



Home Office

Rt Hon Chris Philp MP  
Minister of State for Crime, Policing  
and Fire

2 Marsham Street  
London SW1P 4DF

[www.gov.uk/home-office](http://www.gov.uk/home-office)

Professor Owen Bowden-Jones,  
Chair, Advisory Council on the Misuse of Drugs (ACMD)  
Professor Graeme Henderson  
Chair of CBD products Working Group, ACMD  
Professor Roger Knaggs,  
Chair of Technical Committee, ACMD  
C/o 1<sup>st</sup> Floor,  
Peel Building  
2 Marsham Street  
London  
SW1P 4DF

By email only [ACMD@homeoffice.gov.uk](mailto:ACMD@homeoffice.gov.uk)

24<sup>th</sup> October 2023

Dear Owen, Graeme and Roger,

**The Government's response to the ACMD's advice on Consumer Cannabidiol (CBD) products.**

I am grateful to the ACMD for its advice on CBD. I have set out each recommendation and the Government's response below:

**Recommendation 1:**

*That the total dose of delta-9-THC (including delta-9-THCA) and all other controlled phytocannabinoids in consumer CBD products be controlled. The dose of each controlled phytocannabinoid should not exceed 50 micrograms per unit of consumption. A unit of consumption or 'single serving' being defined as the typical quantity of a CBD product consumed on one occasion.*

**Government response**

The Government accepts this recommendation and intends to bring forward legislation to implement it, subject to Parliamentary approval. The specificity of the terms of legislative provisions setting the Unit of Consumption (or serving) for the permitted dose, which will differ between different products, will require further careful consideration.

**Recommendation 2:**

*That regulatory authorities ensure that any consumer CBD product permitted to market has the limits on the content of controlled phytocannabinoids such that the dose of delta-9-THC (including its precursor delta-9-THCA) and each of the other controlled phytocannabinoids does not exceed 50 micrograms per unit of consumption. The ACMD advise another analysis of the controlled phytocannabinoid content of consumer CBD products is performed by DSTL two years after the implementation of the regulations to check the level of compliance.*

### **Government response**

The Government accepts this recommendation in principle and, as outlined above, intends to bring forward legislation to prescribe the lawful amount of controlled phytocannabinoids in consumer CBD products. We will work further with law enforcement, supported by regulatory authorities, on the mechanisms for the enforcement of legal requirements in respect of consumer CBD products.

### **Recommendation 3:**

*A further inter laboratory comparison trial (ring trial) should be commissioned specifically to support the capability of testing laboratories to detect controlled phytocannabinoids below the recommended maximum levels in a representative range of consumer CBD products.*

### **Government response**

The Government accepts this recommendation in principle, subject to funding being found.

### **Recommendation 4:**

*That development of more accurate testing for controlled phytocannabinoids is supported (as outlined in Notes 1 – 3 below) to allow testing capabilities to develop and be fully regulated.*

*Note 1: Standardised protocols should be developed for the extraction, separation and quantification of controlled cannabinoids (and their precursor acids) from consumer CBD products. These must be of sufficient reproducibility and sensitivity to be appropriate for the measurement of the level of controlled phytocannabinoids as recommended in this report.*

*Note 2: As chemical reference standards are not currently commercially available for all controlled phytocannabinoids, suppliers of chemical reference materials should be encouraged to produce certified standards for those controlled cannabinoids for which standards are not currently available.*

*Note 3: ACMD supports the recommendation from the DSTL report (Defence Science and Technology Laboratory report, 2020b) that the analytical methods used should be accredited to ISO 17025:2017 to ensure appropriate*

*method validation, quality control and independent assessment of the methods.*

**Government response**

The Government accepts this recommendation in principle and will work with partners in industry to seek to meet these ambitions.

**Recommendation to reform the Exempt Product Definition in relation to CBD products**

**Recommendation:**

*The ACMD recommends changing the first limb of exempt product definition to refer to the 'preparation or other product containing the controlled drug' rather than the 'controlled drug' except for 'research' purposes as defined in Schedule two of the Psychoactive Substances Act 2016. An example of such a wording could be: (a) the preparation or product containing the controlled drug is not intended for administration to a human being or animal other than for the purpose of approved scientific research, as defined in Schedule 2 of the Psychoactive Substances Act 2016.*

**Government response**

The Government agrees in principle to amend the definition of the EPD and will consider the most effective ways in which to do so, recognising that ACMD may provide further advice on the exempt product definition in the context of its consideration of barriers to research with controlled drugs.

Thank you again for your advice.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Philp', written in a cursive style.

**Rt Hon Chris Philp MP  
Minister of State for Crime, Policing and Fire**