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Hemp Industries Association Position on CBD Extracts Misbranded and Marketed as “Hemp Oil”

Hemp food consumers and companies have raised concerns regarding extracts of CBD (cannabidiol, a non-psychoactive cannabinoid in *Cannabis*) being marketed as “hemp oil.” Hemp oil is the common term for hemp seed oil ([see Wikipedia](#)), obtained by pressing hemp seeds that contain low levels of CBD, typically less than 25 parts per million (ppm). In contrast, CBD extracts are produced either directly from cannabis flowers that are up to 15% CBD (150,000 ppm), or indirectly as a co-product of flowers and leaves that are mixed in with the stalks during hemp stalk processing for fiber. Like THC (tetrahydrocannabinol), CBD is not produced or pressed from hemp seeds.

Cannabis plants with high CBD may well contain less than 0.3% THC in their flowering tops and thus be defined as “industrial hemp” under Section 7606 of the 2014 federal Farm Bill. That provision allows state agriculture departments to permit and regulate pilot programs and research on industrial hemp without the hemp plants being treated federally as marijuana, in those states in which such cultivation is legal under state law. Thus, under that 2014 Farm Bill provision, some states have issued regulations permitting cultivation of industrial hemp plants from which CBD extracts may be produced and sold commercially, although interstate commerce of such products is a legal gray area under federal law. The Hemp Industries Association recognizes that studies and anecdotal evidence indicate that CBD provides significant therapeutic benefit along with other cannabinoids, however HIA cautions against marketing overhype and health claims in this regard.

For these reasons, and because of the critical importance of not misleading consumers, CBD products in the market should not be termed “Hemp Oil” and we are working with vendors of such products to rebrand CBD extracts to remove the market confusion this causes.

It is important for American farmers and processors of hemp to understand that most CBD in products mislabeled as “hemp oil” is a co-product of large-scale hemp stalk and fiber processing facilities in Europe where the fiber is the primary material produced at a large scale. CBD is not a product or component of hemp seeds, and labeling to that effect is misleading and motivated by the desire to take advantage of the legal gray area of CBD under federal law. Hemp seed oil does not contain any significant quantity of CBD. Hemp fiber and seed cultivars contain relatively minimal CBD and CBD production from such plants should not be considered a primary product. There are high CBD cultivars that may qualify as “hemp” under federal law, however the genetics for such cultivars are closely held by various parties, and generally hemp cultivars available to American farmers are not suitable for producing CBD.

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The Hemp Industries Association (HIA) represents the interests of the hemp industry and encourages the research and development of new hemp products. More information about hemp’s many uses and hemp advocacy may be found at www.TheHIA.org and www.VoteHemp.com.