

The curious case of Lithuanian hemp regulation

Nijole Gostautaite Midttun, MD

Lithuanian Tobacco and Alcohol Control Coalition Mental Health Initiative (Vilnius, Lithuania) nigomi@hotmail.com

Nordan network on narcotic drugs meeting 15th of December, 2022

1

The Law on Hemp in Lithuania since 2013

	Lietuvos	Respublikos pl	luoštinių kanapių įstatymas	
Rošs:	[statymas	Priemimo data:	2013-05-23	Galiojanti suvestinė redakcija:
Identifikacinis kodas: 1131010ISTA0XII-336		Dokumento nr.:	XII-336	Suvestinių redakcijų sąrašas pagal da
Užregistravimo TAR data:		Prieme:	Lietuvos Respublikos Seimas	Paketimų projektai:
Galioja 🔴 🗮	[sigaloja 2014-01-01 (12 straipsnis įsigaloja 2013-06-08.)	06-08.) Paskelbta: Valstybės žinios, 2013-06-08, Nr. 61-3025		Eurovoc terminac
Kaba:	Lietuvių			Ryšys su ES teisės aktais:
	PIRMASIS S BENDROSIOS I			
1 straipsnis. Istatymo paskirtis ir ti	ikslas			

1. Šis įsatymas mustato veiklos, susijunios su pluožinių kanapių augamm, priezmos ir veisnos, sus (spiriomo radas Liebuvos Respubliskos).
2. Šio įsatymo tiklais – mustatyri reikalavimus asmenims, pageidujustiensu sužinini tam tikra veikla to mustatomo: šiamo iš Tarybos reglamotic (EB) Nr. 73/2009, mustatančio bendrajasa tiesioginės pas į paramos schemas tikininkams, III antraltiniejė dabyje munatytos bendrosios išmokos schemos taily maparito 7 de. Komijos įgyvordininos reglamentu (ES) Nr. 1126/2011 (Oz. 2011 2.39, p. 24). Il obė) auginima, ja žaliavos, sėklos ir sėjai neskiri plootitinių kanapių sėklų tiekimu rinkai ir importu, tu my valkos priežinia lidoje arityje altiki.
3. Šio įstatymo muostatos suderintos su Europos Sąjungos teisės aktais, murodytais šio įstatymo priede ojaniems užaiimti tam tikra veikla, susijusia su 2009 m. spalio 29 d. Komisijos reglamento (EB) Nr. 1120/2006 tatanicio bendrajaias tiesiopinės paramos schemu pagal bendrą žemės tikio politiką taisykles ir mustanacio tan enderdosio išmokos okemeno taikymo taisykles (Ož. 2009 J. 154, p. 1), su spasiuniniais pakeiminiais, padarytai 6/2011 (Ož. 2011 I. 238, p. 24), 10 straipmio mostetas atininkančių phobitimią kanapių veitilų (toliau–įteisinie skilų tiekim iriaki ir importu, taip pat importo licencijosijosimos vaikkos alygas ir sudaryti vietines prielaidi



Hemp in Lithuania: from 283 ha in 2013

2019 EU total approx 55000 ha

NTAK NACIONALINĖ TABANCI IR ALKOHOLIO KONTROLĖS KOALICIJA

	2017	2018	2019	2020	2021
На	2479	3921	9182	5285	4780

Techs general Substantians are revenito spaces

44,0

Strain agains

Substantian spaces

47,0

What agains

Afrancial Common League

61,0

Afrancial Common League

Course control

61,0

Course contr

1ha – 10 thousand m2

3

Aurora Cannabis Inc invests in cannabis processing in Lithuania 2019



NTAK NACIONALINE TABANCI IR ALKOHDLID KONTROLĒS KOALICIJA

Small changes creeping up 2015

- On 3rd of December 2015 the Lithuanian Parliament adopted amendments to the Law on Hemp (draft No. XIIP-3589(3). Adds new term "hemp for horticulture" - that is, fibrous hemp grown among other garden plants for agrotechnical or phytosanitary purposes. In this case hemp may cover up to 0.1 ha and up to 20 units of these plants per 0.01 ha. For these small areas, hemp cultivation will not require sampling for THC testing;
- In addition amendments allow growing of new and experimental varieties that can be better adapted to climate in Lithuania, rather than earlier more restrictive version allowing to grow only pre-set varieties from already existing EU lists;



5

NTAKK adressess the Parliament members regarding new proposed version of the Law "the risks of attempting to revive economy with drugs" 20th of April, 2020

Proposal:

- permits to manufacture unlimited amounts of THC extracts called "intermediary products" – an "in between product" from raw hemp to final hemp product;

Proponents argue based on benefits to economy: new cosmetic, food, health and medical, animal foder and other products;

Also citing international investment; Main lobby – agricultural, and "hemp industry".



Ammendments passed EU notification procedure initiated on 6th of May, 2020

NTAK NACIONALINÉ TABANG IR ALKOHDLIO KONTROLÉS KOALIGIA

6

EU notification procedure

Notification Number: 2020/277/LT

Remarks and instructions provided by Italy and the European Commission (EC): communicate TRIS/(2020) 02951.

Extended the status quo until 9th of November 2020

Pranešimas 315

Komisijos pranešimas - TRIS/(2020) 02951 Direktyva (ES) 2015/1535 Pranešimas: 2020/0277/LT

Išsami Komisijos nuomonė (6 straipsnio 2 dalies antra įtrauka, Direktyvos (ES) 2015/1535). Ši išsami nuomo pratesia atidėjimo perioda iki 09-11-2020.

Comunicado detaliado - Podrobné vyjádfeni - Udforlig udtaleties - Ausführlichem Stellungnahme - Üsksikasjalisk avannus - Ejmzportronajutyn vyjóvny - Detalled oplinio - Avis circonstancié - Parere circostanziado - Detalizēt atzinums - Detali nuomoné - Részletes vélemény - Opinjoni detaljata - Ultvoerig gemotiveerde mening - Opin azczegolova - Pareere circumstanciado - Podrobny lusudak - Podrobny omnenje - Ysksiyásóhtalnen lausunto -

for status que fortil mijesti 10 4-11-2020. De la autéent des Status que verd vertilingent ble 09-11-2020. - Praespase colubrar tabitiseage plicendataise keun 100-11-2020. - Proteingen proteit vertilingent proteit par vertilingent proteit par vertilingent proteit par vertilingent proteit par vertilingent protein pro

Die Kommission hat diese ausführliche Stellungnahme am 07-08-2020 empfange The Commission received this detailed opinion on the 07-08-2020.

Lu Commission

- Legally binding remarks by EC were ignored by the Seimas of the Republic of Lithuania (hereinafter – the Parliament), the process of adoption was finalized and no response was provided to the EC!!!
- There was no response from EC to no response from the Lithuanian Parliament;



7

17th of December, 2020 – as per unfinished notification procedure the Parliament returned to discussions on the amendments in the committees

Pluoštinių kanapių įstatymą Seimas grąžino parlamentiniams komitetams vėl svarstyti 🖵

Sniegė Balčiūnaitė,
BNS
2020 m. gruodžio 17 d. 20:18

Seimas ketvirtadienį grąžino į parlamentinius komitetus svarstyti
Pluoštinių kanapių įstatymą.

NTAK NACIONALINÉ TABANCI IR ALKOHDLIO KONTROLÉS KOALICIJA

Letter of concern from NTAKK to EC

- Ammendments coming into effect 2021-11-01;
- Allows production of "intermediary hemp products" with unlimited amount of THC;
- Can be stored within a hemp production facility;
- Notification procedure NOT finished;
- No response from the parliament to the specific comments by the EC;

There were parallel (regretfully uncoordinated) letters on the same subject from Parlament members and Lithuanian regulating authority informing that notification comments have not been incorporated. No known responses from EC



D 0: 24.4

Lithuanian Tobacco and Alcohol Control Coalition sends this urgent letter of concern regarding the Law of the Republic of Lithuania amending Law No. XII:336 on Hemp (hereinafter – The Law) which is coming into effect in a few days – on the 1st of November 2021. We believe that the outof The Law and the process of adoption violates EU regulations and procedures and poses diverse risks to public health and safety of the citziens of EU.

When it comes into effect on November the 1st, 2021 The Law will create a unique situation in the EU by legalizing production of unlimited amount of tetrahydrocannabinol (THC) extracts. The Law



9

ONLY RESPONSE 06-04-2022

EUROPEAN COMMISSION DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS. Directorate D — Internal Security D.5 — Organised Crime and Drugs The Head of Unit

Having carefully analysed your letter and the law, we came to the conclusion that the intention of the law you refer to is not to liberalise the use of cannabis. Moreover, the law limits the maximum authorised levels of tetrahydrocannabinol in the final fibre hemp products to 0.2% or even lower levels in case of categories of products intended for end use and consumption.

Regarding the notification of the law under the procedure provided for in Directive (EU) 2015/1535, the Commission issued a detailed opinion and comments on the notified draft text while the Italian authorities issued comments. The final text, as adopted, was communicated to the Commission on 29 June 2021, closing the notification procedure.



- Request 2021-10-28;
- Response 2022-04-06;

NTAK NACIONALINÉ TABANCI IR ALKOHDLIO KONTROLÉS KOALICIJA

Current Law on Hemp still includes: - reference to intermediary products containing higher concentration of THC than 0,2:

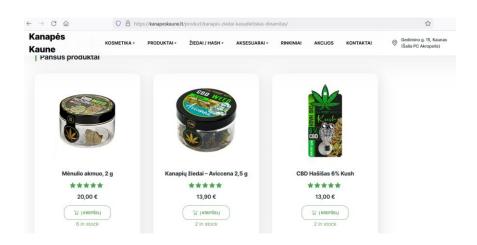
Article 6: If during hemp processing intermediary products are formed in which the THC content exceeds the permitted limit of 0.2 percent, this requires manufacturer to be a legal entity established in the Republic of Lithuania or a subsidiary of a foreign legal entity and other organizations holding a permission to carry out such production, during which intermediary products of hemp are formed, in which the THC content exceeds the permitted limit of 0.2 percent (hereinafter - the permit). The permit is issued, refused to be issued, suspended or revoked, revokes the suspension of validity, issues duplicates by an institution authorized by the Government of the Republic of Lithuania, in accordance with the rules for the production of hemp products approved by the Government of the Republic of Lithuania. A state fee is charged for the issuance of permits and their duplicates and for the revision of these permits. Hemp intermediate products, in which the THC content exceeds the permitted limit of 0.2 percent, must be included in the accounting and used to produce a hemp product that meets the requirements of this law, or be handled as waste, including disposal, in accordance with the procedure established by the Waste Management Law of the Republic of Lithuania.

Lithuanian institutions against a fee will be issuing permits to produce THC extracts !!!



11

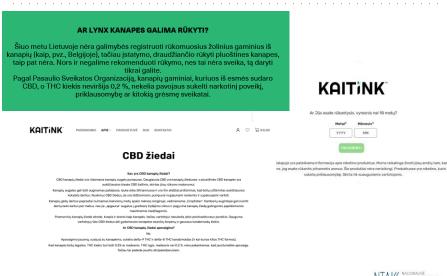
Promissed economic innovation: already on sale on Lithuanian webpages





12

Hemp for smoking



NTAK NACIONALINÉ
TABLAKO IT ALKOHOLIO
KONTROLËS KOALIOJA

13

One of the largest cannabis farms in Lithuania busted 2022-12-15

Lietuvoje 2022.12.13 10:26





Conclusions regarding "the Hemp Law"

- Allows experimenting with new "unlisted" varieties;
- · Weak control institutions;
- Distributed control among many different institutions with no coordination mechanism between them;
- · Extremely limited control capacity;
- · Regulates hemp, creating illusion of control;
- · Vague and probably false economical considerations;
- In the context of planned cannabis consumption and possesion decriminalization ammendment.

NTAK NACIONALINÉ TABANG IR ALKOHOLIO KONTROLÉS KOALIGIA

15

THIS DOES REMIND INDUSTRY TACTICS THAT WE KNOW FROM ALCOHOL AND TOBACCO

Grey Goose Galactic martini: created to toast a global partnership!





LITHUANIAN TOBACCO AND ALCOHOL CONTROL COALITION (NTAKK)

NTAKK – legal association acting since 2008 which currently has 32 member organizations.

NTAKK mission is to promote, advocate and actively work towards implementation of scientific, evidence-based, effective measures for control and prevention of the use of all psychoactive substances and gambling.

NTAKK aims to:

- Unite stakeholders in the field of psychoactive substances prevention and policy;
- Encourage and develop public and NGO cooperation;
- Advocate for implementation of evidence-based policy;
- Develop, implement and support policy programs, projects, etc.

17