



Canada

June 9, 2017

Toronto Board of Health
10th Floor, West Tower City Hall
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HL20.3.1

Executive Offices

Association of Canadian Distillers

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Re. Legal Access to Non-Medical Cannabis: Approaches to Protect Health and Minimize Harms of Use (HL20.3)

Dear Members:

We are writing to you today to share our views in response to the Toronto Medical Officer of Health's recommendations in regards to legal access to non-medical cannabis in Toronto.

The Medical Officer of Health's report before the committee generally reflects a thoughtful, evidence-based approach to minimizing the potential harm pursuant to the Government of Canada's decision to legalize, regulate and restrict access to recreational marijuana in Canada.

Spirits Canada is the sole national organization representing the interests of Canadian distilled spirits manufacturers. The Association is also a leading voice for the moderate and responsible use of beverage alcohol. We actively participated in the development of Canada's National Alcohol Strategy¹ and continue to sit on its Advisory Committee. While recreational marijuana and beverage alcohol have many important differences and distinctions, the regulatory framework for beverage alcohol developed in Canada over the past 90 years may provide useful guidance in regards to recreational marijuana regulation.

Specifically, we endorse the MOH's recommendations that Ontario adopt a minimum purchase age of 19 for recreational marijuana so that the Government of Canada's primary goal of restricting access to minors is met while ensuring the frequent-use user group of 19 – 25 have access to a legal sales channel.

In addition, we support the proposed restrictions on the smoking or vaping of marijuana in public places and in motor vehicles, as these prohibitions are necessary for the health of both users and others who may be in the immediate vicinity.

The MOH's recommendation to ensure the retail sale and distribution of recreational marijuana is separate and distinct from that for alcohol mirrors a similar recommendation from the federal government's own task force. The potential harm associated with the co-use of alcohol and recreational marijuana necessitates all reasonable measures be enacted to dissuade such risky behavior.

¹ "Reducing Alcohol-Related Harm in Canada: Toward a Culture of Moderation", April 2007



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The sale of beverage alcohol and recreational marijuana in the same retail environment would convey the false impression of condoning or even encouraging their co-use and should be specifically prohibited.

The Government of Canada's Bill C-45 is largely silent of the regulation of edible forms of recreational marijuana. While we sympathize with the federal government's desire to proceed cautiously and start with more traditional forms of consumption, such a legal grey area is particularly concerning. The experience in other jurisdictions such as Colorado indicates edibles may account for in excess of 45% of the marijuana market.² For these reasons, we strongly endorse the recommendation to regulate edible forms of marijuana as per the federal Task Force on Cannabis Legalization and Regulation.

Finally, while we understand the initial appeal of recommending "plain packaging" for all marijuana packaging and labeling, we believe such an approach is misguided and may cause more harm than not.

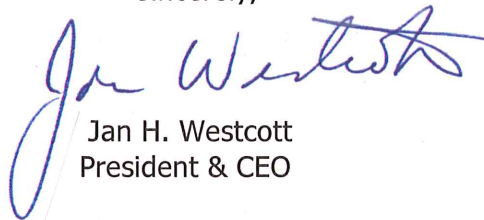
The legalization of recreational marijuana is a bold policy development that will engender many new licensed producers and will very likely motivate a significant cohort of first time users. It will be important for buyers to have the maximum amount of information available to them, including the manufacturer, THC level, strain, etc.

Moreover, Canada has experienced a number of quality and health issues related to tainted medicinal marijuana, often linked to the presence of prohibited chemicals. The complexity of initiating a national recall for the recreational marijuana market is daunting.

Plain packaging will make it impossible for consumers to identify quickly and easily whether they need to check specific lot and production codes for tainted products. The biggest challenge in enacting product recalls within any consumer goods market is not recall from licensed distributors or retailers, but from consumers. Communication messaging of recalls to consumers must be succinct and precise, with manufacturer and brand names the most easily recognizable trigger for action by consumers holding potentially tainted products.

We trust you will find our comments useful as you consider the report submitted by Toronto's Medical Officer of Health.

Sincerely,



Jan H. Westcott
President & CEO

c.c. Dr. Eileen de Villa, Medical Officer of Health

² "Tasty THC: Promises and Challenges of Cannabis Edibles", Daniel G. Barrus, et al, November 2016.

