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## Industrial Hemp

The cultivation of industrial hemp is now permitted in Canada, under licences and authorizations issued by Health Canada. The passage of the *Controlled Drugs and Substances Act* (CDSA) in 1997 provided the legislative authority to allow the commercial production of hemp in Canada. However, a regulatory regime had to be in place before commercial hemp cultivation became possible. The *Industrial Hemp Regulations*, which received final approval on March 12, 1998, have now established the necessary regulatory framework.

The Canadian Food Inspection Agency (CFIA) was involved in developing these regulations, along with Agriculture and Agri-Food Canada, the Royal Canadian Mounted Police, Revenue Canada (now Canada Border Services Agency) and stakeholder groups. Although the regulations governing the cultivation of hemp are administered by Health Canada, legislation administered by the CFIA is also relevant to the cultivation of hemp. This includes the *Seeds Act* and *Regulations*, which govern the import, export, certification and grading of seeds for commercial crops, and the *Plant Protection Act* and *Regulations*, which govern the movement of plants and plant products into and out of Canada.

Anyone wishing to cultivate industrial hemp has to obtain a licence from Health Canada. Processors, importers and exporters of hemp seed or viable grain (not fibre) also require licences from Health Canada. Seed importers have to register with the CFIA as well, and seed exporters require phytosanitary certificates from the CFIA.

- [Health Canada - Information for Industrial Hemp Producers](#)

The following are answers to frequently asked questions on hemp and hemp cultivation.

### ANSWERS TO FREQUENTLY ASKED QUESTIONS

#### Q1 What's the difference between hemp and marihuana?

A1 Hemp and marihuana are different names for the same plant species, *Cannabis sativa L.* The term industrial hemp is used to refer to strains of cannabis that have low levels of THC (delta-9 tetrahydrocannabinol), the prohibited substance that produces a psychotropic effect or "high" when marihuana is consumed. The *Industrial Hemp Regulations* specify that industrial hemp refers to varieties of cannabis with less than 0.3 per cent THC. Marihuana refers to varieties or strains of *Cannabis sativa L.* with a high THC content. Low-THC hemp strains or varieties are also called non-psychoactive hemp, because they have such a low level of THC that virtually no psychotropic effect can be produced.

#### Q2 Can you tell the difference between industrial hemp and marihuana just by looking at them?

A2 Under identical growing conditions, it is hard to distinguish between industrial hemp and marihuana. When hemp is grown for fibre, the plants are seeded closer together, resulting in tall, upright, slender plants and a high density of plants per acre. When grown for grain or seed, however, industrial hemp is seeded more sparsely, resulting in bushier, more compact plants that more closely resemble marihuana as it is usually grown. Due to this resemblance to marihuana, which is of course a prohibited crop, the cultivation of industrial hemp must be regulated.

#### Q3 Is it legal to grow hemp in Canada?

**A3** The commercial cultivation of hemp is now permitted, under licences and permits issued by Health Canada. Bill C-8, the *Controlled Drugs and Substances Act*, which came into force on May 14, 1997, provided the authority to make regulations for the commercial cultivation of industrial hemp. However, cultivation had to wait for a [regulatory framework for commercial licensing](#) to be put in place. Health Canada has now received final approval for the *Industrial Hemp Regulations*, establishing this regulatory framework.

**Q4 I want to grow hemp. Do I need a licence?**

**A4** Yes, you need a licence from Health Canada.

**Q5 Now that commercial cultivation of hemp is legal, how will you make sure people are growing hemp and not marihuana?**

**A5** Licences and permits are required to grow hemp, and any persons growing marihuana or hemp without authorization will be subject to prosecution. The regulations for the cultivation of industrial hemp include provisions to ensure that licensed growers grow only low-THC hemp. Hemp growers are only allowed to plant pedigreed hemp seed of low-THC varieties. There are also provisions for testing THC levels, and for official monitoring of production facilities, products and derivatives.

**Q6 What is hemp used for?**

**A6** The raw products of industrial hemp production are hemp stalks and grain. Hemp fibre and "hurd" (short, pulpy fibre) are the primary products obtained from the stalks, while oil and cake are produced by crushing the grain. Hemp fibre and hurd can find applications in the textile, pulp and paper and building material industries. Hemp oil can be used for both edible and industrial oils, for nutraceuticals and as an ingredient in health foods. It may also be possible to use hemp cake as a source of protein in the manufacturing of food and animal feed products.

**Q7 If I want to plant hemp, where can I buy hemp seed?**

**A7** Under the regulations, beginning January 1, 2000, growers will be restricted to using pedigreed seed of hemp varieties listed in the *OECD List Of Cultivars Eligible For Certification*. However, until 1999, Health Canada is allowing the use of certain other approved varieties. Now that the regulations are in effect, Canadian seed growers have an opportunity to grow industrial hemp seed. A license from Health Canada is required and seed produced in Canada is subject to the same rules that apply to pedigreed seed of other crops.

**Q8 Are there hemp seed growers in Canada?**

**A8** Not yet. Now that the hemp regulations are in effect, Canadian seed growers have an opportunity to grow industrial hemp seed. A licence from Health Canada is required, and seed produced in Canada is subject to the same rules that apply to pedigreed seed of other crops. Information on pedigreed seed production is available from the Canadian Seed Growers' Association, P.O. Box 8455, 240 Catherine St., Suite 202, Ottawa, Ont. K1G 3T1. The Association's telephone number is (613) 236-0497, its fax number is (613) 563-7855, and its Internet e-mail address is "[seeds@seedgrowers.ca](mailto:seeds@seedgrowers.ca)".

**Q9 If I grow hemp, can I keep part of my seed to grow next year's crop?**

**A9** Not unless you are a licenced grower of the top classes of pedigreed seed (e.g. Registered, Foundation, or Breeder seed). The regulations require that pedigreed seed of approved varieties be used for planting. Farmer-saved seed does not comply with this requirement since there is no provision for use of common seed for hemp production.

**Q10 What do I have to do to import hemp seed?**

**A10** To import hemp seed, you have to both meet the requirements for a Health Canada licence, and become an authorized importer for seed. For details on becoming an authorized seed importer, contact your regional Canadian Food Inspection Agency office.

**Q11 Will hemp seed be graded or tested?**

A11 Hemp seed that is sold in Canada will be subject to the quality requirements of the appropriate Grade Tables under the *Seeds Regulations*.

**Q12 I am planning to cultivate industrial hemp. How much should I plant at first?**

A12 Commercial production of industrial hemp is regulated under the *Industrial Hemp Regulations*, administered by Health Canada, and a licence is required. A minimum acreage is one of the conditions to fulfill when applying for a licence.

However, hemp has not been grown commercially in Canada for decades and there are currently no established markets for the raw products. Potential hemp producers should consider securing a market or finding a buyer for their crop before getting into production. Targeted volumes of stalks or grain and preliminary data on yield range will be key to calculating how many acres should be planted at first. However, this calculation alone will not provide a sound basis for making a business decision. Potential producers will have to evaluate if they can make a reasonable profit, taking into account potential revenues and costs.

**Q13 If I grow hemp, where will I be able to sell my crop?**

A13 Hemp has not been grown commercially in Canada for decades and there are currently no established markets for raw hemp products. Potential hemp producers should consider securing a market or finding a buyer for their crop before getting into production. A few companies and agri-businesses have indicated that they intend to become primary processors for hemp stalks and grain. Primary processors will have the challenge of developing markets for hemp fibre, hurd, oil and cake. To do so, they will have to ensure consistency of supply and quality to secondary processor /manufacturers and retailers. Contracting production is one possible option that processors may consider to achieve their objectives.

**Q14 How much can I expect to be paid for industrial hemp?**

A14 Hemp has not been grown commercially in Canada for decades, so there are currently no established market for the raw materials, and Canadian benchmark prices based on historical data are not available. For planning purposes, hemp producers can use import statistics for hemp fibre and grain, as well as prices of competing products such as wood and flax fibre and other oilseed crops. This should provide a conservative reference price.

**Q15 Is crop rotation a good idea for industrial hemp producers?**

A15 Yes. It is always a good farm management practice to rotate crops. One of the major reasons is to prevent the build-up of disease organisms.

**Q16 Do I need a license to process hemp?**

A16 Under the *Industrial Hemp Regulations*, you require a license from Health Canada to process hemp grain. There is no licence needed to process hemp stalks, since they are not controlled under the *Controlled Drugs and Substances Act*.

**Q17 Can I process hemp grain into oil and oil products on the farm?**

A17 Yes, if you have the appropriate equipment and a licence from Health Canada for this purpose.

**Q18 Do we have facilities to process hemp in Canada?**

A18 A few companies and agri-businesses have indicated that they intend to become primary processors for hemp stalks and grain. Primary processors will have the challenge of developing markets for hemp fibre, hurd, oil and cake.

**Q19 If I grow hemp, will I be able to export hemp fibre?**

A19 Yes. Hemp fibre is not controlled under the *Controlled Drugs and Substances Act*, and therefore no licence is needed. However, as with the export of any other crop, you must meet the phytosanitary requirements of the importing country.

**Q20 If I grow hemp, will I be able to export hemp seed?**

**A20** Yes. To export hemp seed, you will require a licence from Health Canada and an export permit. In addition, you must meet the phytosanitary requirements of the importing country. Phytosanitary certificates are available from the regional offices of the Canadian Food Inspection Agency.

**Q21 Can I import hemp fibre?**

**A21** Yes. It was already legal to import hemp fibre since it is not controlled under the *Controlled Drugs and Substances Act*.

For more information, contact:

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Seeds Section

- [Health Canada - Information for Industrial Hemp Producers](#)
- [Health Canada - Industrial Hemp Technical Manual](#)

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