



## Friday

## News

## Local News

## Opinion

## » Business »

## Sports

## Currents &amp; Arts

## The Last Week

## Sunday

## Monday

## Tuesday

## Wednesday

## Thursday

## Friday

## Saturday

## Weekly Sections

## Books

## Personal Tech

## Enlace

## Family

## Food

## Home

## Homescape

## Insight

## Night &amp; Day

## Religion &amp; Ethics

## Sunday Arts

## Travel

## Quest

## Wheels

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## Foods containing hemp face impending DEA ban

By Frank Green

STAFF WRITER

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The use of hemp in corn chips, frozen waffles and other foodstuffs will be nipped in the bud next month under a new ruling by the U.S. Drug Enforcement Administration.

Any cannabis products intended for human consumption will not be allowed to be manufactured or sold after April 21, the agency said yesterday.

A trade group representing dozens of companies that mix hemp oils and fiber into their products – including San Diego County-based Govinda's Fitness Foods and Dr. Bronner's Magic Soap – said it plans to file a brief today in the 9th Circuit Court of Appeals in San Francisco seeking a stay of the ban.

Several executives at companies distributing hemp-related goods threatened acts of civil disobedience if the ruling is enforced.

Hemp contains trace elements of the psychoactive substance tetrahydrocannabinol, or THC, which is found in marijuana. U.S. drug laws list THC as a Schedule 1 controlled substance.

"We expect most of the public to abide by the ban," DEA spokeswoman Rogene Waite said.

Sales of hemp products rose to \$140 million last year, although food containing hemp accounted for only \$6 million of the industry.

Pretzels, tortilla chips, granola and dozens of other edibles are produced under such brands as Hempola, Nativa and Nature's Path.

The DEA added that the ban does not apply to hemp fiber used in industrial products such as paper, rope and clothing, and sterilized cannabis seeds and oils in animal feed and soap.

But companies that use hemp said the exemption likely won't apply to imported hemp oil and fiber subsequently used in the production of

goods.

"They're not exempting the import of actual oil, just the manufactured product," said David Bronner, president of Dr. Bronner's and chairman of the Hemp Industry Association's food and oils committee.

The production of hemp is illegal in the United States, and virtually all of the material used by Dr. Bronner's and other companies is imported from Canada.

Under the ban, Dr. Bronner's, which posted revenue of \$8 million last year, said it would have to reformulate virtually its entire product line, a potentially disastrous turn for the company.

Dr. Bronner's said it has seen its business jump by 50 percent since it began adding hemp to its health soaps in 1999.

"Our product identity is wrapped up in hemp," Bronner said.

Bronner said he nevertheless is optimistic that the court will issue a stay of the DEA ruling and ultimately overturn the hemp ban.

The DEA originally issued an "interpretive rule" banning hemp in food in October 2001. But the circuit court subsequently issued a stay requested by the hemp industry that remains in effect.

However, the DEA's new "final rules" on the issue will automatically begin enforcement of the ban next month if unsuccessfully challenged in court, the agency said.

At Govinda's Fitness Foods, the ban would likely mean the end of production of its popular Ginger-Chia, Fruit Combo and Carob-Nut hemp bars, which are marketed with the motto "The Higher Taste."

Govinda's owner Larry Gatpandan could not be reached for comment yesterday afternoon. But in an interview last year, he estimated that the hemp bars represent about 20 percent of Govinda's revenue.

Gatpandan also was adamant about hemp's non-psychoactive properties.

"You'd have to eat 500 pounds of hemp to get even a slight buzz," he said at the time.

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