NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** LITHUANIA**If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Ministry of Health of the Republic of Lithuania, Vilniaus str. 33, LT-01506 Vilnius, Lithuania, tel. +370 5 2661402, e-mail ministerija@sam.lt, <https://sam.lrv.lt/en/>Ministry of Agriculture of the Republic of Lithuania, Gedimino ave. 19, LT-01103 Vilnius, Lithuania, tel. +370 5 239 11 11, e-mail zum@zum.lt, <https://zum.lrv.lt/en/>**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** National WTO TBT Enquiry pointLithuanian Standards Board Algirdo street 31, 03219 Vilnius, Lithuania Telephone: (+370) 5 279 1152; mobile: (+370) 6 58 60308 E-mail: aurelija.jeleniauskaite@lsd.lt, greta.osinovskiene@lsd.lt (cc: enquiry@lsd.lt) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Animal feeding stuffs (ICS code(s): 65.120); Tobacco, tobacco products and related equipment (ICS code(s): 65.160); FOOD TECHNOLOGY (ICS code(s): 67) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft order of the Minister of Health of the Republic of Lithuania and the Minister of Agriculture of the Republic of Lithuania "On the approval of the List of maximum permitted levels of tetrahydrocannabinol in hemp products or categories thereof, intended for final consumption" (3 pages, in Lithuanian). |
| **6.** | **Description of content:** The Draft order aims to establish safe, non-hazardous for human and animal health maximum permitted levels of tetrahydrocannabinol (hereinafter - THC) in specific hemp products or categories thereof, intended for final consumption, in accordance with Article 4 (4) of the Law on Hemp of the Republic of Lithuania. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Article 4 (4) of the Law on Hemp of the Republic of Lithuania stipulates that the level of THC in hemp products should not exceed the permitted limit of 0.2 percent. The List of maximum permitted levels of THC in hemp products or categories thereof, intended for final consumption, adopted by the Minister of Health and the Minister of Agriculture, may set lower maximum permitted levels of THC. The maximum permitted THC levels are being set taking into account the risk and possible harmful effects on human or animal health, not exceeding the maximum permitted THC levels recommended by the European Food Safety Authority (hereinafter - the EFSA).1. The Draft order proposes the regulation of the maximum permitted levels of THC in hemp seeds, hemp seed derived products and foodstuffs, listed in the table, attached to the Draft order (proposed maximum permitted levels are lower than regulated in Article 4 (4) of the Law on Hemp).On 7 January 2020, the EFSA published a scientific report assessing acute human exposure to Δ9-THC (<https://doi.org/10.2903/j.efsa.2020.5953>). Taking into account the evaluations of the EFSA, maximum permitted levels of THC in hemp seeds, hemp seed derived products and foodstuffs proposed in the Draft order are safe and do not pose a threat to human health. Since delta-9-tetrahydrocannabinolic acid (Δ9-THCA) can be converted into Δ9-THC through processing, the maximum levels should be set for the sum of Δ9‐THC and Δ9-THCA, expressed in Δ9‐THC equivalents.2. The Draft order proposes the regulation of the maximum permitted levels of THC in animal feeding stuffs, listed in the table, attached to the Draft order (proposed maximum permitted levels are lower than regulated in Article 4 (4) of the Law on Hemp). Taking into account the evaluations of the EFSA, maximum permitted levels of THC in animal feeding stuffs proposed in the Draft order are safe and do not pose a threat to human and animal health. It should be noted that such maximum permitted levels of THC in animal feeding stuffs are discussed by the European Commission Working Group on Undesirable Substances in Animal Feed.3. The draft order proposes the regulation of the maximum allowed levels of THC in tobacco products (including novel tobacco products) and tobacco related products (electronic cigarettes and their refill containers with and without nicotine, herbal products for smoking) (it is proposed to apply zero-tolerance of THC in these products while applying appropriate limit of qualitative and quantitative laboratory determination). Such proposed regulation of THC in the mentioned products is based on:- recommendation of the World Health Organization provided in the [*WHO study group on tobacco product regulation: Report on the scientific basis of tobacco product regulation: eighth report of a WHO study group*](https://www.who.int/publications/i/item/9789240022720)(p. 313) "*to prohibit the addition of pharmacologically active substances such as cannabis and tetrahydrocannabinol (in jurisdictions where they are legal), other than nicotine in electronic nicotine delivery systems, to electronic nicotine delivery systems and electronic non-nicotine delivery systems*". This recommendation could be similarly applied to tobacco products and tobacco related products.- evaluation of the information officially published by the US authorities (the Center for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA), the Canadian Public Health Agency and the Belgian *Federal Public Service* *Health*, *Food* Chain *Safety* and *Environment* on lung diseases and deaths caused by the use of e-cigarettes containing THC in liquid (after evaluating the statistics on lung injuries and deaths caused by e-cigarette use, the CDC, together with the FDA, recommends do not use e-cigarettes that contain THC, and emphasizes that the use of such e-cigarettes can cause serious lung damage and other negative health consequences (<https://www.fda.gov/consumers/consumer-updates/vaping-illness-update-fda-warns-public-stop-using-tetrahydrocannabinol-thc-containing-vaping>; <https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html>);- the aim to protect public health and consumer safety, especially paying attention to the potential risk to the health and safety of young people.To enable economic operators to prepare for the new rules introduced by the Draft order, it is appropriate to provide for a reasonable time until the maximum levels apply. It shall apply from 1 January 2023. |
| **8.** | **Relevant documents:** Draft order of the Minister of Health of the Republic of Lithuania and the Minister of Agriculture of the Republic of Lithuania "On the approval of the List of maximum permitted levels of tetrahydrocannabinol in hemp products or categories thereof, intended for final consumption" (3 pages, in Lithuanian). |
| **9.** | **Proposed date of adoption:** 1 January 2023**Proposed date of entry into force:** 1 January 2023 |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [****]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** National WTO TBT Enquiry pointLithuanian Standards Board Algirdo street 31, 03219 Vilnius, Lithuania Telephone: (+370) 5 279 1152; mobile: (+370) 6 58 60308 E-mail: aurelija.jeleniauskaite@lsd.lt, greta.osinovskiene@lsd.lt (cc: enquiry@lsd.lt) |