

THE REPORT OF THE FRENCH PARLIAMENTARY INFORMATION MISSION UNVEILS ITS PROPOSALS FOR THE DEVELOPMENT OF CBD MARKET IN FRANCE

After having examined the topic of therapeutic cannabis, the French parliamentary information mission on the impact and various uses of cannabis issued [a report](#) dated February 10, 2021, on "wellness hemp" or cannabidiol ("**CBD**"). It is published just a few months after the Kanavape¹ ruling of the Court of Justice of the European Union that we had commented in our article of November 23, 2020.

The purpose of this report is to draw a picture of the CBD industry in France and to make proposals to facilitate the development of the French wellness hemp sector and the investments of the various players in this market with high growth potential. Those objectives can only be achieved by removing the legal uncertainty surrounding the regulation of CBD in France and in particular:

- To allow the free development of the CBD sector, particularly in research, production and distribution;

- To ensure that CBD products will be safer for the consumer; and

- To give a special place to CBD products by distinguishing them from other cannabis products.

To meet these goals, the information mission has issued twenty proposals, the most important of which is a substantial reworking of the decree of August 22, 1990, setting out the exemptions to the general prohibition on the use of cannabis products. As proposed, this reworking would:

- Allow the use of the entire hemp plant to extract CBD;

- Abandon the 0% tetrahydrocannabinol ("**THC**") level rule in finished products;

- Provide for product-specific minimum THC levels; and

- Increase the THC level allowed between 0.6% and 1% in hemp cultivation in France.

¹ CJEU, No. C-663/18, November 19, 2020



In the same way, the information mission proposes to accelerate the procedure of registration of new varieties and to widen the national catalog to the most relevant hemp varieties of the European catalog in order to diversify the composition of products.

More specifically and with the aim of providing greater security and clarity for the consumer, the information mission proposes that CBD flowers should be included in the regulatory field of "non-tobacco plant-based smoking products", while providing the authorities with the means to control the CBD and THC content of these flowers.

The information mission also proposes to obtain from the European Commission the authorization

to use health claims specific to CBD in food products and dietary supplements because of the unique properties provided by CBD in this type of product.

France, faced with an inevitable opening of the market recently confirmed by the Kanavape ruling, must react to the new economic and legal questions concerning CBD. In its report, the parliamentary mission makes a number of relevant proposals on this subject. However, the question of reforming this sector remains unanswered, one year before the presidential elections and in the health context we are experiencing. Let's hope that our leaders will have the courage to move forward quickly and in the direction expected by the "hemp wellness" sector.

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