



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

PLANT HEALTH DIVISION PLANT PRODUCTS DIRECTORATE CANADIAN FOOD INSPECTION AGENCY 59 Camelot Drive Ottawa, Ontario K1A 0Y9 (Tel: 225-2342; FAX: 613-228-6602)	D-96-03
	(EFFECTIVE DATE) August 4, 2006 (3rd Revision)
TITLE: Plant Protection Import Requirements for Hemp, (<i>Cannabis sativa</i>)	

SUBJECT:

This directive states the import requirements for hemp (*Cannabis sativa*) plants and seed.

The third revision modifies section 1.5, Commodities Exempt.

Canada

Table of Contents

Review 3

Endorsement 3

Amendment Record 3

Distribution 3

Introduction 3

 Scope 4

 References 4

 Definitions, Abbreviations and Acronyms 4

1.0 General Requirements 6

 1.1 Legislative Authority 6

 1.2 Fees 6

 1.3 Regulated Pests 6

 1.4 Regulated Commodities 6

 1.5 Commodities Exempt 7

 1.6 Regulated Areas 7

2.0 Specific Requirements 7

 2.1 Movement Requirements 7

 2.2 Inspection Procedures 9

 2.2.1 Document Verification 9

 2.2.2 Product Examination 9

 2.2.3 Phytosanitary Measures 9

 2.3 Non-Compliance 9

 2.4 Other Requirements 9

Review

This directive will be reviewed every 2 years unless otherwise needed. The next review date for this directive is August 4, 2008. The contact for this directive is Joanne Rousson. For further information or clarification, please contact the Grains & Field Crops Section.

Endorsement

Approved by:

Director
Plant Health Division

Amendment Record

Amendments of this directive will be dated and distributed as outlined in the distribution below.

Distribution

1. Directive mail list (Regions, PHRA, USDA)
2. Provincial Government, Industry (via Regions)
3. National Industry Organizations (determined by Author)
4. Internet

Introduction

The original Pest Risk Assessment (PRA) and additional information supplied subsequently indicate that, at this time, there is inconclusive evidence to substantiate or negate the existence of major pests of quarantine significance for hemp.

However, a number of bacteria and fungi have been identified as associated with hemp, which may have the potential to be quarantine pests. Therefore, in a prudent manner we will require some mitigating measures. A requirement to have all seed cleaned (free of soil peds, plant debris and related matter) will be a minimum requirement to reduce the probability of introducing these and possibly other potential quarantine pests.

Importers of hemp plants and seed from all countries including the continental US, must obtain a

licence to grow hemp and a Permit to Import from Health Canada. Health Canada requirements must be met before Permits to Import can be issued by the Canadian Food Inspection Agency (CFIA).

Hemp production was prohibited in Canada in 1938 under the *Opium and Narcotic Drug Act*, but the prohibition was relaxed briefly during World War II when traditional sources of fibres were unavailable. The prohibition was renewed after the war until 1961. Between 1961 and 1994, Health Canada allowed limited production in Canada for research purposes only. The situation in the United States (US) has closely paralleled that in Canada.

The psychoactive compound that makes hemp a controlled substance is delta-9 tetrahydrocannabinol (THC). Some varieties of hemp have over thirty times more THC than others. Hemp varieties with low levels ($\leq 0.3\%$) of THC may be used to produce high quality fibre for paper, cloth and rope as well as grain for human consumption and animal feed.

Health Canada recognizes the difference between these two types of hemp and regulates who can produce a crop for fibre. The production of hemp for consumption i.e. smoking, is still illegal. Hemp growing is expected to develop into a significant new fibre and oilseed industry in Canada.

CFIA regulates hemp because of the risk of introducing potential quarantine pests to Canadian agriculture.

Scope: This directive is intended for the use of CFIA and Canada Border Services Agency personnel to prevent the introduction and spread of regulated pests into Canada. It is also a guide to Canadian import requirements for use by importers, shippers, customs and brokers and others involved in importing hemp to Canada.

References: ISPM No. 5: Glossary of phytosanitary terms: FAO, Rome 2002

It supersedes the D-96-03 (2nd Revision, dated August 8, 1997; all reference to hemp in the following two documents: D-94-14, dated 18/01/95 and D-87-20, dated 28/07/87, and any other previous documents referring to hemp.

Definitions, Abbreviations and Acronyms

Definitions, Abbreviations and Acronyms

Grain A commodity class for seeds intended for processing or consumption and not for planting (See Seed).

Permit to Import Official document authorizing importation of a commodity in accordance with specified phytosanitary requirements (FAO, 1990; revised FAO, 1995); issued by the CFIA pursuant to the *Plant Protection Regulations*.

Phytosanitary Certificate An official document, issued by the plant protection organization of the exporting country to the plant protection organization of the importing country. It attests that the plants or plant products covered by the certificate have been inspected according to appropriate procedures and are considered to be free from regulated pests and practically free from other injurious pests, and that they are considered to conform with the current phytosanitary regulations of the importing country.

PRA Pest Risk Assessment
Seed A commodity class for seeds for planting and not for consumption or processing (See Grain).

US United States

1.0 General Requirements

1.1 Legislative Authority

The Plant Protection Act, S.C. 1990, c.22
The Plant Protection Regulations, SOR/95-212
Canadian Food Inspection Agency Fees Notice, Canada Gazette, Part I (05/13/2000)

1.2 Fees

The CFIA is charging fees in accordance with the *Canadian Food Inspection Agency Fees Notice*. For information regarding fees associated with imported product, please contact the Import Service Centres (ISC) at the following phone numbers: Eastern ISC 1-877-493-0468; Central ISC 1-800-835-4486; Western ISC 1-888-732-6222. Anyone requiring other information regarding fees may contact any local CIFA office or visit our Fees Notice Web Site :
<http://www.inspection.gc.ca/english/reg/cfiaacia/feesfrais/feesfraise.shtml>

1.3 Regulated Pests

Based on PRA information, the following pests are not known to be present in Canada but are associated with hemp and may be of potential economic importance.

Pests Associated with Hemp

Pseudomonas syringae pv. *cannabina* (bacteriosis of hemp)

Xanthomonas campestris pv. *cannabis* (leaf spot of hemp)

Fusarium oxysporum f.sp. *cannabis*

Pseudoperonospora cannabina (downy mildew of hemp)

Orobancha spp. (broomrape)

The above list is compiled from available documentation and data bases. If other pests are intercepted on imported hemp, they may be examined for their potential to cause damage to crops and appropriate phytosanitary measures may be required.

1.4 Regulated Commodities

Plants and seed of hemp, *Cannabis sativa* for propagation.

1.5 Commodities Exempt

The following products from all sources, are exempt from phytosanitary requirements:

- processed and semi-processed hemp fibre and fibre products, e.g. cordage, crude fibre, textiles containing a percentage of hemp;
- seeds imported for uses other than planting (e.g. bird feed, processing or human consumption etc.). They must be free of soil, plant debris and related matter. The intended use must be clearly evident to an inspector (e.g. stated on the shipping documents, destination is a processing plant etc.).
- raw hemp material for industrial processing.

Note: Although exempt from plant protection requirements, the above commodities may be subject to other regulatory requirements (see section 2.4).

1.6 Regulated Areas

All countries

2.0 Specific Requirements

2.1 Import Requirements

Importers of hemp plants and seeds for propagation must first obtain from Health Canada both

- **a license to grow hemp and**
- **a Permit to Import**

Commodity	Origin	Commodity Details	Import Requirements
plants	Continental US	plants associated with soil (ie. rooted, grown/or growing in soil)	Phytosanitary Certificate with appropriate additional declarations for soil pests
		plants not associated with soil	Phytosanitary Certificate
	Other	plants originally associated with soil (ie. rooted or grown in soil) must be imported bare-rooted	Permit to Import; Phytosanitary Certificate with appropriate additional declarations for soil pests
		plants rooted and imported in a medium approved under the Canadian Growing Media Program (CGMP)	Permit to Import; Phytosanitary Certificate
		plants with soil	PROHIBITED
seed	Continental US	must be clean (free of soil, plant debris and related matter)	Phytosanitary Certificate
	Other	must be clean (free of soil, plant debris and related matter)	Permit to Import; Phytosanitary Certificate

2.2 Inspection Procedures

2.2.1 Document Verification

Permits to Import and Phytosanitary Certificates required for importations of hemp must be verified as valid prior to release of the material to the importer.

2.2.2 Product Examination

All shipments of imported hemp are subject to inspection by an authorized CFIA inspector at the first point of entry or at a place in Canada determined by the inspector. Samples may be taken to ascertain the absence of quarantine pests.

2.2.3 Phytosanitary Measures

If the inspection of a shipment results in the detection of a quarantine pest or there are reasonable grounds to believe such a pest is present, the infested shipment may be refused entry, returned to origin, treated (ie. fumigated) or destroyed, at the importer's expense, as determined by the inspector.

2.3 Non-Compliance

An inability to provide a valid Permit to Import and/or Phytosanitary Certificate for the shipment on arrival, may result in delay in releasing the shipment, return to origin, treatment (ie. fumigation) or destruction of the shipment at the importer's expense.

2.4 Other Requirements

The importation and production of all hemp products, including plants and seed for propagation, are regulated under the *Controlled Drugs and Substances Act and Regulations* as administered by the Healthy Environments and Consumer Safety Branch of Health Canada.

The importation of hemp seed for propagation is also regulated under the *Seeds Act and Regulations* as administered by CFIA.

Hemp seed for pet and wild bird feed is regulated under the *Health of Animals Act and Regulations* as administered by CFIA.

Any importer wishing to know about the requirements under the above Acts and Regulations should contact the local offices of Health Canada and CFIA.