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DEA ruling puts hemp foods on the ropes

By [CHRISTINE FREY](#)
SEATTLE POST-INTELLIGENCER REPORTER

Foods that contain hemp may be prohibited if a recent ruling by the U.S. Drug Enforcement Administration goes into effect later this month.

The DEA decided in March to prohibit foods that contain traces of a substance called tetrahydrocannabinols, or THC. The psychoactive substance is found in marijuana, and a small amount is found in industrial hemp, though not enough to produce a high.

It is illegal to grow hemp in the United States, but it is legally imported, usually from Canada, and used for a variety of purposes -- rope, clothing, paper, even food. Under the DEA's new ruling, though, consumption would be prohibited.

The agency set an April 21 deadline for businesses to comply. But the move could have a negative effect on companies making hemp food products and retailers selling them.

Nature's Path, whose Blaine manufacturing plant produces hemp granola, could lose about 3 percent of its sales, which would amount to millions of dollars, said David Neuman, vice president of sales and marketing.

Following the DEA's announcement last month, Nature's Path cut production of its hemp granola by half. The company could continue to sell the products in Canada, where it is based, after the April 21 deadline. But it might not be able to ship hemp across the border to Blaine for production, Neuman said.

The DEA's ruling comes as sales of Nature's Path hemp food have increased about 20 percent in the past year, Neuman said.

"If the customer didn't want it, we wouldn't make it," he said.

This isn't the first time the government has addressed consumption of hemp.

The DEA issued an earlier ruling in October 2001 prohibiting foods containing THC, but the courts issued a stay a few months later allowing companies to continue making and selling hemp foods. Several businesses, including Nature's Path, filed a brief last week asking the court to step in again before the April 21 deadline.

The hemp food industry sees about \$6 million in annual sales, said David Bronner, chairman of the Hemp Industry Association's food and oil committee. It could be much larger, he said, if the government eased restrictions that have made

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mainstream companies reluctant to sell hemp food products.

"We feel that this is really the final battle," he said "If we can get through this one, it'll open up in a big way."

Hemp, which can be eaten as a nut or oil, is high in essential fatty acids and fiber. Those in the industry say that it's virtually impossible to get a high from eating hemp, likening it to eating poppy seeds.

But hemp can contain traces of THC. The government classifies THC -- a controlled substance that has not been approved as medicine by the Food and Drug Administration -- in the same category as heroin, LSD and marijuana. Its consumption would then be illegal.

The DEA's recent ruling exempts products that may contain hemp but are not intended to enter the human body, such as rope, clothing, soaps and animal feed.

Nature's Path already tests for THC in its hemp granola and waffles. But the government has warned the company that its more sophisticated tests might be able to find smaller traces of the substance in the food, Neuman said. That could make some retailers more hesitant to carry the products, he said.

At PCC Natural Markets, which operates seven grocery stores in the Seattle area, hemp foods weren't selling well before the DEA issued its first ruling in 2001, grocery merchandiser Stephanie Steiner said. When the court stay allowed grocery stores to continue selling the products, PCC Natural Markets decided not to bring them back based on their previous sales performance, she said.

Trader Joe's grocery stores, which carry hemp granola made by Nature's Path, plans to keep the product on store shelves. The company has asked Nature's Path to verify that its product does not contain traceable levels of THC, said Jon Basalone, vice president of merchandizing.

"You just do what you have to do to meet the guidelines," he said. "But it wouldn't make us shy away from any new products as long as they fit the guidelines."

At Scientific Nature Hemp Emporium in Bellingham, hemp foods make up about 5 percent of the product line. Though her business could survive without them, owner Pattie Nelsonbloch said she would be disappointed if she had to stop selling them.

Retail Notebook is a Saturday feature by P-I retail reporter Christine Frey. She can be reached at 206-448-8142 or christinefrey@seattlepi.com

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