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07 July 2026

Dear Stakeholder,

## **DRAFT HEMP (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2026**

I am writing to invite your views on key changes being made through amendment legislation, the Hemp (Amendment) Regulations (Northern Ireland) 2026. The regulations will amend the current domestic legislation, The Hemp (Third Country Import) Regulations 2002 on a Northern Ireland basis, primarily to raise the maximum acceptable tetrahydrocannabinol (THC) content in hemp and hemp seeds imported from third countries from 0.2% to 0.3% amongst other technical amendments.

As the legislation relates to food, this engagement is being carried out as required by [Article 9 of Regulation \(EC\) No. 178/2002](#), laying down the general principles and requirements of food law. The Department is engaging now to ensure stakeholder views are recognised early in the legislative process.

### **Background**

Article 189 of Regulation (EU) No 1308/2013 lays out the rules for checks of imports of hemp and hemp seeds to ensure that they offer certain guarantees regarding their tetrahydrocannabinol (THC) content.

Prior to January 2023, imports of hemp, including acceptable levels of THC content, into the European Union were set by [Regulation \(EU\) No 1307/2013](#), establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural

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policy. With regards to hemp, Regulation (EU) No 1307/2013 lays out that true hemp/hemp seeds must not have a THC content greater than 0.2%. Article 189 of 1308/2013 refers to 1307/2013 to set the maximum acceptable THC level that may be imported into the Union.

Regulation (EU) No 1307/2013 was repealed and replaced by [Regulation \(EU\) No 2021/2115](#), which took effect from 01 January 2023. These new regulations 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 it followed 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.

### **The draft Hemp (Amendment) Regulations (Northern Ireland) 2026**

EU hemp legislation relating to third country imports are directly applicable in Northern Ireland under Annex 2 of the Windsor Framework. As a result of updates to the EU Regulations, The Hemp (Third Country Import) Regulations 2002, require updating amendments in respect of Northern Ireland. **A consultation highlighting key changes the draft Regulations will introduce are attached at Annex A.**

### **Stakeholder views**

While many of the changes to the EU regulations are technical in nature and all changes are directly applicable in NI, the Department is seeking any stakeholder views on the key changes that the draft amendments will introduce to the domestic regulations. These changes are laid out within the document at Annex A. Whilst updates will be made in line with regulations, the draft Regulations do not represent a change in the underlying policy and will maintain the status quo as far as possible.

**The Department would welcome any comments you have on the key changes that will be introduced by draft regulations as highlighted in the policy document at Annex A.** Please feel free to bring this to the attention of any other stakeholders who you think may have an interest.

### **Equality, Rural Needs and Regulatory Impact**

The draft Regulations have been considered for their impact on equality and human rights, and have been screened out of the need for a full Equality Impact Assessment on the basis that they do not have any equality or human rights implications. A Rural Needs Impact Assessment has been carried out which has concluded that there is no differential impact upon citizens in rural areas. In addition, a Regulatory Impact Assessment has been considered and screened out. The Department welcomes any comments or evidence in relation to the Department's conclusions in this regard.

### **Privacy, confidentiality, and access to consultation responses**

The Department takes data protection and the security of your personal data seriously. It takes care to ensure that any personal information received from you is dealt with in a way which complies with the requirements of the UK General Data Protection Regulation and the Data Protection Act (2018).

Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

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Section 8(e) of the Data Protection Act 2018 permits processing of personal data when necessary for an activity that supports or promotes democratic engagement. Information provided by respondents to this stakeholder engagement exercise will be held and used for the purposes of the administration of this current exercise and subsequently disposed of in accordance with the legislation. For more information and to view the DAERA Privacy Statement please go to: <https://www.daera-ni.gov.uk/publications/daera-privacy-statement-document>

The FOI Act gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential, information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response including any harm you believe such a disclosure might cause.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the FOI Act provides that:

- The Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- The Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature acceptance of which by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office or visit the [ICO Website](#).

### **Accessibility**

Copies of these documents can be made available, on request, in alternative formats e.g. in large print, Braille disc, audio cassette and other languages. Please contact us at [marketing.standards@daera-ni.gov.uk](mailto:marketing.standards@daera-ni.gov.uk), or 028 9037 8575, to arrange such copies. For those with hearing difficulties, please leave a message on the Department's text phone (18001 028 9037 8575).

### **Responding to the Department**

This letter, and associated documents, are available on the Department's website at: [www.daera-ni.gov.uk/consultations](http://www.daera-ni.gov.uk/consultations)

Comments on the draft Regulations, or on related issues as referred to above, can be sent to: [marketing.standards@daera-ni.gov.uk](mailto:marketing.standards@daera-ni.gov.uk)

**Please note that the closing date for comments is 5pm on 01 September 2026.**

Yours sincerely,



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**Samantha Swann**  
**Agri-food policy**  
**Sustainable Agri-food Development Division**

**Attachments:**

Annex A – Consultation and Policy Document

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