

Low-THC cannabis products being sold in the EU – key legal issues

Since 2017, herbal cannabis and cannabis oils have been offered for open sale in health food shops or specialist shops in several EU countries, including France, Italy, Luxembourg and Austria. Sales have taken place based on the claim that these products have little or no intoxicating effect and therefore are not controlled under drug laws. The EMCDDA network of national legal correspondents recently addressed this issue.

What do international drug control laws say?

The UN drug control conventions state that unauthorised sale of 'cannabis flowers' and 'extracts and tinctures of cannabis' should be subject to criminal penalties in national drug control laws. Cannabis flowers and extracts usually contain the two cannabinoids THC and CBD, but the percentage of each can vary greatly, by plant variety and by growing technique. THC can cause intoxicating effects, while CBD has been associated with health benefits, though there is little evidence for most conditions that have been studied. The WHO expert committee on drug dependence recently recommended that pure CBD should not be listed under the drug conventions.

Do EU regulations apply?

The EU common agricultural policy subsidises growing certain varieties of the cannabis plant for industrial uses, provided their THC content does not exceed 0.2 %. The EU also has several directives and regulations that might address the sale of low-THC products, including standardised definitions of medicinal products, herbal medicines, food and food supplements, cosmetics, general product safety etc. As classification is usually decided by national regulatory bodies, depending on the country, a cannabis product could potentially be classified as a medicine, a food or a consumer product.

Are national responses similar?

Member States' responses to open sale can range from stating that plant-derived THC- or CBD-containing products are cannabis extracts, and therefore subject to criminal penalties, to stating that some of those products have insignificant psychoactive properties and are therefore at low risk of misuse and unlikely to pose a threat to public health, and so do not require any licence for trade.

First, countries differ in their response towards low-THC products. Some countries state that a product containing less than 0.3% or 0.2% THC is not controlled under drug laws. For others, an unlicensed product must not contain any THC at all. But these quantitative limits may also come with conditions, such as 'originating from an authorised variety of cannabis', 'if not viable for narcotic purposes', 'if not misused'.

In addition, countries have developed different responses towards products containing CBD. There seem to be few quantitative limits to CBD but more conditions. The legality of marketing the product may depend on the source of the CBD, it may depend on the format of the product, and it may depend on how the product is presented.

What do these products contain?

National forensic analyses of 'low-THC' cannabis herb in Italy, Luxembourg and Austria found that they were indeed low in THC. However, some products sold as 'high in CBD' have been found to contain levels of THC that may cause intoxication, which some users would not expect.

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Fisheries: Commission proposes measures to conserve stocks of deep-sea

species in the North-East Atlantic

Today the Commission has proposed Total Allowable Catches (TAC) for a number of species for 2019 and 2020, in an effort to restore deep-sea fish stocks in the North-East Atlantic. *"Our proposal invites Member States to apply a precautionary approach to reverse the worrying situation of declining deep-sea fish stocks"*, said Commissioner Karmenu **Vella**, responsible for the Environment, Maritime Affairs and Fisheries. *"It is in our shared interest to ensure that we have healthy fish stocks in deep-sea waters, for the sake of our fishermen and coastal communities, their livelihoods and for our marine ecosystems. Evidence also shows that sustainable fish stocks go hand in hand with a thriving industry."* The majority of deep-sea species are highly vulnerable and take a long time to mature. The Commission's proposal reduces the catch limits in seven fish management areas compared to 2017-2018 levels and cancels the Total Allowable Catches (TAC) management system for three species as they are fished in small quantity which does not prevent them from reproducing. Fishing for orange roughy will remain prohibited. The proposal is based on precautionary scientific advice from the [International Council for the Exploration of the Seas \(ICES\)](#) and its adoption by EU Member States in the Council is currently scheduled for 19-20 November. A [press release](#) is available online. (For more information: Enrico Brivio – Tel.: + 32 229 56172; Daniela Stoycheva – Tel.: +32 229 53664)

Mergers: Commission approves acquisition of Com Hem by Tele2

The European Commission has approved unconditionally, under the EU Merger Regulation, the proposed acquisition of Com Hem by Tele2. Tele2 and Com Hem both provide telecommunications services in Sweden. Com Hem's main activities are related to fixed telecommunications and TV, while Tele2 is mainly active in mobile telecommunications. Firstly, although both companies are active in the provision of retail mobile telecommunications services, retail fixed internet access services and multiple play services, the Commission found that the impact of the transaction on these markets is very limited. Secondly, the Commission found that the merged entity would continue to face significant competition from other players such as Telia and Telenor, both active on all retail telecommunications markets in Sweden, as well as Tre, active on the retail mobile telecommunications market in Sweden. Thirdly, the Commission concluded that the merged entity would not have market power to shut out or marginalise its fixed or mobile competitors by bundling fixed and mobile products. Therefore, following its phase I investigation, the Commission concluded that the transaction would raise no competition concerns in any of the affected markets and cleared the case unconditionally. The full press release is available [online](#). (For more information: Lucía Caudet – Tel. +32 229 56182; Maria Tsoni – Tel.: +32 229 90526)

Mergers: Commission clears acquisition of VTG by Warwick Holding

The European Commission has approved, under the EU Merger Regulation, the

acquisition of VTG Aktiengesellschaft ("VTG") by Warwick Holding GmbH, both of Germany, controlled by Morgan Stanley of the US. VTG is a provider of wagon hire and rail logistics services, as well as multimodal logistics services, focusing on rail transport and global tank container transport. Warwick Holding is an indirectly, wholly-owned subsidiary of funds advised by Morgan Stanley Infrastructure. Morgan Stanley is a leading global financial services firm providing a wide range of investment banking, securities, wealth management and investment management services. The Commission concluded that the proposed acquisition would raise no competition concerns given the lack of horizontal overlaps and vertical relationships between the activities of VTG and Morgan Stanley. The transaction was examined under the simplified merger review procedure. More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.9116](#). *(For more information: Lucía Caudet – Tel. +32 229 56182; Maria Tsoni – Tel.: +32 229 90526)*

ANNOUNCEMENTS

High Representative/Vice-President Federica Mogherini delivers keynote speech at the opening of the Frankfurter Buchmesse

High Representative/Vice-President Federica **Mogherini** will deliver a keynote speech at the opening of Frankfurt Book Fair, the Frankfurter Buchmesse, on cultural diplomacy today at 17:30. Culture is an important pillar of the EU's external relations. In June 2016, the High Representative and the Commission put forward a [Strategy for International Cultural Relations](#) for deeper and more effective cultural relations and cooperation between EU Member States and cultural actors in- and outside the EU. In line with the strategy, the EU has launched a number of programmes to foster cooperation among stakeholders in the cultural sector, aiming at supporting culture as an engine for sustainable social and economic development, promoting culture and intercultural dialogue for peaceful intercommunity relations, and reinforcing cooperation on cultural heritage. Georgia is this year's guest of honour of the Frankfurt Book Fair. Together with Georgian Prime Minister Mamuka Bakhtadze, High Representative/Vice-President **Mogherini** will attend the inauguration of the Guest of Honour Pavilion. Georgia has been awarded fifteen grants under the Creative Europe programme, with two projects specifically involving the book sector. Federica **Mogherini**'s speech will be available on [Ebs](#). For more information on EU cultural relations see [here](#) the factsheet. *(For more information: Maja Kocijančič – Tel.: +32 229 86570; Esther Osorio – Tel.: +32 229 62076)*

High Representative/Vice-President Federica Mogherini in Finland

High Representative/Vice-President Federica **Mogherini** will be in Finland on Wednesday, 10 October. On Wednesday morning at the University of Tampere, where she will be awarded a doctoris honoris causa in a promotion ceremony and deliver a lecture discussing "A superpower for peace: Europe's choice in a challenging world". The speech can be followed live on [EbS](#) at around 11:00 local time/ 10:00 CET. In the afternoon she will have bilateral meetings in

Helsinki with Prime Minister Juha Sipilä and the Foreign Minister's Special Representative on Mediation, Jutta Urpilainen. The High Representative/Vice-President **Mogherini** will address the press together with Prime Minister Sipilä at 17:15 local time/10:15 CET. In the evening, she will deliver a speech on "the European Union as a peace project, in the Balkans and beyond" at the celebration, organised by the Crisis Management Initiative (CMI), of the 10th anniversary of Martti Ahtisaari's Nobel Peace Prize. In that context, she will also meet with the former President Ahtisaari, founder of the CMI, as well as the current CMI Chairman, former Prime Minister Alexander Stubb. Audio-visual coverage of her visit will be available on [EBS](#). (For more information: Maja Kocijančič – Tel.: +32 229 86570; Esther Osorio – Tel.: +32 229 62076)

Event in Brussels "Energy Union in motion – Cohesion Policy supporting coal regions in transition" with Vice-President Šefčovič and Commissioner Crețu

Today Vice-President in charge of the Energy Union Maroš **Šefčovič** and Commissioner for Regional Policy Corina **Crețu** are hosting a high-level event on "Energy Union in motion – Cohesion Policy supporting coal regions in transition" in Brussels. The event will take place in the Square (Brussels 1000) from 15h45-17h15 and is open to accredited press and to participants of the [European Week of Regions and Cities](#). Vice-President **Šefčovič** and Commissioner **Crețu** will hold a joint press point at the event's venue at 15h45. Dietmar Woidke, Minister-President of the German State of Brandenburg, Tomasz Dąbrowski, Polish Deputy Energy Minister, Małgorzata Ochęduszek-Ludwik, Regional Board Member of the Silesian Voivodship, Octav Dan Paxino, Romanian Secretary of State of the Ministry of European Funds, Vojtech Ferencz, Slovak State Secretary of the Ministry of Economy David Koppitz, Czech Deputy Minister for Regional Development, Ministry for Regional Development, will speak at this event, which will take stock of the [Platform for the Coal regions in transition](#) launched in December 2017 and of the [tailored support](#) provided by the Commission to such regions. Vice-President **Šefčovič** said: "Climate action starts in our regions. That is why we have launched a structural support for coal and carbon intensive regions – to support the modernisation of their economies, and address the social impacts of the low-carbon transition. It is about people's health, their jobs as well as about opportunities for the future. Therefore, we are already working with regions in seven Member States and mobilising our EU programmes for this great cause. Moreover, we are set to discuss this initiative with our international partners at COP24 in Katowice to expand it globally." Commissioner **Arias Cañete** said: "We launched the Platform for Coal Regions in Transition, to help affected regions manage the social and economic transformation that comes with the decline of coal. We are pleased that many stakeholders and many governmental representatives from coal intensive regions will be joining the next Platform meeting at the beginning of November, to the benefit of European regions managing this transition". Commissioner **Crețu** added: "The EU is committed to ensuring that nobody and no region is left behind in the shift towards a low-carbon economy. The EU Cohesion Policy significantly invests to foster growth and

jobs in coal regions, by helping them identify, develop and invest in new areas of competitive strength – what we call smart specialisation.” The seven Member States concerned are the Czech Republic, Germany, Greece, Poland, Romania, Slovakia and Spain. More information on the Commission support to coal regions in transition is available [here](#). (For more information: Johannes Bahrke – Tel.: +32 229 58615, Anca Paduraru – Tel.: +32 229 91269; Sophie Dupin de Saint-Cyr – Tel.: +32 229 56169; Lynn Rietdorf – Tel.: +32 229 74959)

La commissaire Bulc participe à un dialogue avec les citoyens sur la numérisation et la décarbonisation dans le secteur des transports à Milan, en Italie

Aujourd'hui, la commissaire chargée des transports, Violeta **Bulc**, participe à un dialogue avec les citoyens à l'Université catholique du Sacré-Cœur de Milan. Mme **Bulc** écoutera plus de 150 étudiants dans le cadre de discussions sur la numérisation et la décarbonisation du secteur des transports en Europe, comme indiqué dans les propositions de la Commission européenne "[L'Europe en mouvement](#)", pour une mobilité propre, sûre et connectée. La commissaire soulèvera en particulier l'importance du sujet en déclarant: "La décarbonisation et la numérisation sont les deux pierres angulaires de notre ambitieuse Vision Zéro pour l'Europe qui veut atteindre: zéro décès sur les routes européennes, zéro émission des transports et zéro papier d'ici 2050. L'avenir des transports en Europe est numérique et vert. En mettant l'accent sur la décarbonisation et la numérisation, nous accélérons la transition de l'Europe vers un transport plus durable, efficace et intégré." L'événement sera diffusé en direct via facebook [ici](#). (Pour plus d'informations: Enrico Brivio – Tél .: +32 229 56172; Stephan Meder – Tél .: +32 229 13917)

European Commission's participation in G20, World Bank Group and International Monetary Fund Annual Meetings in Indonesia

Vice-President **Dombrovskis**, Commissioner **Hahn** and Commissioner **Moscovici** will represent the European Commission at the [2018 Annual Meetings of the International Monetary Fund and World Bank Group](#) in Bali, Indonesia, this week. Vice-President **Dombrovskis** will take part in the introductory plenary session of the International Monetary and Financial Committee of the IMF; Commissioner **Hahn** will host a high level enhanced cooperation meeting with European and International Financial Institutions and Commissioner **Moscovici** will participate in the meetings of G20 finance ministers and central bank governors. The Vice-President and the Commissioners will also have several high-level bilateral meetings and speaking engagements. Vice-President **Dombrovskis** will meet Mr Jerome Powell, Chair of the Federal Reserve of the United States; Ms Oksana Markarova, Acting Minister for Finance of Ukraine; Mr Steven Mnuchin, Secretary of the Treasury of the United States; and Mr Suma Chakrabarti, President of the European Bank for Reconstruction and Development (EBRD). He will also speak at the event '[Investing for positive impact: what is needed to scale up](#)' and take part in the panel discussion 'Europe's way forward: for more resilience and sustainable growth', organised by DZ Bank. Commissioner **Hahn** will also have a number of bilateral meetings

with representatives of leading European and International Financial Institutions as well as Islamic and Asian development banks. Commissioner **Moscovici** will meet Mr Zied Laâdhari, Minister of Development, Investment and International Cooperation of Tunisia; Mr John C. Williams, President and CEO of the Federal Reserve Bank of New-York; Mr Taro Aso, Minister of Finance and Deputy Prime Minister of Japan; and Mr Ueli Maurer, Head of the Federal Department of Finance of Switzerland. He will also speak at the event '[How global trade can promote growth for all](#)' organised by the International Monetary Fund (IMF). *(For more information: Johannes Bahrke – Tel.: +32 229 58615; Annikky Lamp– Tel.: +32 229 56151; Alceo Smerilli – Tel.: +32 229 64887)*

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