of industrial hemp and, if so, how and why**?

Increasing the regulated maximum level to 1.0% is consistent with other jurisdictions (e.g. Switzerland, Australia, and Argentina) where the higher THC concentration has not introduced human or animal risks. Further, the industry believes that higher concentration cultivars will primarily be developed for broadacre fibre production (allowing profitable fibre:flower co-harvest) and orchard-style flower production (allowing for economically viable cannabinoid extraction biomass). Based on the Australian experience and Canadian food/processor intentions, It is unlikely that higher-concentration cultivars will be used for producing hempseed, as increased resin levels in flowers (an consequently on hempseed) complicate harvest, cleaning, conditioning, and food/feed processing processes by gumming up equipment without producing any marketable advantages.

Industry Recommendation: The Canadian industrial hemp industry is requesting that the regulated maximum concentration of total available delta-9-THC in the flowers and leaves of the industrial hemp plant be increased from 0.3% to 1.0%.

Industry Recommendation: Adopt the following definitions within the Cannabis Act and Industrial Hemp Regulations:

1. **Cannabis Plant**, n – Any plant of the genus Cannabis in which the concentration of total available delta-9-THC at physiological maturity is more than 1.0% w/w in the flowers and leaves of the inflorescence.
2. **Cannabis**, n – The inflorescence of the cannabis plant (excluding the seeds and leaves when not accompanied by the flowers) from which the resin has not been extracted, by whatever name they may be designated.
3. **Industrial Hemp Plant**, n – Any plant of the genus Cannabis in which the concentration of total available delta-9-THC at physiological maturity is no more than 1.0% w/w in the flowers and leaves of the inflorescence.
4. **Industrial Hemp**, n – Any part of the industrial hemp plant plant, including any product derived from the industrial hemp plant that does not contain concentrated or isolated phytocannabinoids.

Industry Recommendation: Amend Schedule 2 of the Cannabis Act as follows:

1. The industrial hemp plant
2. Industrial hemp
3. A non-viable seed of a cannabis plant
4. A mature stalk of a cannabis plant, without any leaf, flower, seed or branch, of such a plant
5. Fibre derived from a stalk referred to in item 4
6. The root or any part of the root of such a plant
7. A derivative made by processing parts of such a plant referred to in items 3, 5 or 6, or a product made from that derivative
8. A derivative made by processing a stalk referred to in item 4, or a product made from that derivative, that does not contain an isolated or concentrated phytocannabinoid

5. **Health Canada question: What changes would you suggest to streamline the management of the LOAC**?

The industry is supportive of streamlining the cultivar registration process to facilitate the continued arrival and development of these new genetics. Industrial hemp breeders face significant burdens under Health Canada's regulatory framework mainly due to the unpredictability and delays associated with key approval processes. inconsistent processing times for import and export permits delay the acquisition of breeding material and restrict opportunities for international collaboration.

In comparison to Health Canada, requirements for import/export permits, phytosanitary certificates and variety eligibility certificates from CFIA and CSGA are predictable, received quickly and have local agents that can be contacted easily.

The Canadian hemp industry believes that the current LOAC management systems need to be replaced.

Industry Recommendation: Remove cultivars from the LOAC if Health Canda or the Canadian Seed Growers Association do not possess current information on the cultivar ownership or Canadian cultivar maintainer.

Industry Recommendation: Establish maximum THC levels (1% w/w in the flowers and leaves of the inflorescence) for industrial hemp plants produced for commercial sale in Canada.

Industry Recommendation: Maintain current THC testing requirements within the hemp breeding program.

Industry Recommendation: Approve industrial hemp cultivars based only on the research methodology used to generate registration data. For example, do not allow cultivars registered with outdoor-grown pollinated test data (grain and fibre cultivars) to be cultivated in non-pollinated and/or indoor production systems. Cultivating such cultivars in a non-pollinated system (i.e. outside of the registration methodology) – resulting in the plants producing more THC than the regulated limit – should be considered non-compliance of the cultivator and not the cultivar.

Industry Recommendation: The Canadian Seed Growers' Association (CSGA) provides Variety Recognition for Seed Crop Certification (Form 300) data to the Interdepartmental Working Group charged with managing the LOAC registration process. The only additional data required by the Interdepartmental Working group is confirmation of stabilized THC concentration levels in the flowers and leaves of the inflorescence of industrial hemp plants propagated from certified seed. The additional THC data point can be added to create an augmented Form 300 process for the certification of LOAC -compliant industrial hempseed.

Industry Recommendation: CSGA is committed to transparency of its processes and responsiveness to stakeholders. As a result of requests from soybean stakeholders, the Association is making public the list of CSGA-Recognized soybean varieties for seed crop certification. Industrial hemp should be added in the near future.

Industry Recommendation: Transfer the responsibility and management of the List of Approved Cultivars from Health Canada to the Canadian Seed Growers Association. Cultivar approval will be completed using an augmented Variety Recognition Process (Form 300); adding stabilized THC concentration levels in the flowers and leaves of the inflorescence of industrial hemp plants propagated from certified seed or tissue culture clones/ seedlings to the existing criteria. Health Canada will no longer be involved in the recognition or registration of LOAC-compliant industrial hempseed.

6. **Health Canada question: Are there public health or public safety harms related to reducing the regulatory burden**?

   There are no public health or public safety harms related to reducing the regulatory burden as described above.

Contact information

Please submit your input **no later than June 30, 2026** by email to cannabis.consultation@hc-sc.gc.ca, with the following title in the subject line: "Notice of Intent — Consultation on potential amendments to the Industrial Hemp Regulations".

John Clare
Director General
Strategic Policy, Cannabis
Controlled Substances and Cannabis Branch
Health Canada