

**Report to
Rapport au:**

**Ottawa Board of Health
Conseil de santé d'Ottawa
5 February 2018 / 5 février 2018**

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**Submitted by
Soumis par:**

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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2018-OPH-HPP-0002

SUBJECT: PREPARING FOR THE LEGALIZATION OF NON-MEDICAL CANNABIS

**OBJET: PRÉPARATION EN VUE DE LA LÉGALISATION DU CANNABIS À DES
FINS NON MÉDICALES**

REPORT RECOMMENDATIONS

That the Board of Health for the City of Ottawa Health Unit:

- 1. Receive, for information, the Acting Medical Officer of Health's submission to the Health Canada consultation regarding the Federal government's proposed approach to the regulation of cannabis, as outlined in Document 1, attached;**
- 2. Adopt a formal Ottawa Board of Health position on the regulations for cannabis production, packaging and labelling, based on the recommendations outlined in Document 1, attached; and**
- 3. Receive, for information, Ottawa Public Health's plan to reduce the harms from cannabis use.**

RECOMMANDATIONS DU RAPPORT

Que le Conseil de santé de la circonscription sanitaire de la ville d'Ottawa :

- 1. prenne connaissance des observations de la médecin chef en santé publique par intérim présentées dans le cadre de la consultation menée par Santé Canada sur l'approche proposée par le gouvernement fédéral pour réglementer le cannabis (document 1 ci-joint);**
- 2. adopte la position officielle du Conseil de santé d'Ottawa quant à la réglementation de la production, de l'emballage et de l'étiquetage du cannabis, selon les recommandations du document 1 ci-joint;**
- 3. prenne connaissance du plan de Santé publique Ottawa visant à réduire les effets néfastes de la consommation de cannabis.**

EXECUTIVE SUMMARY

The Government of Canada has committed to legalizing cannabis for non-medical use by July 2018. Since April 2017, the Federal and Provincial governments have introduced new laws to allow access to regulated cannabis products.

Ottawa Public Health (OPH) has been monitoring the proposed legislation and assessing the potential public health impacts. OPH has advocated for the adoption of a public health approach to the legalization of cannabis, including:

- Investments for health promotion/prevention activities;
- Sufficient health protection;
- Sufficient supports for evidence-informed early identification and treatment; and
- Investments in health assessment, surveillance and research.

Cannabis, like alcohol and tobacco, is a drug that can cause negative health effects and social harms. The harms are particularly evident when cannabis is used at a young age, frequently or while engaging in risky behaviours such as driving impaired.

OPH has developed a plan to address the introduction of legal cannabis based on the principles of providing support along the substance use continuum. A comprehensive public health approach is proposed to achieve the following objectives:

- Prevent cannabis use, particularly among youth;
- Encourage low-risk use and supporting users to reduce or quit; and
- Protect others from the second-hand effects of cannabis use.

RÉSUMÉ

Le gouvernement du Canada s'est engagé à légaliser le cannabis à des fins non médicales d'ici juillet 2018. Depuis avril 2017, les gouvernements fédéral et provinciaux préparent des projets de loi pour autoriser l'accès à des produits du cannabis réglementés.

Santé publique Ottawa (SPO) suit ces projets de loi et évalue leurs répercussions éventuelles sur la santé publique. Elle préconise l'adoption d'une approche de santé publique à l'égard de la légalisation du cannabis, qui comprendrait :

- le financement d'activités de promotion de la santé et de prévention;
- les mesures nécessaires de protection de la santé;
- les ressources nécessaires au dépistage et au traitement précoces fondés sur des données probantes;
- l'injection de fonds dans les évaluations, la surveillance et la recherche en matière de santé.

Comme l'alcool et le tabac, le cannabis est une drogue qui peut nuire à la santé et à la vie sociale des consommateurs. Les effets néfastes se font sentir encore plus chez les gens qui commencent à un jeune âge, qui consomment fréquemment et qui ont des comportements risqués, comme la conduite avec facultés affaiblies.

Pour se préparer à la future légalisation du cannabis, SPO a créé un plan reposant sur le principe qu'il faut offrir du soutien à toutes les étapes du continuum de consommation. Elle propose l'adoption d'une approche de santé publique exhaustive qui répondrait aux objectifs suivants :

- Prévenir la consommation du cannabis, surtout chez les jeunes;
- Inciter les gens à prôner une consommation sans danger et les aider à réduire leur consommation ou à arrêter;
- Protéger les autres personnes contre les effets secondaires du cannabis.

BACKGROUND

The Government of Canada has committed to legalizing cannabis for non-medical use by July 2018. On April 13, 2017, the Federal Government introduced Bill C-45 (the *Cannabis Act*), which sets the framework for legalizing and regulating access to cannabis. A second piece of legislation, Bill C-46, *An Act to amend the Criminal Code*, proposed amendments to strengthen impaired driving laws for alcohol and cannabis.

Ottawa Public Health has been monitoring the proposed legislation and assessing the potential public health impacts. To this end, the Board of Health has received a number of reports, which have provided updates regarding federal and provincial legislation, outlined the public health concerns, and provided evidence-based recommendations for submissions in response to federal and provincial consultations.

In June 2017, the Board approve a report titled [“Legalization of Cannabis – A public health approach to minimize harms of use”](#), which provided an overview of Bill C-45 and Bill C-46. The report identified areas for advancing healthy public policy within the proposed federal legislation and made recommendations with respect to regulating edible cannabis products within the current legalization timeframe and strengthening restrictions on packaging and labelling.

In July 2017, the Medical Officer of Health (MOH) made a submission to the Ontario Ministry of the Attorney General, derived from staff’s professional review and analysis of the best available research on cannabis and lessons learned from the regulation of tobacco and alcohol.

In September 2017, the Board approved the report titled [“Ottawa Public Health’s Submission in Response to Public Consultation – Legalization of Cannabis in Ontario”](#), thereby adopting the positions outlined in the MOH submission with respect to: aligning the minimum legal age in Ontario with that of other substances (alcohol and tobacco); prohibiting the public consumption of cannabis; adopting a government-controlled retail and distribution model; and implementing a comprehensive approach to educate the public about cannabis.

Current Federal and Provincial Legislative Developments

Bills C-45 and C-46 are still moving through the Senate, with Senate committees planning to consider these Bills in February 2018.

In November 2017, Health Canada released a [consultation paper](#) to obtain feedback on proposed cannabis regulations. These regulations would support the implementation of the *Cannabis Act* (Bill C-45) by setting requirements such as licensing standards for producers, product standards and packaging. Health Canada intends to publish a summary of the feedback they receive and outline any changes to the regulations. The submission deadline was January 20, 2018 and, on that date, the Acting Medical Officer of Health submitted a response to the consultation, which is the subject of recommendations 1 and 2 of this report. (see Document 1)

In November 2017, the Ontario Government introduced [Bill 174, the Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017](#) to regulate the use

and distribution of cannabis following federal legalization. A review of the legislation found that it aligned with many of the recommendations put forth by the Board as part of the provincial consultation in July 2017. Bill 174 received Royal Assent in December 2017, however it has not come into force. An overview of Bill 174 is provided in Document 2, attached.

On January 18, 2018, the Ontario Government released [regulatory proposals](#) to accompany the recently passed provincial *Cannabis Act*. There are a number of different cannabis-related regulations open to public feedback. The consultation is open until early March, except for feedback related to the regulation of retail and distribution, which closes February 7. OPH will review the proposed regulations and, once that review is complete, will make submissions, based on available evidence and lessons learned from other jurisdictions.

Public Health Approach to Cannabis

Cannabis, like alcohol and tobacco, is a drug that can cause negative health effects and social harms. The harms are particularly evident when cannabis is used at a young age, frequently or while engaging in risky behaviours such as driving impaired.

Though cannabis has been illegal, Canada has one of the highest rates of cannabis use in the world, particularly among young people. In 2017, approximately 18% of Ottawa students in grades 7 to 12 reported using cannabis at least once in the last year.ⁱ The proportion of students reporting past year cannabis use increases from 3% in grade 8 to 36% in grades 11 and 12.ⁱⁱ Youth are particularly vulnerable to the risks of cannabis. Early and regular cannabis use during adolescence has several negative health effects on cognition, behaviour and development.ⁱⁱⁱ

The legalization of cannabis provides an opportunity to take a public health approach to setting the regulatory framework. Ottawa Public Health (OPH) has advocated for all levels of government to adopt a public health approach that includes:

- Investments in health assessment, surveillance, and research;
- Investments for health promotion/prevention activities;
- Sufficient health protection; and
- Sufficient supports for evidence-informed early identification and treatment.

DISCUSSION

OPH continues to advocate locally, provincially and federally for a public health approach, through public consultations and by participating in municipal discussions.

Recommendations 1 and 2:

The Acting Medical Officer of Health's submission to Health Canada, attached as Document 1, provides a summary of OPH's recommendations and rationale. Through this report, OPH is recommending that the Board of Health for the City of Ottawa Health Unit:

- 1. Receive, for information, the Acting Medical Officer of Health's submission to the Health Canada consultation regarding the Federal government's proposed approach to the regulation of cannabis, as outlined in Document 1, attached; and**
- 2. Adopt a formal Ottawa Board of Health position on the regulations for cannabis production, packaging and labelling, based on the recommendations outlined in Document 1, attached.**

The submission to the Health Canada consultation further advocated for adopting an overall public health approach including:

- Adding local public health units to the list of local authorities to be notified as part of the Health Canada licensing process;
- Guidelines for pesticide use and prevention of mould and other contaminants for home-cultivated cannabis;
- Public education for the safe and responsible storage of cannabis in the home, including plants and edibles;
- A comprehensive list of permitted product forms;
- Commissioning research to determine the safe amount of tetrahydrocannabinol (THC) in different product forms; and
- Adopting strict packaging and labelling requirements.

Recommendation 3:

- 3. Receive for information OPH's approach to reduce the harms from cannabis use.**

OPH has developed a plan to reduce unintended consequences following legalization of cannabis, such as preventing initiation of use and the normalization of cannabis use.

OPH's plan is based on the principles of providing support along the substance use continuum, evidence for reaching youth and lessons learned from other jurisdictions. It also seeks to leverage federal, provincial and partners' activities. A comprehensive

approach is needed to achieve the following objectives:

- Prevent cannabis use, particularly among youth;
- Encourage low-risk use and supporting users to reduce or quit; and
- Protect others from the second-hand effects.

Based on the spectrum of substance use, OPH's plan has four priority areas: population-based health promotion and prevention; early identification and intervention; health protection; and surveillance. Similar to all OPH programming, community collaboration and partnership is a foundational piece to how OPH carries out evidence-informed programs and services.

Population-based health promotion and prevention

The Federal and Provincial governments have committed to developing public education campaigns on cannabis. In addition to promoting these campaigns, OPH is undertaking a tailored local approach to provide evidence-based messaging in order to challenge the misperceptions about the harms of cannabis. To inform OPH's health promotion messaging and to gain a greater understanding of the public's knowledge and perceptions of the effects of cannabis use, in December 2017, OPH commissioned a randomized telephone survey of approximately 400 Ottawa residents. An overview of the survey findings is attached as Document 3.

Some key findings from the survey indicate that:

- 26% of residents under 35 years of age are likely or moderately likely to use/try cannabis following legalization;
- Those under 35 years old were more likely to consider cannabis use socially acceptable and beneficial for young adults; and
- 39% of those under 35 and nearly half (49%) of those reporting past year use, disagree that second-hand smoke from cannabis has similar health harms as cigarette second-hand smoke.

This data, along with lessons learned from other jurisdictions and information on evidence-based approaches to reaching youth and parents, will inform OPH's public awareness plan, which will include creating promotional materials to be disseminated through community partners, schools and online.

With a focus on preventing youth initiation, OPH's prevention efforts will focus on education and training initiatives for schools and community organizations in collaboration with partners. OPH, in partnership with the school boards, Rideauwood

Addiction & Family services, Maison Fraternité and Ottawa Police Services, will provide consistent messaging to school staff, students and their parents. Based on this partnership's success with opioids, youth and their parents are better aware of the trusted supports available to address substance use for schools and within the community.

Training will focus on:

- Education on the health effects of cannabis;
- Supporting parents, teachers and other intermediaries to have meaningful conversations with youth about cannabis;
- Mental health messaging; and
- The importance of early identification, such as recognizing signs of substance use, and where to get help.

OPH is also reaching out to community organizations, particularly youth-serving agencies, to offer presentations on the pending legalization and the health effects of cannabis use. OPH will also be consulting with community partners to collaborate on increasing local knowledge and enhancing collective capacity to achieve our objectives. In particular, OPH will be working with Safer Roads Ottawa to increase awareness of the harms of driving while impaired with cannabis.

Through the Ontario Public Health Unit Collaborative on Cannabis, OPH will be involved in provincial discussions to align messaging about cannabis across public health units. This Collaborative is a group of health professionals from public health units who work on addressing substance use in their communities.

Supports for Health Protection

OPH continues to advocate for a public health approach, through local and provincial discussions and formal consultations. OPH will also seek to support the development and implementation of appropriate policies at the local and organizational levels (e.g. schools, workplaces, multi-unit housing).

Bill 174, as outlined in Document 2, enacts the *Smoke-Free Ontario Act, 2017* that will expand the role of tobacco enforcement officers to include enforcing restrictions on public use of medical cannabis. The restrictions on the public use of non-medical cannabis use falls under the provincial *Cannabis Act*, which will be the responsibility of police or a designated person under the *Provincial Offences Act*.

OPH will continue to monitor the release of new provincial regulations to gain a greater understanding of OPH's possible health protection role within this new legislative

framework.

Early Identification and Intervention

Cannabis use can lead to addiction, including physical dependence. Based on several studies, about 5-9% of users will become dependent, which jumps to 17% if use begins as a teen.^{iv} According to OPH's local survey, 70% of respondents agree that cannabis use during the teenage years is likely to increase the risk for developing dependence, however only half (51%) of respondents who used cannabis in the past year agreed.

OPH has embedded promotion of available support services into its public awareness and outreach efforts. This includes:

- Supplying school boards, community partners and health care providers with evidence-based cannabis messaging and information on how to access available services for problematic use; and
- Conducting evidence reviews and critical appraisals of available or emerging guidelines and tools for screening for and lowering cannabis use; and
- Supporting the school-based substance use counselling program provided through the Substance Abuse and Youth in School (SAYS) coalition.

OPH is working upstream to reach youth, their parents and adults working with youth to facilitate the connection between early identification, early intervention and available resources.

Health Assessment, Surveillance and Research

In submissions to the federal and provincial governments, OPH has advocated for investments in surveillance and research. The Federal government has committed \$9.6 million over 5 years with \$1 million per year ongoing for cannabis surveillance and awareness. OPH will continue to explore local opportunities to work with partners to conduct local research and surveillance.

OPH will use local data to guide programming, understand the impact of legalization and inform future policy development. Key data includes: prevalence of use, particularly among youth and young adults; risk perceptions and awareness of health effects; and the health outcomes such as hospitalizations, impaired driving collisions and admissions to treatment. OPH will collect the available data and consult with local partners, to identify gaps and determine additional local indicators to inform a community report on cannabis.

RURAL IMPLICATIONS

There are no rural implications associated with this report.

CONSULTATION

No public consultation was undertaken in preparing this report.

LEGAL IMPLICATIONS

There are no legal impediments to receiving the information as set out in recommendations 1 and 3 and no legal impediments to implementing recommendation 2.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

The possible financial implications of the new legislation are being assessed.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

This report supports the City Council priority with respect to Healthy and Caring Communities. It also supports the Ottawa Public of Health Strategic Priority with respect to Advancing Healthy Public Policy.

SUPPORTING DOCUMENTATION

Document 1 - Response to Health Canada Consultation – Proposed Approach to the Regulation of Cannabis

Document 2 – Overview of Bill 174 the *Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017*

Document 3 – Overview of survey results of Ottawa Public Health’s randomized-telephone survey on cannabis use

DISPOSITION

This report is presented to the Board for information purposes.

ⁱ Public Health Monitoring of Risk Factors in Ontario-OSDUHS (2017), Centre for Addiction and Mental Health.

ⁱⁱ Ibid.

ⁱⁱⁱ George T, Vaccarino F (ed.). *Substance use in Canada: The effects if cannabis use during adolescence*. Ottawa, ON: The Canadian Centre on Substance Use and Addiction. 2015. Available from:

<http://www.ccsa.ca/Resource%20Library/CCSA-Effects-of-Cannabis-Use-during-Adolescence-Report-2015-en.pdf>. [Accessed: 18th July 2017].

^{iv} Ibid