

TO: Chair and Members of the Board of Health

FROM: Christopher Mackie, Medical Officer of Health / CEO

DATE: 2019 February 21

AN UPDATE ON THE LEGALIZATION OF CANNABIS IN CANADA

Recommendation

It is recommended that Report No. 015-19 re: “An Update on the Legalization of Cannabis in Canada” be received for information.

Key Points

- To support municipalities in their deliberations on whether to opt out of cannabis retail sales, Health Unit staff prepared a resource ([Appendix A](#)) outlining public health considerations and available evidence.
- All eight municipalities within Middlesex County and the City of London opted in to allow the retail sale of cannabis; however, under the temporary cap of twenty-five retail store authorizations, it is unclear if there will be a cannabis store front open for business by April 1, 2019, in the City of London.
- Launched late 2018, the Health Unit’s “You Need to Know” campaign aims to help residents of London and Middlesex County better understand the laws and potential health risks associated with cannabis use.
- A core set of cannabis program indicators for measurement have been identified to guide program planning.
- Health Unit staff are reviewing the draft regulations and preparing a response to Health Canada to provide input on the legalization of cannabis edibles, extracts, and topicals.

Background

On October 17, 2018, the Government of Canada implemented a new framework that legalizes, regulates, and restricts access to non-medical cannabis. The federal framework allows adults aged 18 years and older to purchase fresh or dried cannabis, cannabis oil, and seeds and plants for cultivation. In alignment with the federal timelines, the Government of Ontario rolled out a cannabis legislative framework outlining its unique set of rules on cannabis, including where it may be consumed, the minimum age of possession (19 years of age), and where it may be purchased, as outlined in Board of Health [Report 068-18](#).

Update on the Privatization of the Sale of Non-Medical Cannabis

The deadline for municipalities and First Nations communities to opt out from cannabis retail sales with the Alcohol and Gaming Commission of Ontario (AGCO) was January 22, 2019. The decision to introduce cannabis retail outlets within a municipality may be a difficult one, particularly in the absence of a complete understanding of community impact. To support municipalities within the Middlesex-London area in their deliberations, Health Unit staff prepared and disseminated a document (attached as [Appendix A](#)) in late November 2018 that outlined public health considerations and provided a summary of available evidence to guide cannabis retail store siting. If the AGCO did not receive written notification from a municipality communicating its decision to opt out, then, by default, private cannabis retail stores will be allowed within that jurisdiction beginning April 1, 2019. All eight municipalities within Middlesex County and the City of London opted in to allow the retail sale of cannabis. A full listing of Ontario municipalities prohibiting or allowing cannabis retail stores is available on the [AGCO website](#).

On December 13, 2018, the Government of Ontario announced that a temporary cap of twenty-five retail store authorizations would be imposed until the supply of cannabis available for sale through the Ontario Cannabis Store stabilizes. The Government of Ontario, by regulation, gave the AGCO a mandate to hold a [lottery](#) to determine who may apply for Retail Operator Licenses. Under the temporary cap of twenty-five retail stores, the rules specified that the winning applicants must open their store fronts in municipalities with populations of at least 50,000 residents. The lottery was completed on January 11, 2019, with a total of seven applicants in the western region of Ontario (extending from Niagara to Windsor) being selected to submit an application for a retail store authorization. Details of the lottery and its results are available on the [AGCO website](#). It is unclear at the present time if there will be a cannabis store front open for business in the City of London by April 1, 2019.

Cannabis: Know the Law, Know the Facts

In December 2018, the Health Unit launched its “You Need to Know” campaign, which aims to help residents of London and Middlesex County better understand the laws and potential health risks associated with cannabis use. Accompanied by the www.YouNeedToKnow.ca website, the campaign uses clear graphics that highlight key parts of the legislation, while underscoring potential negative health effects and risks associated with cannabis use. The website also provides links to credible research, online resources, and strategies to lower potential risks associated with cannabis use.

For 2019, Health Unit staff will be conducting research to support the development of messaging, graphics, and a social marketing strategy to reach older youth and young adults, due to the concerns related to cannabis use and brain development within this priority population.

Cannabis Indicators and Public Health Surveillance

With the legalization of non-medical cannabis, there is greater expectation on public health to monitor the trends associated with cannabis use and the impact of legalization on the health of our community. Together with the Ontario Public Health Collaboration on Cannabis, Health Unit staff identified a core set of cannabis program indicators for long-term measurement. An internal report was generated, providing a picture of local cannabis use and related health outcomes for residents of London and Middlesex County. If data for Middlesex County and London was not available, then regional data for Southwestern Ontario, Ontario, or Canada was reported. This indicator project will allow Health Unit staff, across all divisions, to better identify and modify the team-level interventions necessary to meet local community needs.

Legalization of Cannabis Edibles, Extracts, and Topicals

Health Canada is conducting a [public consultation](#) on the draft regulations for edible cannabis, cannabis extracts, and cannabis topicals. These additional cannabis products will be permitted for legal sale under the federal government’s *Cannabis Act* no later than October 17, 2019. At the time of drafting of this report, Health Unit staff in the program areas of substance use, food safety, and nutrition are working collaboratively to review the draft regulations and prepare a submission for the regulatory consultation, which closes on February 20, 2019, to provide input on how to minimize public health and public safety risks related to the sale of these products. Staff will provide a report and a copy of the submission for information at the March Board of Health meeting.

This report was prepared by the Chronic Disease Prevention and Tobacco Control Team ([Appendix B](#)) and the Healthy Communities and Injury Prevention Team ([Appendix C](#)), Healthy Living Division.



Christopher Mackie, MD, MHSc, CCFP, FRCPC
Medical Officer of Health / CEO