

## **Document 2 - OPH specific recommendations pertaining to the five (5) themes outlined in the task force discussion paper**

### ***One: Minimizing harms of use***

#### **Advertising and marketing restrictions recommendations:**

- Prohibit advertising, marketing, and sponsorship through federal legislation, similar to that of the *Tobacco Act* and include language that addresses volume and content restrictions<sup>1,2,3,4,5</sup>
- Develop a supporting infrastructure to ensure accountability for these restrictions
- Adopt plain packaging measures<sup>6,7</sup>

#### **Taxation and pricing recommendations:**

- Regulate base prices (including minimum prices) on THC content<sup>8,9,10</sup>
- Index prices to inflation to ensure prices do not decrease relative to other goods over time

#### **Restrictions on marijuana products (potency) recommendations:**

- Commission research to determine maximum THC limits<sup>11,12</sup>
- Establish regulations that mandate clear and visible labelling of THC content in products, accompanied by evidence-based health warnings

#### **Restrictions on marijuana products (edibles) recommendation:**

- Regulate maximum dosage for edible products and distribution of dosage per serving size
- Set regulations that mandate clear and visible labelling of THC content and dose per serving size, with visible warning statements
- Prohibit production and sale of products that are attractive to children and youth as well as product content and combinations with other substances
- Require child-resistant containers to protect against the risk for unintended overdose
- Monitor lessons learned from Colorado<sup>13</sup>

### **Limitations on quantities for personal possession recommendation:**

- Limit quantities for personal possession as a means to reduce opportunities for resale to youth

### **Minimum age for purchasing and possessing marijuana recommendation:**

- The minimum age for purchasing and possessing marijuana should be 25. The regulations for purchasing and possessing marijuana must be coupled with rigorous enforcement and penalties for violations in order to be effective<sup>14,15,16,17,18,19</sup>

### **Consistency of a minimum age across Canada recommendation:**

- Develop a federal legislative framework that sets a minimum age for sale or provision that is consistent across all provinces and territories<sup>20,21</sup>

### ***Two: Establishing a safe and responsible production system***

In response to this section, OPH presented key principles and some recommendations that the federal government should consider when developing a production model.

Principles:

- A production model that provides a safe, consumable product and exposes the individual to the least amount of harm
- A model that has strict government oversight, inspection, regulation and enforcement is preferred
- Regulate marijuana in a way that recognizes its psychoactive properties

### **Recommendations regarding the production, packaging, storage and distribution of marijuana:**

- Develop national standards for production, packaging, storage, distribution and testing of cannabis products, based on public health principles of prevention and protection
- Expand regulation to a wider variety of cannabis products (e.g., edibles, concentrates, and tinctures), so that all forms of cannabis are regulated
- Provide government resources for inspection and other accountability and regulatory functions

- Ensure that food safety regulations are followed regarding the manufacturing of edible products and that food safety training be offered as needed

### ***Three: Designing an appropriate distribution system***

#### **Distribution model recommendations:**

- Adopt a government owned and controlled store front system for distribution<sup>22,23,24</sup>
- Regulate the sale of cannabis paraphernalia
- Ensure compliance with requirements through inspections and test-purchasing with under-age clients
- Develop a uniform distribution model consistent across Canada<sup>25,26,</sup>

### ***Four: Enforcing public safety and protection***

#### **Designing laws recommendations:**

- Set clear minimum standards that all provinces and territories must follow, including a minimum age for sale, clear regulations for provision/sale , and a clear enforcement infrastructure to safeguard these new regulations<sup>27</sup>
- Place onus of youth possession of cannabis on the supplier
- Provide mandatory labeling or markings that easily identify regulated products

#### **Enforcement measure to protect public health and safety for impaired driving recommendations:**

- Develop a comprehensive framework which includes prevention, education, and enforcement to address and prevent cannabis impaired driving with a focus on groups at higher risk of harm, such as youth
- Strengthen Graduated Licensing System programs and enhance components related to drug impairment to deter youth usage<sup>28</sup>
- Apply criminal charges for cannabis impaired driving and open products in vehicles to all offenders regardless of age

## **Consumption of marijuana in publicly-accessible spaces recommendations:**

- Apply a comprehensive ban of the consumption of marijuana in workplaces and indoor and outdoor public spaces at the federal level<sup>29,30,31</sup>
- Explore options to include multi-unit dwellings in legislation to reduce exposure of second hand smoke

## ***Five: Accessing marijuana for medical purposes***

### **Appropriate access to medically authorized persons recommendations:**

- Support persons who require marijuana for medical purposes through accessibility measures such as price
- Health professionals should continue to have a role in informing patients of the health risk as well as the potential benefits of using marijuana for medical purposes as well as regular health monitoring

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<sup>1</sup> Government of Canada. 2016. Towards the legalization, regulation and restriction of access to marijuana: discussion paper. Task force on marijuana legalization and regulation. Canada

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<sup>3</sup> Robertson, L., McGee, R., Marsh L, Hoek J. (2015). A systematic review on the impact of point-of-sale tobacco promotion on smoking. *Nicotine Tob Res.* 17(1):2-17

<sup>4</sup> Anderson P, de Bruijn A, Angus K, Gordon R, Hastings G. Impact of alcohol advertising and media exposure on adolescent alcohol use: a systematic review of longitudinal studies. *Alcohol* 2009; 44:229–43.

<sup>5</sup> World Health Organization. (2015). WHO Framework Convention on Tobacco Control. World Health Organization. Geneva, Switzerland

<sup>6</sup> Australian Office of Best Practice Regulation. Tobacco plain packaging post-implementation review, February 2016

<sup>7</sup> Canadian Centre on Substance Abuse. (2016). Lessons Learned in Colorado and Washington State Tobacco plain packaging post-implementation review. Ottawa:ON.

<sup>8</sup> Thomas, G. Price policies to reduce alcohol-related harm in Canada. (2012). Alcohol Price Policy Series: Report 3. Ottawa, ON: Canadian Centre on Substance Abuse. Retrieved from:

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<http://www.ccsa.ca/Resource%20Library/CCSA-Price-Policies-Reduce-Alcohol-Harm-Canada-2012-en.pdf>

<sup>9</sup> Non-Smokers' Rights Association/Smoking and Health Action Foundation (2015). Retrieved from [http://www.nsra-adnf.ca/cms/file/files/SHAF\\_Prohibitive\\_pricing\\_fact\\_sheet\\_March\\_2015\(1\).pdf](http://www.nsra-adnf.ca/cms/file/files/SHAF_Prohibitive_pricing_fact_sheet_March_2015(1).pdf)

<sup>10</sup> Haden, M and Emerson, B. 2014. A vision for cannabis regulation: a public health approach based on lesson learned from alcohol and tobacco. *Open Medicine*, 8 (2) e73.

<sup>11</sup> Schlossarek, S., Kempkensteffen, J., Reimer, J. & Verthein, U. (2016). Psychosocial determinants of cannabis dependence: A systematic review of literature. *European Addiction Research* 22:131-144.

<sup>12</sup> Canadian Centre on Substance Abuse. Cannabis Regulation: Lessons Learned In Colorado and Washington State. [Report online]. Ottawa: Canadian Centre on Substance Abuse, 2015 [Last accessed 2016 Jul 27]. Available from: <http://www.ccsa.ca/Resource%20Library/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>

<sup>13</sup> Sam Wang, G. et al (2016) Unintentional Pediatric Exposures to Marijuana in Colorado, 2009-2015

<sup>14</sup> Canadian Centre on Substance Abuse. Substance Abuse in Canada: The Effects of Cannabis Use during Adolescence. [Report online]. Ottawa: Canadian Centre on Substance Abuse, 2015. Available from: <http://www.ccsa.ca/Resource%20Library/CCSA-Effects-of-Cannabis-Use-during-Adolescence-Report-2015-en.pdf>

<sup>15</sup> Haden, M and Emerson, B. 2014. A vision for cannabis regulation: a public health approach based on lesson learned from alcohol and tobacco. *Open Medicine*, 8 (2)e73. Babor, T, et al. Alcohol no ordinary commodity research and public policy second edition. 2010. New York. DOI:10.1093/acprof:oso/9780199551149.001.0001

<sup>16</sup> Babor, T, et al. Alcohol no ordinary commodity research and public policy second edition. 2010. New York. DOI:10.1093/acprof:oso/9780199551149.001.0001

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<sup>18</sup> Lopez-Quintero C, Pérez de los Cobos J, Hasin DS, Okuda M, Wang S, et al. (2011). Probability and predictors of transition from first use to dependence on nicotine, alcohol, cannabis, and cocaine: Results of the National Epidemiologic Survey on Alcohol and Related Conditions (NESARC). *Drug and Alcohol Dependence* 115: 120-130, as cited in Centre for Addiction and Mental Health. (2014). *Cannabis Policy Framework*. Toronto: ON.

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