

Minister of Health



Ministre de la Santé

Ottawa, Canada K1A 0K9

JAN 25 2017

Mr. Alistair MacGregor, M.P.
Cowichan–Malahat–Langford
House of Commons
Ottawa, Ontario K1A 0A6



Dear Mr. MacGregor:

Thank you for your correspondence of April 18 and August 2, 2016, on behalf of some of your constituents, concerning new medical cannabis regulations. I regret the delay in responding.

The *Access to Cannabis for Medical Purposes Regulations* (ACMPR) came into force on August 24, 2016, as the regulations governing Canada's medical cannabis program. Under the ACMPR, Canadians who have been authorized by their health care practitioner to access cannabis for medical purposes are able to purchase safe, quality-controlled cannabis from one of the 37 producers licensed by Health Canada (list available at <http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/list-eng.php>), produce a limited amount of cannabis for their own medical purposes, or designate someone to produce it for them.

Canada's 37 licensed producers continue to be the only legal commercial source of safe, quality-controlled cannabis for Canadians who have been authorized by their health care practitioner to access cannabis for medical purposes under the ACMPR. Licensed producers must continue to adhere to strict licensing and security requirements and follow good production practices in the production of cannabis and are subject to inspections on a regular basis by Health Canada.

Under the new regulations, Canadians who have the authorization of their health care practitioner can apply to produce a limited amount of cannabis for their own medical purposes. These individuals must provide a medical document from their health care practitioner and must attest that they did not have a marijuana-related drug offence while licensed by Health Canada, among other requirements.

All persons registered or licensed by the Department must abide by the law and operate at all times within the limits set out when they are registered or licensed by Health Canada. This means that they must respect their established plant, storage and

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possession limits at all times. These limits are all tied to the individual's medical need for cannabis (i.e., daily dose as authorized by their health care practitioner). Individuals are only authorized to produce and possess for their own medical purposes, and it is illegal for them to share or provide or sell what they have produced to anyone else.

The Department has taken measures to ensure that Canadians are well informed about the rules and their responsibilities to help them comply with the new regulations. We have also emphasized the need to comply with all relevant provincial, territorial and municipal laws, including local by-laws about zoning, electrical and fire safety, as well as all related inspection and remediation requirements. We have also outlined on our website precautions Canadians can take to reduce risks to their health and safety.

Health Canada appreciates that, as in any regulatory framework, there will be instances where individuals choose to operate outside of the law. Anyone who suspects activity that may violate a law or a by-law, including the *Criminal Code* of Canada, should contact immediately their local law or municipal enforcement authority. Health Canada supports law enforcement representatives on a daily basis by providing a dedicated telephone line 24 hours a day and seven days a week, to confirm, when necessary, that specific individuals are authorized to possess or produce a limited amount of cannabis for medical purposes.

As you note, the *Marihuana Medical Access Regulations* (MMAR), which also allowed for home production of marijuana for medical purposes, were repealed on March 31, 2014. Due to the federal court order granted on March 21, 2014, individuals previously authorized to possess and grow a limited amount of marijuana for their own medical purposes under the former MMAR, and who meet the terms of the court order, are able to continue to do so until the court orders otherwise. These individuals are also welcome to apply under the new regulations.

If your constituents have further questions pertaining to this issue, they may wish to contact the Office of Medical Cannabis by e-mail at OMC-BCM@hc-sc.gc.ca or by telephone, toll free, at 1-866-337-7705.

Again, thank you for writing. I appreciate having this opportunity to respond to your constituents' concerns.

Yours sincerely,



The Honourable Jane Philpott, P.C., M.P.