



## HEALTHCARE, LIFE SCIENCES &amp; PHARMACEUTICALS

# Rules authorising the cultivation and industrial exploitation of varieties of hemp

Regulatory Decree 61/94 of 12 October 1994 lays down the rules on the control of the legal market for the narcotic drugs and psychotropic substances included in Tables I to IV annexed to Decree-Law 15/93 of 22 January. It also lays down the rules on the precursors and other chemical products that can be used in the manufacture of drugs, as defined in Regulation (EC) 273/2004 of the European Parliament and of the Council of 11 February and in Regulation (EC) 111/2005 of the Council of 22 December 2004.

The Regulatory Decree established the requirements to engage in the cultivation, production, manufacture, employment, trade, distribution, import, export, introduction, shipping, transit, storage and use of plants, substances and preparations included in tables I to IV annexed to Decree-Law 15/93 of 22 January.

The varieties of cannabis sativa for industrial use are similar to varieties with a tetrahydrocannabinol (THC) content of more than 0.2% and it is possible, owing to natural fluctuations in cultivation conditions, that increases in the THC content may occur above those defined by the common organisation of the markets in industrial hemp. Therefore, it has been decided that, regardless of its end destination, the cultivation of hemp should be subject to authorisation.

Nevertheless, in view of the obvious interest in growing hemp both for medicinal and cosmetic purposes, and for industrial use, in particular for the production of fibre, seeds and other products linked to agro-industry, the Government has legislated to positively discriminate in favour of the production of hemp for industrial purposes, to remove the risk of illegal practices.

**"The Regulatory Decree lays down the rules for authorising the cultivation and industrial exploitation of varieties of hemp that have been long-awaited and demanded by the industry."**

**"The Directorate-General for Food and Veterinary Affairs has the power to grant authorisations to cultivate hemp for industrial purposes."**

Thus, Regulatory Decree 2/2020 of 4 August entrusts the Institute for Financing of Agriculture and Fisheries, I. P. – with the assistance of the Judicial Police, the National Republican Guard and the Public Security Police – with the task of controlling the cultivation for industrial purposes of the varieties of cannabis sativa to produce fibre and seeds not destined for sowing. These purposes include for food or animal feed use, or for the manufacture of food or compound feed for animals.

The Regulatory Decree also provides that the Directorate-General for Food and Veterinary Affairs has the power to grant authorisations to cultivate hemp for industrial purposes.

Finally, the Regulatory Decree establishes the fees to be paid by interested parties to be granted authorisations and for other related procedures. It also establishes the powers to issue and prosecute administrative offence proceedings. ■