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Legal Advisory re: Cannabis Flower Essential Oil

The Hemp Industries Association (HIA) is formally advising that the federal court decision in HIA v. DEA which ruled hemp foods (energy bars, waffles, bread, etc.) are perfectly legal and safe to consume LIKELY DOES NOT cover beverages, candies, or other products made with the essential fragrance distilled from the resin in leaves and flowers of the cannabis plant and/or from trace resin in the exempted portions of the plant, including stalks. HIA's lead attorney Joe Sandler communicated that the Ninth Circuit Court of Appeals ruling that upheld legal hemp foods was limited to those made from hemp seeds or oil derived from the seed, but does not apply to the essential fragrance used to flavor some candy and food products. (Please visit www.VoteHemp.com to read the court ruling).

"Cannabis flavored beverages and candies allegedly containing THC, as reported in recent news reports and trade journals, should not be considered a hemp food under the exemption in the Controlled Substances Act [21 USC 802(16)]," says Mr. Sandler. "Although cannabis flavored beverages and candies likely will not cause a psychoactive effect and contain insignificant trace amounts of THC, they likely will be considered illegal insofar as they include fragrance or flavorings derived from the non-exempt trace resin of hemp stalks or other parts of the cannabis plant."

On February 6, 2004 the Hemp Industries Association (HIA), representing over 200 hemp companies in North America, won their 2 1/2-year old lawsuit HIA v. DEA, invalidating the Drug Enforcement Administration's misguided attempt to rewrite the definition of marijuana to include nutritious and safe hemp seed. However, companies importing and selling beverages, candies, or other products flavored with the essential fragrance are not covered under HIA v. DEA. The essential fragrance of cannabis, cannabis flower essential oil, has become increasingly popular in European flavor and fragrance houses. The HIA is formally advising its members not to stock these products.

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