

**Consultation on proposals to amend
the Hemp (Third Country Imports)
Regulations 2002 in Northern Ireland**

1. Introduction -The current position

Hemp imports in UK are currently regulated by the [Hemp \(Third Country Imports\) Regulations 2002](#) (2002 Regulations). These Regulations, include provisions concerning the import into the United Kingdom of true hemp, hemp seeds for sowing and hemp seeds other than for sowing (“hemp”) from outside the EU.

The 2002 Regulations implement the requirements of Article 17a of Commission Regulation [\(EC\) No. 245/2001](#) concerning imported hemp. They require that hemp from third countries be imported under a licence, and, in the case of hemp seeds other than for sowing, under an authorisation, issued in Northern Ireland by DAERA. The Regulations established procedures for the application for, and the grant and variation of, import licences as well as specifying the scope of those licences (regulations 4 to 7), and introduced similar procedures for authorisations (regulation 11). They also introduced requirements in relation to the tetrahydrocannabinol (THC) content of the variety of true hemp or hemp seeds for sowing imported (regulation 8) and the content of attestations provided by importers or subsequent users on the use made of hemp seeds other than for sowing (regulation 12). The Regulations also introduced information and record keeping requirements (regulations 9 and 10) and established provisions on enforcement (regulations 13 and 14), the suspension and revocation of licences and authorisations (regulation 15) and on offences and penalties (regulations 16 to 19).

Prior to January 2023, rules on imports of hemp into the European Union were set out in [Regulation \(EU\) No 1307/2013](#) (EU 1307/2013), which states that true hemp/hemp seeds must not have a THC content greater than 0.2%. Article 189 of EU 1308/2013 refers to 1307/2013 to set the maximum acceptable THC level that may be imported into the Union.

New EU Legislation

EU 1307/2013 has been repealed and replaced by [Regulation \(EU\) No 2021/2115](#) which raised the THC level of eligibility for direct payments from 0.2% to 0.3%. In December 2023, the European Commission [issued a notice](#) clarifying that the implementation of Regulation 2021/2115 meant that the maximum allowed THC levels for imports of raw true hemp and seeds of varieties of hemp for sowing also increased from 0.2% to 0.3% from 1 January 2023.

Hemp imports rules are covered in Chapter IV of Part III of Regulation (EU) No 1308/2013, which falls under Annex 2 of the Windsor Framework.

The Proposed Hemp (Amendment) Regulations (Northern Ireland) 2026

The Department of Agriculture, Environment and Rural Affairs is proposing to bring forward new legislation, The Hemp (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2026. This will amend the 2002 Regulations to reflect the increase in the maximum acceptable THC content for hemp products from 0.2% to 0.3% and will also update references to the new European legislation.

In addition, it is also proposed to take the opportunity to make a small number of technical amendments. The proposed Regulations will ensure that the local hemp industry will have access to the variety of hemp products that they're entitled to in line with EU Regulations. However, the proposed Regulations do not otherwise represent a change in the underlying policy and the status quo is maintained as far as possible. The requirement for licences and authorisations, the need for appropriate documentation, information and record keeping requirements and the offences and penalties remain in place.

The proposed changes, on which the Department is seeking stakeholder comments, are set out below.

2. Proposed Changes and Consultation

Raising Max acceptable THC level to 0.3%

The proposed Hemp (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2026 will provide for the increase in the maximum acceptable THC level for third country imports of hemp and hemp seeds from 0.2% to 0.3%, in line with EU Regulations.

Q1. The Department requests any views you may have on the Amendment Regulations raising the maximum acceptable THC level for third country imports of hemp and hemp seeds from 0.2% to 0.3%.

EU legislation references

References in the 2002 Regulations to out-of-date EU legislation, such as EU 245/2001, 1093/2001, 52/2002, 1673/2000 and 1251/1999, will be updated to reflect the EU rules that now apply, namely to the appropriate Articles in EU 1308/2013, EU 2016/1237, EU 2016/1239 and EU 2021/2115. As noted, the Department does not believe that this has any policy impacts, but instead will ensure the legislation remains fully operable.

Q2. The Department requests any views you may have on updating out of date legislative references.

Miscellaneous technical amendments

The Department is considering **revoking regulations 4-8 of the domestic legislation**. This is because in the past EU legislation required controls in domestic legislation to be tied to individual products. However, the EU has a common approach across products in order to ensure uniformity. To this end, licensing provisions are currently in both the domestic rules (the 2002 Regulations) and in the EU legislation ((EU) 2016/1237 and (EU) 2016/1239). The removal of regulations 4-8 of the 2002 Regulations would therefore

simply remove unnecessary repetition across domestic legislation and would act as a legislative “tidy up” as opposed to a change in policy.

Q3. The Department requests any views you may have on the Amendment Regulations removing regulations 4-8 of The Hemp (Third Country Imports) Regulations 2002.

Another change being proposed is to **add CN codes alongside product names** in the 2002 Regulations, e.g. In regulation 3(c) after “true hemp” add “falling within CN code 5302 10 00”. While references in the 2002 Regulation to the EU legislation linked the terms in the legislation to their CN codes, it is proposed to make this more explicit for ease of reference in domestic legislation.

Q4. The Department requests any views you may have on the addition of CN codes.

It is proposed to **replace the word, “attestation”, with “documentation”**. This would be done simply to align with terminology used in EU legislation in Article 9(4) of Regulation 2016/1237. Again this does not represent a change to current policy.

Q5. The Department requests any views you may have on the replacement of the word “attestation” with “documentation”.

Consequential Amendments to Direct Payments

An amendment is required to Article 32(6) Assimilated Regulation EUR 1307/2013 which established the rules for direct payments to farmers. It is proposed to replace reference to THC content of ‘0,2%’ with ‘0,3%’. This would be done simply to align with the proposed Hemp (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2026.

Q6. The Department requests any views you may have on replacing reference to THC content of ‘0,2%’ with ‘0,3%’ to Article 32(6) Assimilated Regulation EUR 1307/2013.