



**National Industrial
Hemp Council of America**

November 3, 2022

The Honorable Robert Califf
Commissioner
United States Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Commissioner Califf:

The National Industrial Hemp Council writes to you today to urge that the U.S. Food and Drug Administration act quickly to approve hemp seed meal as an approved ingredient for production agriculture.

On behalf of the growers, producers, and retailers who make up America's hemp industry, the NIHC serves to educate the American public and policymakers about hemp and support a commonsense approach to policymaking for the U.S. hemp industry. The cornerstone of our mission is that consumers have a right to know what's in the hemp-derived products they're buying and that they have a right to feel safe.

In August, the NIHC hosted a webinar with the American Association of Feed Control Officials (AAFCO), comprised of local, state, and federal officials responsible for safeguarding the sale and distribution of animal feeds and veterinary medicine. Over 1,000 people, from regulators at all levels of government, veterinarians, university researchers, and hemp advocates, participated in this historic webinar. It was a fascinating discussion that showed great interest and agreement on hemp's potential as a nutritious feed source for production animals.

Part of our mission has been to promote the safe and efficient use of hemp-based animal feed for the production of livestock. The U.S. agriculture industry is struggling with a global grain shortage that is a direct result of the war in Ukraine. This has resulted in a direct increase in inputs for all domestic livestock producers of 16 percent since last year, according to the United States Department of Agriculture (USDA).

From our perspective, there is no reason why the FDA hasn't already approved hempseed-based animal feed ingredients. We have seen numerous clinical trials, by Land Grant Universities and others, submitted to the FDA that all show the same outcome, that there is no transference of cannabinoids into the nation's food supply chain from animals raised on hemp seed meal. Those results are consistent across the various species of animals, including laying hens, hogs, and dairy cattle.

We understand and are sympathetic to the concerns about cannabinoids entering the nation's food supply. However, we believe it's important to clarify that we're advocating for feeding hemp seed to animals that can contain cannabinoids. The distinction should be made clear to policymakers: hemp seeds are biologically incapable of producing cannabinoids. Agencies have also acknowledged that hemp seeds did not contain cannabinoids, including the FDA, when they accepted GRAS (Generally Recognized as Safe) status for hemp seed products: hearts, oil, and protein powder for human consumption in 2018.

The FDA has also recognized that other hemp-seed products, including hearts, oil, and protein powder, are safe for human consumption.¹ We believe that the FDA-CVM's current concerns over cannabinoids that are only quantifiable in parts per billion or even parts per trillion in animal residues are not a safety issue but rather, unnecessary scrutiny.

The issue of cannabinoids in hemp seeds, we believe, was [clarified by the U.S. Drug Enforcement Agency \(DEA\)](#) earlier this year when they concluded that seeds are not considered a controlled substance. This should be a clear signal to not just farmers and consumers but also the FDA that hemp seed is a safe food ingredient for livestock production.

Drought and the war in Ukraine contribute to the global grain crisis. Hemp is an environmentally responsible and domestically grown alternative. Considering the higher costs associated with the worldwide grain shortage, a sustainable American hemp crop is a nutritious source of animal feed, and it can lower the cost of farming feed inputs. This would be good news for farmers and consumers who now struggle with the higher costs of milk, meat, and eggs.

We stand ready to work with your agency to provide American-produced hemp seed as a viable feed alternative for livestock producers and American consumers struggling to reign in the increased price of food due to higher inputs and inflation.

Sincerely,

A handwritten signature in black ink that reads "Patrick S. Atagi". The signature is written in a cursive, flowing style.

Patrick Atagi
President and CEO
National Industrial Hemp Council

¹ Code of Federal Regulations, Title 21, Subpart B-Food Preservatives, Sec. 172.105