

**2019** Cannabis &  
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OTTAWA | SHAW CENTRE

Forum sur  
le cannabis et  
la santé publique  
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# Challenges in Cannabis Legalization, Regulation and Control

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# Disclosure Statement

- **Presenter: Michelle Kilborn**
  - I have no affiliation (financial or otherwise) with a cannabis producer, processor, distributor or communications organization.
- **Co-author: Jonathan Caulkins**
  - I have consulted for McKesson.



# Disclosure Statement

(J. Caulkins)

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# Objectives

- A framework for thinking about the role of regulation
- Three important topics:
  - Where and when can cannabis be sold?
  - What can retailers sell?
  - And where can their products be used?

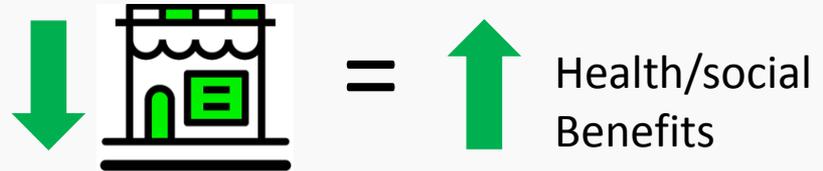
# Where & When Can Cannabis Be Sold?

- Pits public interest against commercial interests

Industry/Consumers



Lessons Learned from Alcohol<sup>2</sup>



# Where & When Can Cannabis Be Sold?

- Need strong controls on density and minimum distances <sup>3-8</sup>
- Density & zoning laws can reduce neighbourhood impacts, youth access<sup>3,9</sup> & overpopulation of stores in sensitive areas<sup>10</sup>
  - Reducing disparities <sup>11</sup>
  - Separation distances from schools, daycares, community centres <sup>12</sup>

# Where & When Can Cannabis Be Sold?

- Hours of operation
  - Tension between public health and convenience for customers
  - Research from alcohol: longer hours of sale affects consumption rates<sup>13-20</sup>



# What Products Can Be Sold?

- Legalize all or only a subset? <sup>21</sup>
- Risks:
- Smoking – exposure to carcinogens <sup>35</sup>
  - Edibles – overconsumption, accidental poisoning (especially children) <sup>22-25</sup>
  - Concentrates – high potency products
- Some restrictions are prudent
  - THC content, extraction methods, marketing, packaging
- Restrictions?? – But won't that feed the illicit market? <sup>26-28</sup>

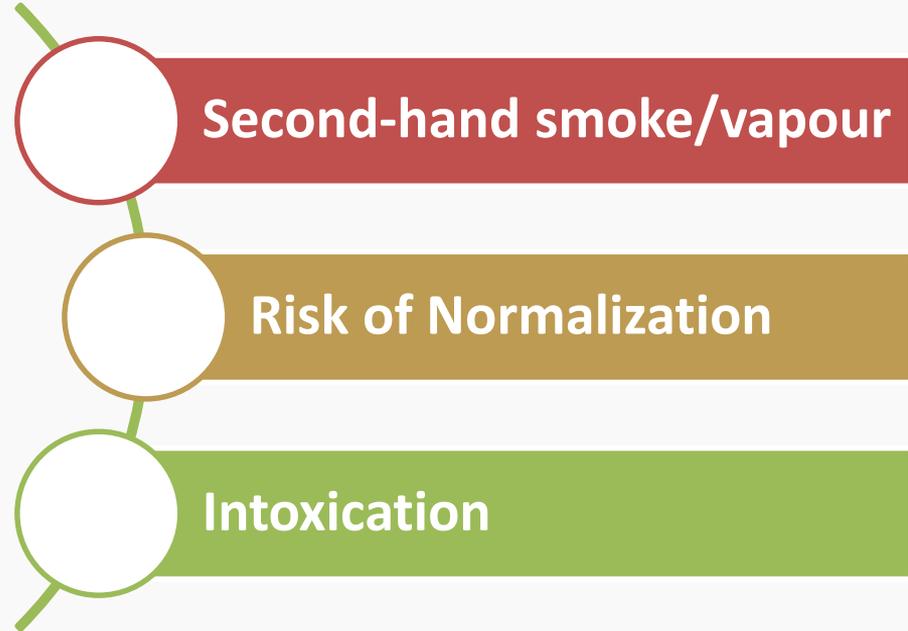


# Where Can Cannabis Products Be Used?

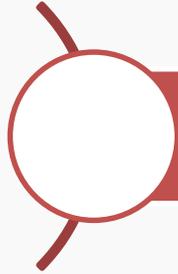
- Applying existing tobacco or alcohol rules <sup>1, 29-30</sup> is problematic
  - Cannabis is smoked AND is an intoxicant
  - Neither tobacco or liquor models are perfect
    - Question should be: How can we regulate cannabis *better* than we have regulated alcohol and tobacco?

# Where Can Cannabis Products Be Used?

**Three main considerations with public consumption**



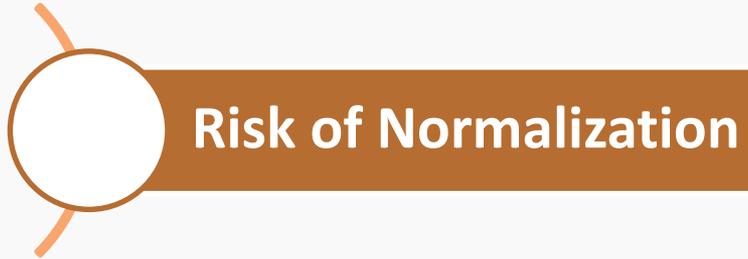
# Where Can Cannabis Products Be Used?



## Second-hand Smoke/Vapour

- Indoor air quality
- Carcinogens<sup>35</sup>
- Adverse physiological effects<sup>36</sup>

# Where Can Cannabis Products Be Used?



## Risk of Normalization

- Alcohol/tobacco research shows normalization can lead to increases in rates of use <sup>32-33</sup>
- Renormalizing all forms of smoking/vaping, including tobacco <sup>34</sup>

# Where Can Cannabis Products Be Used?



## Intoxication

- Most Canadian & US jurisdictions ban consumption of alcohol in public (or intoxication)
- Not aligning cannabis with alcohol
  - Public confusion
  - Justification for relaxing alcohol public consumption laws<sup>31</sup>

# Where Can Cannabis Products Be Used?

## To ban or not to ban?

- Indoor bans
    - easier decision for government officials
  - Outdoor
    - Exceptions for medical cannabis users, festivals and events, multi-unit housing, parks, designated consumption sites, co-use
-

# Conclusions

- Deciding to legalize is deciding to confront conundrums
- Conflicting objectives
- Lack of evidence
  - Build in flexibility – yes, but...
    - Industry/allies more persistent & powerful = ~~flexible~~ weakened regs
    - Evidence needed to adjust initial policy decisions will not be available → best guess amendments

# Conclusions

- Legislative objectives (illicit market, public health, youth) are at odds with a privatized retail model
- Time will tell whether this structure succeeds
- Meta-conundrum:
  - Even when the goals of regulation are clear, divining the best path forward may not be

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