A Guide to Hemp Seeds as Food

What's allowed for food use and how to label it

You need to know what's allowed for food use if you are a:

Importer – person who brings hemp seeds and product containing hemp seeds into New Zealand for sale, or
Grower – person who grows industrial hemp for food use, or
Manufacturer – person who makes/sells hemp seeds and product containing hemp seeds, or
Exporter – person who exports hemp seeds, or
Retailers – person who retail sells hemp seeds or product containing hemp seeds, or
Anyone else who handles whole hemp seeds e.g. operators of storage facilities.

Why should you read this?

This guide helps you to know:

- What hemp seeds or hemp seed products are allowed as food.
- What rules need to be met (some are unique to hemp seeds as food) to import/grow/process/manufacture/store/transport/sell/export hemp seeds as food.
- How to meet these rules.
- Where to find guidance on what information you need to include on your label.

Icons used in this guide:

Think, some key things to notice or remember.

Think, this is not allowed.

Why is this important?

Your product could be recalled, or you could be fined, if you:

- Use any part of the industrial hemp plant other than the seed.
- Don't meet tetrahydrocannabinol (THC) and cannabidiol (CBD) rules.

If your product is outside the rules for hemp used as food/animal feed and is classified as a drug, it could be destroyed and you could face criminal charges.

Introduction

What do you need to do?

- Make sure your food meets the right rules and you have obtained the correct licences to grow/ import/export or possess whole hemp seeds.
- Make sure you have only grown, or used hemp seeds that you are allowed to use in your food.
- Make sure your food is correctly labelled.
- Retailers make sure you only sell hulled seeds (not whole seeds) that are unable to grow.

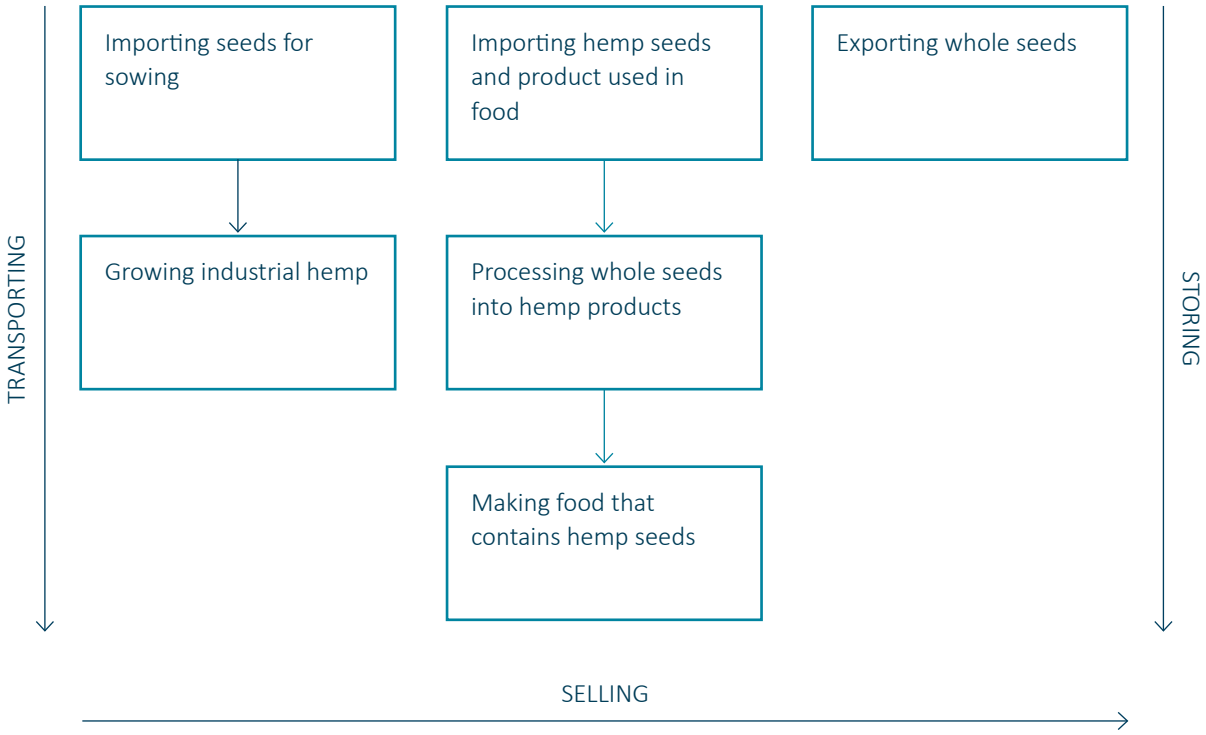
You need to make sure you have met the rules applicable to your food in the Australia New Zealand Food Standards Code (the Code), Food Act 2014 (registered food importer and/or registered business under the appropriate risk-based measure), Misuse of Drugs Regulations 1977 and Biosecurity Import Health Standards.

How to use this guide

- Use the overview on page 2 to check what sectors you fall under.
- Then review the details of the rules that apply and how to meet those sectors in the rest of the document.
- The term "food" throughout this guide refers to products intended for human consumption and the term "feed" refers to products intended for animal consumption.

Overview

Hemp seeds as food



Hemp seeds as animal feed

All hemp and hemp seed products intended for use must be registered under the ACVM Act before they can be imported, sold or used as animal feed. See page 6 for further details.

What's allowed for food use?

The only part of the low THC *Cannabis sativa* plant allowed to be sold as food or used as an ingredient in food is the seed.

This means that food made from the leaves, flowers, buds, stems, or any other part of the low THC *Cannabis sativa* plant is not allowed.

Medicinal cannabis for therapeutic use and CBD products (e.g. CBD oil) is prohibited to be sold as food or used as an ingredient in food.

The regulation of medicinal cannabis for therapeutic use and CBD products (e.g. CBD oil) is administered by the Ministry of Health.

You need to meet the rules in the Code below:

- The seeds:
  - Are from a *Cannabis sativa* plant where the leaves and flowering heads contain no more than 1% delta 9-tetrahydrocannabinol (Low THC *Cannabis sativa*)*.
  - Contain no more than 5 mg/kg total THC (total amount of delta 9-tetrahydrocannabinol and delta 9-tetrahydrocannabinolic acid).
  - Seeds for retail sale and seeds in food for retail sale must be hulled (i.e. outer shell of seed removed) and unable to grow.
  - Whole seeds cannot remain in a food product, but can be used as an ingredient (e.g. ground into powder or oil extracted).
- Cannabinoids can only be present naturally in or on the seeds.
- The level of cannabidiol (CBD) in any food for sale cannot exceed 75 mg/kg.
- The following hemp seed products can be sold as food or used as an ingredient in a food for sale and you cannot add cannabinoids to food.

Seed product	**Maximum allowed level of total THC**
Oil extracted from seeds of low THC *Cannabis sativa*	No more than 10 mg/kg
A beverage made from seeds of low THC *Cannabis sativa*	No more than 0.2 mg/kg
Any other product that is extracted or made from seeds of low THC *Cannabis sativa* e.g. hemp flour	No more than 5 mg/kg

*In New Zealand, the Industrial Hemp rules state the THC level in the plant to be below 1%.

Growing industrial hemp for food use

If you're growing hemp you need to:

- Notify MPI and New Zealand Police before you start growing
  - Notify MPI by contacting info@mpi.govt.nz We require your name, address, and contact details.
  - Notify New Zealand Police by contacting your local police station. Police need to know your personal details, where you will grow the hemp, and details of the scale and nature of your intended production.
  - Meet composition requirements: See **What's allowed for food use** (page 3).

If your hemp seed is intended for use in food you need to:

- Be registered under the Food Act:
  - Register under the appropriate risk-based measure. Growing industrial hemp for food use fits under **National Programme 1** (see Appendix 1).
  - Meet THC level (given as a % of the dry weight of the plant) in the plant to below 1%.

Transporting and/or Storing

If you're transporting and/or storing hemp seeds/hemp seed products/foods that contain any hemp seed product you need to:

- Be registered under the Food Act:
  - See **Registration under the Food Act** (Appendix 1).

Processing whole hemp seeds into hemp seed products or manufacturing foods that contain these products

If you're processing whole hemp seeds into hemp seed products or manufacturing foods that contain hemp seed products you need to:

- Be registered under the Food Act:
  - See **Registration under the Food Act** (Appendix 1).
- Use seeds that are allowed as food:
  - See **What's allowed for food use?** (page 3).

Labelling your food containing hemp seeds

See the weblink A Guide to labelling Food Containing Hemp Seeds (page 11) for details on how to meet the labelling rules.

Selling food containing hemp seeds or hemp seed product

If you are selling food you need to:

- Be registered under the Food Act:
  - See **Registration under the Food Act** (Appendix 1).
- Ensure the product is labelled correctly.
  - See A Guide to Labelling Food Containing Hemp Seeds (page 11).
- Ensure seeds for retail sale are hulled and unable to grow.

Importing hemp seeds and hemp seed products

If you want to import hemp seeds and hemp seed products for food use, you need to meet the rules that apply to your product. Please see the rules needed for what you want to import below, and refer to **Import Health Standard: Grain and Seeds for Consumption, Feed or Processing** on the MPI website All import health standards | NZ Government All import health standards | NZ Government

Importing Requirements

Food Importers must be registered with MPI

- If you are importing hemp for food, you will need to have a Ministry for Primary Industries' (MPI) Food Importer Registration.
- The only exemption is if you are importing viable hemp seed for growing purposes.
- See the MPI website for more details on how to register as a MPI Food Importer how to register as a MPI Food Importer

Meet species and composition requirements

- Seeds must comply with the THC/CBD levels in the Code. See the section in this document **What's allowed for food use?** (page 3).
- The THC level (given as a % of the dry weight of the plant) in the plant must be below 1%

Be aware: If imported hemp seed intended for food use does not meet the Food Standards Code rules for composition regarding THC/CBD levels, the product is not considered a food. It is considered a controlled drug. It may be seized and be destroyed by Customs and you could face criminal charges.

Product must comply with labelling rules

- There are restrictions on labelling of hemp seed and seed products, including words and images that can be used, and health or nutrition content claims that can be made.
- Labelling rules also apply to advertising materials or web-content.
- You must check that the food you import, has been labelled correctly to meet these requirements
- For more detail on labelling, see A Guide to Labelling Food Containing Hemp Seeds (page 11).

Consignment Importing Requirements

For every consignment imported, you must make a lodgement in trade single window and obtain and/or supply the following documentation. See TSW website here Trade Single Window

Obtain a Ministry of Health Licence to Import a Controlled Drug

- If you intend to import **whole hemp seeds**, you will need to:
- Hold a **Licence to import a controlled drug**:,
- Contact: Controlled Drugs Advisor for Medicines Control
  Phone: 04 816 2018
  email: medicinescontrol@moh.govt.nz

Note: A separate **Licence to Import a Controlled Drug** is required for each consignment.

Supply a Phytosanitary certificate with required additional declarations.

- A **Phytosanitary Certificate** confirms that your goods meet the plant health requirements of the importing country.
- A **Phytosanitary Certificate** must be provided for each consignment, from the exporting country.
  - This will be issued by the exporting country National Plant Protection Organisation (NPPO).
  - If satisfied that the pre-shipment activities have been undertaken, the exporting country NPPO will confirm this by providing the appropriate statements on the certificate.

Have the seeds further processed at a Transitional Facility

- For more information, including a list of transitional facilities:
  - See **Finding a Facility** (page 11).

The importer or agent can arrange for treatment once their Biosecurity Authority Clearance Certificate (BACC) has been received.

- See **MPI Approved Treatment Suppliers** (page 11).

Exporting hemp seeds and hemp seed products as food



If you intend to export food that is or contains hemp seeds or hemp seed products check that the product is permitted for food use in the destination country. Check the Phytosanitary requirements for the destination country.

In addition to the usual rules that apply to exporting food, if you intend to export whole hemp seeds to any country, including Australia, you will need to:

- Hold a **Licence to export a controlled drug**:
- Contact: Controlled Drugs Advisor for Medicines Control
  Phone: 04 816 2018
  Email: medicinescontrol@moh.govt.nz

Note: A separate **Licence to export a controlled drug** is required for each consignment.

Importing hemp seeds and hemp seed products for use as animal feed



All agricultural compounds containing hemp, hemp seed, or hemp seed products must be registered under the ACVM Act before they can be used as animal feed

Agricultural Compounds and Veterinary Medicines Act

Animal feeds are regulated under the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997 and are classed as an agricultural compound. This would include hemp seeds and hemp seed products intended for use as animal feed.

Agricultural compounds **must be registered with MPI** as a trade name product or be exempt from registration **before** they can be **imported, manufactured, sold or used**. To date, no hemp seeds or hemp seed products have been registered for use as a trade name product, and such products would not be eligible for exemption from registration.

Controlled drugs and anything containing them can only be fed to animals after registration under the ACVM Act. This applies to THC/CBD/cannabinoids.

Other rules to be met

If your hemp seed/hemp seed products are registered under the ACVM Act there are other rules to be met to import these for use as animal feed. Note that these rules are not included in this guidance document. See the Processed Animal Feeds of Plant Origin (page 11) for MPI approved single ingredient feed products of plant origin.
Contact: info@mpi.govt.nz for more information.

Note under biosecurity clearance requirements, hemp seed and hemp seed products are allowed entry into NZ after irradiation treatment for use as animal feed. This treatment is **not** allowed for products for food use.

Appendix 1

Registration under the Food Act

If you grow, process or manufacture hemp seeds for food use, your business will need to be registered under the appropriate risk-based measure (RBM). Work through our 'My Food Rules' tool www.mpi.govt.nz/food-safety/food-act-2014/my-food-rules/ to help you with this. Some examples are provided below:

Activity	**RBM to be registered**
Grow, minimally process (harvest, sort, rinse or grade whole seeds), transport and/or store or distribute hemp seeds	National Programme 1 (NP1)
Process hemp seeds (e.g. hulling, chopping, grinding or milling), except into oil, includes repacking bulk products for wholesale distribution	National Programme 2 (NP2)
Process seeds into oil, pack bulk food for retail sale or provide bulk hemps seed products for retail sale	National Programme 3 (NP3)
Incorporate processed hemp seeds and/or hemp seed products into other food or drink	Risk-based measure will be determined by the product produced

Once you have identified the RBM to be registered, work through the steps to get registered on the Food Safety website.

If you intend to add a hemp seed product to an already registered RBM, this may change the scope of your RBM or require registration for the hemp seed product you're adding. Use the 'My Food Rules' tool (as above) to check the RBM required for the hemp seed product you are adding. If it indicates a different RBM is required than what you have registered, contact your registration authority or verifier to confirm next steps.

Where to get extra help?

Tools and guidance

- A Guide to Labelling Food Containing Hemp Seeds
- Importing
- Food Importing
- Importing food and beverages to New Zealand | NZ Government
- Registering as a Food Importer:
- Food Importer Information Pack
- Biosecurity- MPI Approved Treatment Suppliers
- Biosecurity- Find a Facility

If you still need help, contact MPI
Phone: 0800 476 224
Email: info@mpi.govt.nz

The Rules

Biosecurity Import Health Standards (IHS):

- Import Health Standards
- Seeds for sowing
- Powders/hemp seed oil/hemp seed foods
- Whole and hulled hemp seeds
- Processed Animal Feeds of Plant Origin
- MPI Schedule of Regulated (Quarantine) Weed Seeds:
- MPI Approved Biosecurity Treatments Standard:
- Treatment Requirement: Approved Biosecurity Treatments (2025)

Food Act:

- Food Notice: Requirements for Food Control Plans and National Programmes 2023
- Food Notice: Requirements for Registered Food Importers and Imported Food for Sale 2026
- The Code is complex and has many exceptions. For more information on the Code see: Food Standards Code legislation | Food Standards Australia New Zealand

ACVM Act:

- Industrial hemp and hemp-derived substances use in agricultural compounds (Supersedes ACVM Alert Notification 22-001)

Legislation:

- Food Act 2014 | New Zealand Legislation
- Food Regulations 2015 | New Zealand Legislation
- Misuse of Drugs Regulations 1977 | New Zealand Legislation
- Agricultural Compounds and Veterinary Medicines Act 1997 | New Zealand Legislation
- Food Standards Code legislation | Food Standards Australia New Zealand