

An “unrestrained” market? Survey highlights “illegal and unsafe” CBD products on UK market

20 Sep 2019 --- Almost half of cannabidiol (CBD) products currently available on the UK high street contain cannabinol (CBN) or tetrahydrocannabinol (THC). This is according to tests commissioned by CBD producer TTS Pharma and carried out by an independent analytical laboratory, Fera Science Ltd. These findings come as the legality of the burgeoning CBD market in the UK is under question, with TTS Pharma arguing that the health and safety of the consumer should be the highest priority of all companies intending to, or already producing CBD products.

“While there is extensive existing regulation surrounding CBD products, it is not well-monitored or enforced and, as such, does not meet the needs of this unrestrained, rapidly growing market. CBD products currently on the market have been shown to be in breach of existing regulation and due to insufficient clarity of labeling, supply chain traceability and regulatory enforcement, it is impossible for consumers and pharmacists to be assured of product safety,” Mark Tucker, CEO of TTS Pharma, tells *NutritionInsight*.

A selection of 31 CBD products were randomly sourced from the Hemp & CBD Expo and Exhibition, online and from high street retailers. Of these, 13 contained CBN or THC, which is considered to be the psychoactive ingredient in marijuana. All of the ten products containing THC had quantities above the 1mg legal limit, while four of the nine samples containing CBN were above the 1mg legal limit. Inaccurate labeling is also widespread, with less than half of the samples being within 10 percent of the stated level of CBD. Furthermore, four of the samples contained less than 50 percent of the level stated while five were in excess.

“It is extremely difficult to extract pure CBD without trace amounts of other cannabinoids being present. There is as yet no legal definition of the levels of precision required to prove that CBD products are CBN- and THC-free,” explains Tucker. He also notes that TTS Pharma uses a proprietary method to extract CBD without the presence of THC and CBN at any detectable level.

In the tests, TTS Pharma’s CBD products were also found to be free from various impurities such as terpenes, heavy metals, polycyclic aromatic hydrocarbons, polychlorinated biphenyls, polychlorinated dibenzo-p-dioxins and polychlorinated dibenzofurans. As hemp naturally removes these contaminants from soil, water and air, CBD products may be prone to contamination. Indeed, three of the tested products were contaminated with some or all of these impurities, which may be associated with cancer, liver and kidney damage and neurological toxicity.

Additionally, Tucker highlights the lack of concrete evidence for CBD’s health benefits. “Consumers prefer naturally derived products over synthetics and there is the belief that CBD might work better than Ibuprofen or Prozac. There is also a proliferation of YouTube videos and Facebook groups promoting the value of the product with zero evidence. That’s not to say the evidence won’t become available in time, but right now the evidence-based medicine is limited and so consumer interest is being driven by perception rather than fact.”



There is a lack of concrete evidence for CBD’s health benefits. (Source: TTS Pharma)

A recent [Mayo Clinic study](#) also noted that more research involving humans is needed before health care providers can definitively classify CBD as helpful and safe.

Legal limbo

The legal status of CBD in the EU is murky, especially following the EU’s declaration of CBD food products as an [unauthorized novel food](#). “CBD food products legally sold before January 1, 2018 may rely on Novel Food Regulation traditional provisions and those products submitted for application before January 2, 2020 may continue to be sold until an authorization decision has been made,” explains Tucker.

He notes that while this change of classification is not itself legally binding in the UK, it may impact future UK regulations. The UK Food Standards Agency (FSA) is currently working with authorities, businesses and consumers to determine a proportionate way to achieve compliance. Additionally, the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment is currently reviewing a scoping paper on the toxicity risks

of CBD.

In the case of TTS Pharma’s products, they will not be available to the market until and unless a relevant competent authority (FSA) provides TTS Pharma with written consent to do so while its dossier is under review – despite having the ability and holding stock.

“All independent laboratories should perform a government-specified standard of testing. Providing a clear analysis of products that is transparently communicated across all material including the final product label, is the only way to improve compliance across the industry and ensure consumer safety. As in the pharmaceutical industry, full supply chain traceability should also be demonstrated to provide assurance to product manufacturers, consumers and pharmacists,” concludes Tucker.

The legal status of CBD is also unclear across the [pond in the US](#), but the market is reportedly less regulated by law enforcement. A large selection of industry players have engaged with the ingredient in wide-ranging NPD, as well as investing significant amounts in furthering technologies in the space. Yet among these exciting developments, calls are increasing for the US Food and Drug Administration (FDA) to issue some hardline regulatory instructions.

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