

## LCQ5: Regulation of products containing cannabis

Following is a question by the Dr Hon Helena Wong and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (November 7):

Question:

Last month, the Canadian authorities relaxed control on recreational cannabis. Packaging labels bearing "THC" (i.e. the abbreviation of tetrahydro-cannabinol, the main constituent of cannabis) or "Cannabis" indicates that the food products or drinks to which they are affixed contain cannabis, and nationals of that country may purchase such food products or drinks from licensed suppliers. In addition, the World Health Organization has indicated that in recent years, some countries have relaxed the regulation of cannabidiol (CBD), a cannabis compound, and regarded products containing CBD as medical products. Regarding the regulation of cannabis under the laws of Hong Kong, will the Government inform this Council:

- (1) whether the import of food products or drinks containing THC falls within the ambit of the Dangerous Drugs Ordinance (Cap. 134); if so, of the details; if not, whether it will amend the relevant legislation to impose regulation in this regard;
- (2) whether the possession or purchase via the Internet of food products or drinks containing THC is against the law; if so, of the details; and
- (3) whether the manufacture or import of medical products, food products or drinks containing CBD is against the law; if so, of the details?

Reply:

President,

In consultation with the Food and Health Bureau and the Department of Health, the reply to the question is as follows:

(1) and (2) Tetrahydro-cannabinol (THC) is a cannabinoid present in cannabis plants and is a dangerous drug controlled under the Dangerous Drugs Ordinance (Cap. 134). Any products (including any food products and drinks) that contain THC are also controlled under Cap. 134.

Under Cap. 134, trafficking in dangerous drugs, or illicitly importing to and exporting from Hong Kong, procuring, supplying, manufacturing, or dealing in or with dangerous drugs, constitutes a criminal offence. The maximum penalty is life imprisonment and a fine of \$5 million. Illicitly possessing, or smoking, inhaling, ingesting or injecting dangerous drugs is subject to a maximum penalty of imprisonment for seven years and a fine of \$1 million.

(3) Cannabidiol (CBD) is another cannabinoid present in cannabis plants but is not a dangerous drug controlled under Cap. 134. For pharmaceutical products containing CBD but not any dangerous drugs, the products must be registered with the Pharmacy and Poisons Board (the Board) in accordance with the requirements under the Pharmacy and Poisons Ordinance (Cap. 138) before it can be sold or distributed. Manufacturers, importers or distributors of the pharmaceutical products must also obtain relevant licences from the Board. In addition, for importing pharmaceutical products, an import licence must be obtained under the Import and Export Ordinance (Cap. 60). At present, no registered pharmaceutical product contains CBD.

Regarding food products or drinks containing CBD, since it is difficult to extract pure CBD, the food products and drinks concerned may highly likely contain other cannabinoids controlled under Cap. 134 (such as THC). The local food trade should avoid importing or manufacturing products concerned lest they would breach the law.