

NORTHERN IRELAND IS NOT TO BENEFIT FROM THE UK FOOD STANDARD AGENCY'S POSITION ON CANNABIDIOL

As we approach the deadline for submission in order to achieve the benefit of the UK Food Standard Agency's position on Cannabidiol, the industry in Northern Ireland is dealt a body-blow which many will not be aware of.

Probably unnoticed by many, the UK Food Standard Agency's website now contains the following note:

NORTHERN IRELAND

The EU law that applies to Northern Ireland after the transition period is specified in Annex II to the [Northern Ireland Protocol](#). This means that if you're seeking an authorisation for a CBD product to be placed on the Northern Ireland market you will have to continue to follow EU rules and its [authorisation procedures](#).

[We note that the link provided by the FSA to the "authorisation procedures" is actually to the wrong page, but that matters not for the purposes of this discussion. We have included the correct link above.]

You can be forgiven for not having read the ***Northern Ireland Protocol***, which is 63 pages in length, contains 6 Annexes and relies upon additional documents as referred to within the 369 Footnotes.

The impact of the ***Protocol*** on the Cannabinoid industry in Northern Ireland, and anyone seeking to supply Cannabinoid products to businesses or consumers within Northern Ireland is fundamental - it will be unlawful until the product in question is fully Authorised by the European Commission, having progressed through the full Novel Food assessment process (as conducted by the European Food Safety Authority (EFSA)).

In short, consumers and businesses in Northern Ireland will not be able to benefit from the structure that has been adopted by the UK Food Standards Agency whereby Cannabidiol products which meet the FSA's requirement for them to be Validated by 31st March 2021 and can be manufactured and sold without regulatory intervention.

It is uncertain how much financial and emotional investment has been made by Cannabinoid businesses in Northern Ireland, but this will no doubt come as a shock and significant blow to them and their businesses.

However, it will not only impact on businesses within Northern Ireland, but also those businesses in the rest of the United Kingdom who supply to, or would otherwise have sought to have supply to, businesses and consumers within that territory because the offering for sale and marketing of such products will be unlawful, as it is in the rest of the European Union.

Remember what we always say: Be Careful Who You Listen To.