

January 10, 2020

Dear Municipal Elected Officials and Leaders

**Re: Legalization of Edibles, Extracts and Topicals (EET) - Information for Municipalities**

I am pleased to provide you with the attached resource titled: *Phase Two of Cannabis Legalization - Edibles, Extracts and Topicals, Public Health Information for Municipalities*. Phase 2 of the federal government plan to legalize and regulate Edibles, Extracts and Topical (EET) forms of cannabis began on October 17, 2019, when the Cannabis Act was amended. Legal EET products are expected to be available in regulated cannabis retail stores by mid-January 2020. The legalization of EETs, three new and/or expanded classes of cannabis products, will have an impact on your existing local bylaws regarding consumption of cannabis in public places.

Alberta Health Services (AHS) advises that a precautionary approach be taken to minimize substance use harms and unintended consequences. This approach recognizes that it is easier to relax or remove restrictions at a later date than to tighten them after decisions have been announced, bylaws have been enacted, and investments have been made. This precautionary approach is consistent with the recommendations of the Federal Task Force on the Legalization and Regulation of Cannabis (Government of Canada, 2016). It applies the wisdom and lessons learned from alcohol and tobacco policy, which is to begin with more restrictive regulations and ease restrictions only as evidence becomes available.

AHS has developed the attached resource for municipalities to provide relevant information to assist in developing or revising local bylaws. This document outlines how EET may impact local regulations and how you can use this opportunity to strengthen or create new bylaws, based on a public health approach. It addresses consumption in public places, medical exemptions, multi-unit housing and festivals.

The location, method and accumulated volume of cannabis consumption can create a number of concerns, including increased youth access and increased normalization among youth due to increased visibility and exposure. Public consumption bylaws have the potential to protect the community and its citizens. Effective regulation, as identified in the intent behind federal legalization, supports federal and provincial goals to keep cannabis out of the hands of youth and to protect public health and safety.

AHS recognizes municipalities as important partners in public health. If you would like more information or support as you and your Council consider the impact of EET on your local bylaws, please feel free to contact me directly.

Sincerely,

***Original Signed***

Dr. Albert de Villiers, Medical Officer of Health  
North Zone Lead, North Zone-West (Areas 1, 2, 3, 9)  
[www.albertahealthservices.ca](http://www.albertahealthservices.ca)

Attached: Phase Two of Cannabis Legalization - Edibles, Extracts and Topicals, Public Health Information for Municipalities

# Phase 2 of Cannabis Legalization – Edibles, Extracts and Topicals

## PUBLIC HEALTH INFORMATION FOR MUNICIPALITIES

Alberta Health Services (AHS) recognizes that municipalities have options for their cannabis-related bylaws now that Edibles, Extracts and Topicals are included in the federal Cannabis Act. To assist in making these complex decisions, AHS encourages municipalities to consider social and health harms. Overall, because we know so little about the impacts of cannabis on the health of communities and Albertans, we support a more restrictive environment until a larger body of research can tell us more. **In this document you will find information about the public health approach to public consumption that addresses multi-unit housing, vaping, medical exemptions, and festivals.**

### PUBLIC CONSUMPTION

Restricting consumption of cannabis in public places sets up a regulatory environment that can help achieve the federal and provincial objectives of legalization, which include: protecting public health, restricting youth access, and protecting safety on roads, and in workplaces and public spaces.

#### ALBERTA HEALTH SERVICES ADVISES MUNICIPALITIES TO RESTRICT CONSUMPTION IN PUBLIC PLACES (INDOORS AND OUTDOORS) COMPLETELY

##### What does a complete restriction mean?

- It means cannabis consumption is prohibited in public places, limiting use to private residences only, for:
  - Combustibles (smoking/vaping/dabbing)
  - Edibles (beverages/food)
  - Extracts (sprays/capsules/ high potency concentrates)
- It means the protective measures that society has worked diligently for years to put in place for alcohol and tobacco will be the minimum for cannabis. This approach recognizes the decades of lessons learned from other intoxicating substances.

AHS recognizes there are special considerations related to multi-unit housing, medical users and festivals. We have provided additional information about these issues on the following page.

**SUBSTANCE USE COSTS  
ALBERTANS \$5.5 BILLION PER  
YEAR OR \$1,332 PER PERSON  
PER YEAR REGARDLESS OF AGE.<sup>1</sup>**

Best practices in substance use help to reduce these costs and harms.

##### Why restrict public consumption?

- Restricting public consumption helps to limit public intoxication and reduce health and social harms in the community. This is best achieved through policy.
  - The Netherlands found less restrictive regulations caused health and social issues and are now implementing more restrictive regulations, including closing “coffee shops”.<sup>2</sup>
- Occupational Health & Safety regulates both alcohol and cannabis (intoxicating substances) in the workplace to prevent workplace harms.<sup>3,4</sup> In addition, public policies regulate alcohol consumption in public places to prevent harms. Restricting cannabis consumption in public places aligns with alcohol restrictions and mirrors the Occupational Health and Safety approach.
- It aligns with alcohol regulations. This means open bottles/cans of either cannabis or alcoholic beverages would not be allowed in public spaces.<sup>5</sup> This helps to prevent an increase of cannabis and alcohol-related harms and associated costs.
  - While there may be practical challenges to regulation enforcement (e.g., proof edibles contain cannabis), having regulations in place supports public health and safety.
- It prevents harm from second-hand cannabis smoke/vapour.<sup>6, 7, 8, 9, 10, 11</sup>
- Children tend to copy what they observe and are influenced by the normality of any type of smoking behavior around them. Thus public consumption risks increasing cannabis use and associated harms.<sup>11</sup>
- All jurisdictions that have legalized cannabis advise starting with stricter regulations.<sup>12</sup>
- In all U.S. legalized states, decision makers banned public consumption at onset.

## SPECIFIC CONSIDERATIONS IMPACTING PUBLIC CONSUMPTION DECISIONS

### MULTI-UNIT HOUSING RESIDENTS

**If cannabis consumption is only allowed in private units/residences, some of which have no-smoking/vaping rules, does this disadvantage multi-unit housing residents' ability to consume cannabis?**

- All residents have the option of consuming other forms of cannabis in their private units, such as: edibles, drinks, capsules, sprays, or tinctures.
- As with tobacco, multi-unit housing complexes are advised to have smoke-free and vape-free indoor spaces and provide outdoor designated areas on common property for smoked or vaped products, five or more meters away from doors, windows and fresh-air intakes. If the complex is not smoke free, residents can request designated outdoor smoking and vaping areas to ensure the health and safety of all residents.

**What if residents want the fast-acting effects that smoking/vaping cannabis provides?**

- There are alternative products that have similar effects without the harmful effects of second-hand smoke or vapour.
- Residents can use outdoor designated consumption areas as recommended above.

### VAPING

**Is vaping a safer form of consumption?**

- Vaping is not without risks and the health impacts are not fully understood. Vaping may also result in more frequent use and use of higher THC products.<sup>13</sup>
- Harms related to vaping may include severe lung disease, however at the time of this writing not enough is known about these emerging cases to understand the cause or full extent of the risks and harm.
- There is no evidence that second-hand exposure to vapour is safe, thus a precautionary approach is advised.

### MEDICAL EXEMPTIONS ARE REQUIRED

- There are many different forms of cannabis products that medical users can choose from, particularly that do not involve smoking or vaping of the product.
- The Canadian Medical Association does not support combustible products as initial prescribed product for medical purposes, as alternative forms are available that minimize health risks to the patient and second hand exposure risks to those around them.<sup>15</sup>

### FESTIVALS

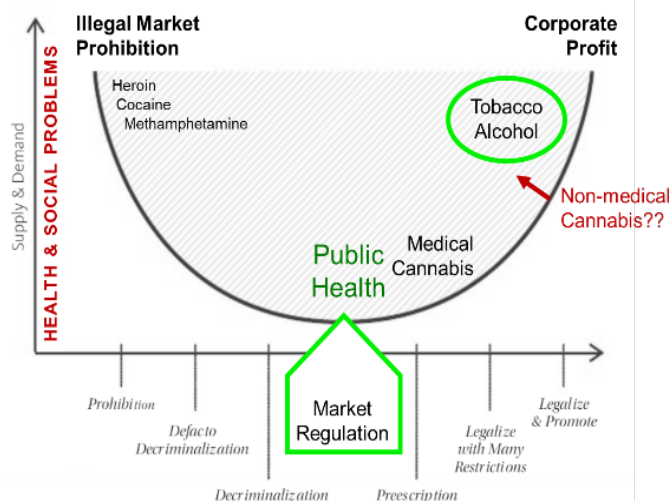
**Should festivals allow public consumption in the form of “cannabis gardens” (similar to beer gardens)?**

- The most protective option and best way to reduce short and long-term health and social harms is to not allow cannabis gardens, because:
  - It normalizes consumption. Normalization means that a behavior or activity becomes a ‘normal part’ of leisure and lifestyle and is no longer considered potentially harmful. The more often use is normalized and permitted, particularly in public spaces, the greater the risk of health and social harms to communities.
  - Children tend to copy what they observe and normalizing smoking behaviour is of particular concern. As seen with alcohol and tobacco, normalization leads to increases in rates of use, including associated harms.
  - Of potential noise and nuisance complaints. For example, the City of Hague, Netherlands now restricts public consumption because of the many complaints from residents and visitors regarding smell and noise.<sup>2</sup> The Calgary Stampede has designated their event as family friendly, by banning on-site consumption.<sup>16</sup> The Vancouver Park Board has banned 4/20 events because of the negative impact on residents, parks and facilities.<sup>17</sup>
- There may be liability for festival organizers due to risk of harm related to intoxication.

**Since people will smoke/vape in the general festival space anyway, wouldn't having a designated space for smoking/vaping be a better option?**

- The most protective option for the public is to prohibit public consumption.
- AHS, in collaboration with municipalities, will review and monitor harms over time. Recommendations and practices could shift as we learn more.

## WHAT IS A PUBLIC HEALTH APPROACH TO CANNABIS LEGALIZATION?



A public health approach strives to maximize benefits and minimize harms of substances, promote the health of all individuals of a population, decrease negative impacts on vulnerable populations, and ensure harms from interventions and legislation are not disproportionate to harms from the substances themselves.<sup>7</sup> Key considerations when developing bylaws and the practices that support them include:

- Taking a precautionary approach with stricter regulations to reduce health and social problems over time.
- Begin with a more restrictive framework and ease restrictions as evidence becomes available.
- Regulations allow for enforcement when needed and are not intended to shift burden of legalization to marginalized groups. Controls and education can be put in place to ensure an equitable approach to enforcement.

**FOR MORE INFORMATION PLEASE CONTACT YOUR LOCAL MEDICAL OFFICER OF HEALTH.**  
[MOH.North@albertahealthservices.ca](mailto:MOH.North@albertahealthservices.ca)

## REFERENCES

- Canadian Substance Use Costs and Harms Scientific Working Group. (2018). *Canadian substance use costs and harms in the provinces and territories (2007-2014)*. Prepared by the Canadian Institute for Substance Use Research and the Canadian Centre on Substance Use and Addiction. Ottawa, Ont.: Canadian Centre on Substance Use and Addiction.
- The Hague, Ban on Smoking Cannabis, available online <https://www.denhaag.nl/en/general/ban-on-smoking-cannabis.htm>
- Government of Alberta. (2019). Impairment in the workplace. Information for employers and workers on how to recognize and respond to impairment in the workplace. Available online: <https://www.alberta.ca/impairment-workplace.aspx>.
- Occupational and Environmental Medical Association of Canada. (2018), Position Statement on the Implications of Cannabis Use for Safety-Sensitive Work. Available from: <https://oemac.org/wp-content/uploads/2018/09/Position-Statement-on-the-Implications-of-cannabis-use.pdf>
- Giesbrecht, N., Wettlaufer, A., April, N., Asbridge, M., Cukier, S., Mann, R., McAllister, J., Murie, A., Plamondon, L., Stockwell, T., Thomas, G., Thompson, K., & Vallance, K. (2013). *Strategies to Reduce Alcohol-Related Harms and Costs in Canada: A Comparison of Provincial Policies*. Toronto: Centre for Addiction and Mental Health.
- Chief Medical Officers of Health of Canada & Urban Public Health Network. (2016). *Public health perspectives on cannabis policy and regulation*. Available from <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>
- Cone E., Bigelow G., and Herrmann E., et al. (2011) Non Smoker exposure to Secondhand cannabis Smoke. III Oral Fluid and Blood Drug Concentrations and Corresponding Subjective Effects. *Journal of Analytical Toxicology*, 39(7), 497-509
- Marrtens R., White P., Willams A., and Yauk C. (2013) A global toxicogenomic analysis investigating the mechanistic differences between tobacco and marijuana smoke condensates in vitro. *Toxicology*, 308, 60-73
- The Health Technology Assessment Unit, University of Calgary, University of Calgary. (2017) *Cannabis Evidence Series: An Evidence Synthesis*. Available from <https://open.alberta.ca/dataset/cannabis-evidence-series-an-evidence-synthesis>
- Holitzki et al. (2017). Health effects of exposure to second- and third-hand marijuana smoke: a systematic review. *CMAJ Open*, 5(4), E814-E822.
- D'Amico, E. J., Miles, J. N., & Tucker, J. S. (2015). Gateway to curiosity: Medical marijuana ads and intention and use during middle school. *Psychology of Addictive Behaviors*, 29(3), 613.
- Canadian Centre on Substance Abuse, (2015). *Cannabis Regulations: Lessons Learned in Colorado and Washington State*. Available from: <https://www.ccsa.ca/sites/default/files/2019-04/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>
- Budney, A.J., Sargent, J.D., Dee, D.C. (2015). Confirmation of the Trials and Tribulations of Vaping. *Addiction*, 110, 1705-1711
- Centers for Disease Control and Prevention (2019). Outbreak of Severe Pulmonary Disease Associated with Using E-cigarette Products. August 30, 2019. Available online: [https://www.cdc.gov/tobacco/basic\\_information/e-cigarettes/severe-lung-disease.html](https://www.cdc.gov/tobacco/basic_information/e-cigarettes/severe-lung-disease.html)
- Allan, G.M., Ramji, J., Perry, D., et al. (2018). Simplified guidelines for prescribing medical cannabinoids in primary care. *Canadian Family Physician*. 64 (2) 111-120
- Nickel, R., Williams, N., (2019). Cannabis banned at first Calgary Stampede since legalization. *Global News*, July 5, 2019. Available online: <https://globalnews.ca/news/5466568/calgary-stampede-cannabis-ban/>
- Vancouver Parks Board, April 17, 2018 Available online: <http://vancouver.ca/news-calendar/park-board-message-on-420-marijuana-event-at-sunset-beach-park.aspx>