

Voluntary Report – Voluntary - Public Distribution

Date: November 10, 2022

Report Number: HK2022-0071

Report Name: Hong Kong Will Ban CBD Products Starting February 2023

Country: Hong Kong

Post: Hong Kong

Report Category: Agricultural Situation, Agriculture in the News

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Report Highlights:

Effective February 1, 2023, Hong Kong will ban cannabidiol (CBD) products. The newly amended regulation will prohibit the manufacture, import, export, supply, sale, possession and transshipment of any products containing CBD in the city, regardless of quantity. However, licensing for transshipment will be provided on a case-by-case basis. Traders and the public possessing CBD products must dispose of these products before February 1, 2023, or they will be in violation of the new regulation.

The Hong Kong government has recently amended the Dangerous Drugs Ordinance (DDO) for the control on cannabidiol (CBD), which will become effective on February 1, 2023. The government has advised the trade and the public to arrange early disposal of any CBD products in their possession to avoid contravention of the law after the legal control on CBD goes into effect in February of next year. Meanwhile, the Hong Kong government has arranged disposal boxes over certain around the city for the voluntary disposal of CBD products during October 27, 2022 to February 1, 2023.

With the amendment, CBD will be subject to the same strict control as other dangerous drugs under the DDO such as tetrahydrocannabinol (THC). Trafficking and illicit manufacturing of these substances are liable to a maximum penalty of life imprisonment and a fine \$643,000. Possession and consumption of these will be subject to a maximum penalty of seven years' imprisonment and a fine of \$129,000.

In the past, the eligibility of food and non-food products containing CBD in Hong Kong has been ambiguous while there is zero tolerance for THC. Given the growing popularity of CBD products in recent years, Hong Kong's retail market has witnessed the emergence of CBD products.

In a paper to the Legislative Council, the local government provided detailed reasons for the legislative move to ban CBD products in the city. The paper explained that there is not any authoritative scientific proof for the health benefits of CBD products. According to the government, CBD and THC are cannabinoids found naturally in the cannabis plant and it would be impractical to completely remove THC impurities from CBD isolates. Based on advice from the Government Laboratory, the government concluded that "it is nearly inevitable that CBD products manufactured from CBD isolates contain certain levels of THC, even though at trace levels or levels below the detection limits of various analytical methods." Moreover, since the chemical structures of CBD and THC are similar, CBD may naturally convert into THC and CBD can also be purposely converted into THC.

Notwithstanding the new legislative initiative, pharmaceutical products containing CBD can still be used in Hong Kong. Since December 2019, pharmaceutical use of CBD has been regulated as prescription-only medicine under the Pharmacy and Poisons Regulations and can only be supplied by registered medical practitioners and under strict conditions.

It is important to note that the banning of CBD products for retail does not affect transshipment via Hong Kong. A provision under DDO has made it possible for the transit of its regulated substances. As long as regulated substances under DDO are not listed as a controlled substance under international conventions such as CBD, the Department of Health will exercise its related licensing power on a case-by-case basis.

Post reported the Hong Kong government's intention to regulate CBD in February 2022. For more details, please see report: [Hong Kong Moves to Amend Legislation to Include CBD as a Dangerous Drug](#)

Attachments:

No Attachments.