

## PRESS RELEASE: *Steps Toward Evidence-Based Regulation of Controlled Cannabinoids in Non-Medicinal CBD Products*

On 26 February 2021, the CDPRG releases a new report, **zeroing in on the current gaps in regulatory policy on cannabinoids in the UK**. *Steps Toward Evidence-Based Regulation of Controlled Cannabinoids in Non-Medicinal CBD Products* addresses the most pressing questions that precede the formulation of Government policy on cannabidiol (CBD), making the crucial recommendation of a medically considered lower limit for THC content in non-controlled cannabinoid-containing products; the “zero-threshold.”

A joint publication with the Centre for Medicinal Cannabis (CMC) and the Association for the Cannabinoid Industry (ACI), the report's recommendations immediately resolve the current incongruity in regulation whereby a permitted route exists for a CBD product to be exempt from control, but in practice this impossible. This is because the zero-threshold has not been defined by the Home Office. The report sets out solutions to remedy this.

Officially launching the report within Government, CDPRG's Director of Research Dave King sent it with an accompanying letter to the Advisory Council on the Misuse of Drugs (ACMD) on 09 February 2021 – copied to the Minister for Crime and Policing – highlighting elements of the CDPRG's findings which could be particularly useful for UK policy.

**The report was provided to the ACMD with the intention of assisting them in fulfilling a recent Home Office request for advice related to consumer CBD goods.** The CDPRG recommends urgently clarifying and adapting existing policy to ensure that it reflects the available scientific evidence on cannabinoids and is fit for purpose. In aid of this, we encourage the ACMD to pursue the following lines of enquiry:

- **Establishing a working definition of the uncontrolled element pure CBD**, which is difficult (though not impossible) to isolate from cannabis-plant materials without traces of other cannabinoids being present. While no such definition exists within Government policy, all CBD products are currently controlled products by default.
- **A sensible figure for maximum permitted levels of THC in full-spectrum CBD extracts.** This issue is especially pressing to full-spectrum CBD manufacturers in the UK who have been preparing to submit novel foods applications to the Food Standards Agency (FSA), leading up to the deadline on 31 March 2021, who have made substantial efforts to prepare safety data over the last 18 months, in the absence of an established upper limit for controlled-cannabinoid content in their products.
- **The establishment of a "functional zero" threshold level for THC content in non-controlled CBD products.** We recommend that 0.03% would be an appropriate impurity threshold for controlled compounds in pure CBD preparations advertised at maximum daily doses of 70mg CBD.

### **The UK's nascent CBD industry: what's at stake?**

These regulations will determine the fate of the approximate 700 CBD companies currently active in the UK, a proportion of which are expected to encounter abortive difficulties in

continuing their current operations as regulations, particularly around shipping and importation, adjust in the wake of Brexit. Already valued at £300 million, the UK's CBD industry is predicted to grow to £1 billion by 2025, equivalent to the UK's entire herbal supplement market in 2016, but this positive forecast depends on scientifically-informed policymaking. Crucial recommendations for suitable policies to underlie the UK's CBD industry have been commissioned by the Minister of State for Crime and Policing Kit Malthouse, who wrote requesting these to the Advisory Council for the Misuse of Drugs (ACMD) in a letter published on 11<sup>th</sup> January 2021.

### **Instigating an unprecedented, cross-departmental approach to regulating cannabinoids**

The CDPRG recognises the urgent need to develop policies that allow this industry to flourish. Brexit has enabled the UK to carve its own path in establishing policies relating to CBD, and in its aftermath the cannabinoid policy framework is at a moment of uncharacteristic malleability. It is vital not to squander opportunities for evidence-based cannabinoid policy, and to bring in representatives from across the most appropriate government departments to ensure that each aspect of the UK's CBD industry is supervised with specialised expertise to ensure a thriving whole.

**Correspondingly, the CDPRG has written to several Government departments to propose a cross-departmental approach to regulating cannabinoids;** the Food Standards Agency (FSA), the Department of Business, Energy and Industrial Strategy (BEIS) and the Department for the Environment, Food and Rural Affairs (DEFRA), and a follow up meeting with the FSA has already taken place.

### **To assist evidence-based policymaking further, a follow-up review on the 'entourage effect' is in the works**

*Steps towards Evidence Based Regulation* **is only a first step for evidence based regulation in the CBD industry.** A review into maximum safety levels of controlled cannabinoids is now urgently required to ensure evidenced benefits of the entourage effect found in full spectrum products and the competitiveness of the UK markets and the CDPRG will be producing this analysis over the coming months.

The CDPRG believes that CBD regulation, just like all regulation in the drug policy space, should be evidence-based. To counteract the many unsubstantiated assumptions in the existing UK CBD regulatory environment, CDPRG is leading this campaign to enable:

- An evidence-based approach to the benefits and risks of both isolate and full spectrum CBD products; and
- A sensible regulatory environment that is informed by the evidence and does not place arbitrary barriers on UK CBD industry and its consumers who benefit from this product.

On the intended impact of the this report, Crispin Blunt, Chairman of the CDPRG, says, "The cannabinoid industry not only brings health benefits to thousands of consumers every day but has huge economic benefits for the country. Policy must listen to evidence. We must not allow baseless regulation stuck in a failed prohibitionist policy approach to hinder this product from reaching thousands of consumers who benefit from it, preventing a leading UK bioscience industry from developing."

## Links

- Minister for Crime and Policing Kit Malthouse's letter to the ACMD requesting information on cannabinoids, (11 January 2021): <https://www.gov.uk/government/publications/advice-on-consumer-cbd-cannabidiol-products/letter-from-kit-malthouse-to-acmd-chair-accessible-version>
- The CDPRG's letter to the ACMD, accompanying *Steps Toward Evidence-Based Regulation of Controlled Cannabinoids in Non-Medicinal CBD Products* to the ACMD, Home Office, BEIS, DEFRA and FSA: <https://static1.squarespace.com/static/5bbb29273560c345fcc0fade/t/6038d535c4b49b68b4c1bc93/1614337333768/Letter+from+CDPRG+to+ACMD+-+CBD+consumer+goods.pdf>
- The CDPRG's briefing paper on upper limits for controlled cannabinoid content in CBD products. <https://static1.squarespace.com/static/5bbb29273560c345fcc0fade/t/60101ee6ec2f456c26bd8667/1611669222658/C1+CDPRG+CBD+CND+Recommendations+2021.pdf>

This was sent by the CDPRG with an accompanying letter to the Prime Minister on 20 November 2020 ahead of the UN vote on 02 December 2020, concerns the upcoming United Nations vote on removing cannabidiol (CBD) preparations with less than 0.2 percent THC from international control. **Awareness of these issues, raised within the Home Office, contributed to the commission of the current ACMD review of cannabinoid policy.**

- The CDPRG Chairman Crispin Blunt's letter to the Prime Minister, accompanying the report: <https://static1.squarespace.com/static/5bbb29273560c345fcc0fade/t/5fc7980be2dcb1274df42d63/1606916108562/201120+Letter+from+Crispin+Blunt+FAO+The+Prime+Minister.pdf>

*Any comments or questions, we'd love to hear from you! 33For press enquires, and to interview CDPRG Chairman Crispin Blunt and/or Director of Research David King, please contact our Outreach Coordinator Ros on [ros.stone@cdprg.uk](mailto:ros.stone@cdprg.uk).*