



## **Canapa Sativa Italia (CSI) on mr Walter De Benedetto's trial: while elsewhere THC is normed, in Italy patients and hemp farmers are drawn a bead on**

CSI: 'Politicians (not only the weed legalization pros) exulted together with many non profits as ours and many constitutional rights ones - for Arezzo (Tuscany) first grade court acquitting mr Walter De Benedetto's as unfounded case.

Nevertheless, in the same days, **hemp professionals**, many founding their ventures after the approval of Law 242/2016, **have been drawn a bead on** for an interpretation drafted **by a few Public Prosectors** as the **Cagliari** (Sardinia) one **we consider wrong**. After Sardinia, following the same scheme further **sequestrations of entire lots of production** in farms and shops happened also **Friuli Venezia Giulia** and **La Spezia** (Liguria).

Italian **hemp entrepreneurs** and in field specialists found many times their investments vanished for unmotivated sequestrations, lack in testing capacities, incomplete lawmaking, idiosyncrasy and discrepancy in judiciary law.

When Italian Parliament approved L. 242/2016, hemp advocates saluted it as the first step to regulate the industrial hemp production and hoped that, with following acts as an interpretative decree (May 22, 2018), further instances from producers and experts were accepted.

May 22, 2018 decree: "with specific regard to **hemp inflorescences**, it should be noted that these, although not expressly mentioned by law 242/2016 neither among the purposes of the crop nor among its possible uses, fall within the scope of article 2, paragraph 2, letter g ), rubricated as **Legitimacy of cultivation**, i.e. in the context of crops **intended for horticulture, provided that these products derive from** one of the admitted varieties, registered in the common catalog of varieties of agricultural plant species, whose total THC content of cultivation does not exceed the levels established by the legislation, and provided that the product does not contain substances declared harmful to health by the competent institutions"

**Years followed but still nowadays some police offices of public prosecutors apply sequestration by not accepting the efficacy of the decree within a law.**

For almost all the sequestrations, **prosecutors discharge the makers or the sellers as unfounded case (the product is tested THC 2%) and this means a heavy waste of taxpayers money, a heavier waste of Italian farmers and entrepreneurs' (many of them young) investments.**

EU is in favor with and incentives the entire use of the hemp plant, as recently **reiterated** by **EUJC** in the **C-663/18 (11.20.2020)** that the **Cannabis Sativa Linnaeus plant (Cannabis Sativa L.)**, in its entirety, is an agricultural product with its own **organization in the common market**. Consequently, any initiative by Member States aimed at limiting the use of the plant in its entirety is contrary to EU law. It should also be remembered that there are no needs for the protection of public health according to the precautionary principle, since, **these assessments were already carried out by the European Union** when the hemp plant was included among agricultural products and set with a specific supply-chain in the internal market.

**All the sub-sectors stated in hemp regulatory law 242/2018 (food, officinal, body care, extraction, horticulture) have already proven to stand as the most relevant business segments meaning VAT, taxes, investments attractions, innovation, jobs also in the collateral sectors. In a word, industrial hemp is the potential area of growth.**

**Canapa Sativa Italia (CSI) denounces once again the attempts to exclude the entire plant as suggested by some Public Prosecutors as Cagliari:** beside to be a restrictive interpretation contrasting the EU law, it erodes local production market slices to advantage foreign producers, with further damage to the rules of EU market.

*Canapa Sativa Italia (CSI): 'In a world that is legalizing THC positive cannabis, in Italy they fight against terminal patients and farmers. We hope that lawmaking is not always carried out by courts (as in De Benedetto's trial but also in the last three pronouncements of Italian Supreme Court) - or that is justice to mislead law - but that also Government and the Parliament will play their role'.*

Press office

Diana Marrone

*pr/undercover*

*press officers&event designers*

Milano, Venezia, Napoli

[prundercover@gmail.com](mailto:prundercover@gmail.com)

[+393495517623](tel:+393495517623)