

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Monday, June 22, 2015 5:07 PM
To: Public Hearing
Subject: FW: #194

From: Cori Petersen s.22(1) Personal and Confidential
Sent: Monday, June 22, 2015 5:07 PM
To: Correspondence Group, City Clerk's Office
Subject: #194

Due to Cheryl Rose's speech was time critical we have switched places. I have a note from her to allow for this. Thank you. My speech for tonight:

My name is Cori Petersen and I have a lifetime authorization to engage in the medicinal use of Cannabis in Washington State. I am in favour of the proposal with a lot of adjusting. Again I echo the many well deserved thanks this council has received. The nation will take a cue from the choices made here.

It's been said that these businesses bleed, they sweat, and they cry. In today's society consumption is a sport, the daily transaction is ever so brief, and has lost almost all intimacy.

In many cases families, college buddies, brothers have cashed in all their assets to jump into the deep green end of the pool. How many of the Medical Dispensaries currently open does the council and VCH's proposed regulations predict will have to close their doors?

With any boom industry there will be busts. Please remember the fact that Vancouver has more schools per square mile than where the other two models are located... a "Not near the schools" ban would cover *most* of Vancouver.

Proximity to youth has been addressed in a number of ways, including a member of the School board spoke on the second night. The question is if treating these medical establishments as if they are to be hidden and not allow for education of the youth, would send the wrong message... and

also please remember that youth can't even get in the door without a membership card, which they can't get.

Making this community accountable is a good, good thing, I simply ask that you take every care and consideration you can while breathing life into this legislation. Remember the citizens in the most compromised conditions, be it physical, mental or environmental, even the disease of addiction is aided in harm reduction through access to Cannabis. Recreation was either the motivation or outcome of the other two models. Canada has a federal exemption for medicinally qualified individuals which has made an industry around it flourish. Before that, Vancouver had already recognized the need for access to Cannabis. We have a history of tolerance here going back many decades.

A criminal records check is reasonable, however, Cannabis-related charges should be overlooked.

Storefronts of medical establishments should not look like recreational establishments.

The definition of promoting "Medical Cannabis" use seems vague and could seem to sweep other business which do not engage in selling Cannabis into this category.

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stated that there are regulations in the municipality of San Francisco which are good to emulate. I would agree that is true, and I would add that Washington state is NOT a model we should be looking to follow. With all due respect, I find it hard to see exactly where the proposal follows the Washington state Ballot measure 502's protocol. Does the proposal follow any in either model? Their initial fee is \$250 and a yearly business renewal fee of \$1,000 for medical shops. With over 300 locations to monitor, I am not sure that the fee has grown much, however state taxes have skyrocketed the cost per gram. Please consider the cost that will be handed down to the patients. Many people I know personally can barely afford what they need already.

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Cori Petersen

Trip-C (Art, Jewelry & Media)

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Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Monday, June 22, 2015 8:01 PM
To: Public Hearing
Subject: FW: 'CityVan - Dispensary Hearing - Rosy Mondin - Speaker 214'
Attachments: CityVan - Dispensary Hearing - Rosy Mondin - Speaker 214.pdf; ATT00001.txt

-----Original Message-----

From: Rosy Mondin s.22(1) Personal and Confidential

Sent: Monday, June 22, 2015 7:52 PM

To: Correspondence Group, City Clerk's Office

Cc: Rosy Mondin

Subject: 'CityVan - Dispensary Hearing - Rosy Mondin - Speaker 214'

PRESENTATION TO COUNCIL
June 22, 2015

Introduction

Good evening. Thank you for the opportunity to speak. My name is Rosy Mondin, I am a lawyer and I have over 16-years of business and legal experience in corporate law and regulatory affairs. I am involved with the organization of a laboratory – Soma Labs Scientific Inc. Soma Labs engages in research and development activities, including analytical/testing services, extractions, formulations and process development for the biotech and bioceutical industries.

I am here today to speak in support of dispensary regulation.

I believe dispensaries should face some common-sense restrictions – such as those outlined in Ms. Ballem's presentation to council (*I'll leave to actual dispensary owners to speak to those*)

However what I am going to speak to is the gap between the lawful right to access and possess medical marijuana, and the ability to obtain a proper regulated supply product.

Regulating Compliant Businesses

In drafting dispensary bylaws, the City cannot support a medical marijuana regime that would put people at risk of prosecution.

The point of this exercise is to ensure that any new licensing regime ensures that dispensaries operate better than the way they operate right now.

Bylaws are enacted to protect the safety of its citizens – one way it does this is by issuing licenses to compliant businesses.

And Compliant businesses must operate in accordance to applicable existing rules (*such as the BC Business Corporations Act, the federal Income Tax Act, Societies Act*)

Thus dispensaries should also operate as compliant businesses – and must do so in accordance to the applicable rules and regulations, such as:

- a) maintaining proper books and records and files tax returns
- b) collecting and remitting sales tax,
- c) employ staff in accordance with *Employment Standards*, have deductions, and make appropriate remittances, and
- d) conduct their business or commerce in accordance with allowed uses for the area in which the business is conducted.

These are all very normal business operating conditions.

Every zoning bylaw states that the business has to follow the rules. Even non-profits have to keep books (in the event of an audit).

And this opens up the next issue: compliant businesses have to keep books, so they'll also have to have records of what they're buying.

Supply Chain

So if dispensaries are allowed to operate as legitimate businesses, then dispensaries must be able to have access to inventory.

However, dispensaries currently have no mechanism to get their product without committing a crime.

Herein lies the problem.

We understand that when Council states: “we can’t regulate the product, just the business”.

However, if you’re going to charge a license fee allowing a business to operate in the first place, then it must be done in a fashion in which you try to make the situation better, not worse, for the City.

The City can’t grant a license to an applicant knowing that the operator must engage illegal activities for them to obtain inventory. And dispensary employees shouldn’t risk prosecution for trafficking.

So in its consideration of the proposed bylaws, the City must consider the issue of supply sources. If inventory is not regulated, then product will most likely be sourced from the black market – from ‘illegal’ growers.

So here’s the gap: the right to use medical marijuana must come with an implicit right of access to a supply.

MMAR and the MMPR are the only legal producers of medical marijuana in Canada. But MMPRs are specifically prohibited from supplying dispensaries.

So In the absence of any better rule, MMARs are the most legitimate source of product. They already operate pursuant to regulations – they already must keep books & records, data (growth data, nutrient data etc), and maintain SOPs - standard operation procedures.

If the City regulates dispensaries, then the MMAR really is the only licensed supply route.

Therefore, by virtue of regulating dispensaries, the City allows dispensaries to obtain product – and it’s in the City’s public health interest to ensure that the product comes from a properly regulated supply. In essence the City IS indirectly regulating the supply chain. And this is a good thing: regulating the supply gap created by an unconstitutionally restrictive government program.

And then with such rules in place, it would then be difficult for the feds to prosecute someone criminally on the basis of the ‘gap’ – when the dispensary, patient or supplier are following the rules.

And that leads me to my final point – safety and efficacy of products being sold.

Testing, Packaging and Labelling

If the City is going to regulate dispensaries, then how do we then secure a safe substances for distribution – and ensure that products are safe and that dispensaries to sell .. rat poison for example. *(I realize that may be tongue in cheek however the loudest voices from the pro-prohibition side comes from lack of safety & testing).*

Dispensaries have to be able to obtain product – product that is quality controlled: properly analyzed, tested & labelled before release to the market.

Patients must have confidence in what they are getting. Just as food packaging must display the ingredients and nutritional information; wine, beer and spirits must list the alcohol content; and pharmaceuticals must monitor and disclose all ingredients; so should cannabis and cannabis products possess reliable labeling of their ingredients, potency and quantity of active components.

This is all part of the regulated supply.

How do we get to this testing? This too is a grey area – and it's what we're determining – how to provide testing to the market.

How we can legally servicing the industry and how we can assist the participants

So where do we go from here?

Conclusion

Neil Boyd: "We need to find a middle ground that doesn't treat people who use as criminals, but acknowledges the public health consequences."

Clearly the City cannot support the rapid proliferation of dispensaries. However with proper regulation and support in the absence of regulation from an inflexible federal government, dispensaries can be monitored.

I have read CAMCD's guidelines and they have done great job thus far in establishing certification standards for medical cannabis dispensaries. However I believe the standards could go further and include standards for testing.

I believe that this is where the City should work with industry to achieve a compromise.

And this is where we'd be willing to assist – we are prepared to invest money to provide lab services to assist. We're launching labs anyways – we'd be willing to work with the city to provide cost effective tests and certified product.

Working with CAMCD for example, and establishing regulations that state that any licensed dispensary must meet the testing standards established by the industry, then it would take the regulation out of the equation for the City – but there still is SOME regulation that must be adhered to.

So these are the issues that came to mind as we were reviewing the proposed bylaws. If city wants to sincerely make an effort, I believe these issues need to be considered. I understand that regulations can't be developed all at once – it's a step-step process.

And as part of this process, bylaws and regulations should be subject to review – perhaps on a yearly basis, or every 2 years -, or upon a significant ruling by the courts, or a change in federal legislation – or, the best case scenario – legalization.

I commend Council for proceeding in a careful and prudent manner. The fact that we're here today shows that the City is trying by crafting rules to ensure patients buy from properly established businesses that follow guidelines, policies, rules & regulations – rather than having those patients purchase from the black market.

By working together, we can start with a clean slate and plan a regulatory regime focussed on developing effective public-health regulations that work hand-in-hand with legitimate commerce – in a fair and regulated market.

Which is much better than a free-for-all.