



March 29, 2017



Dear Dispensary Owner:

Re: Marijuana Edibles

Following a recent complaint, Island Health provided some direction with regard to the distribution of marijuana edibles that has received considerable public attention. As a result, we are contacting marijuana dispensaries within our service delivery area.

It has come to our attention that marijuana edibles are being sold or distributed at some dispensaries. This is in contravention of the *BC Food Premises Regulation*, B.C. Reg. 210 99, 'the Regulation'. The regulation can be viewed at http://bclaws.ca/Recon/document/ID/freeside/11_210_99.

Marijuana edibles are food which may include any of the following examples:

- Is composed of marijuana (i.e. teas);
- Includes marijuana as an ingredient (i.e. baked goods, chocolate); or
- Has been infused with marijuana or marijuana oils (i.e. gummies, liquor).

Under the Regulation, a "**food premises**" is any place where food intended for public consumption is sold, offered for sale, supplied, handled, prepared, packaged, displayed, served, processed, stored, transported or dispensed. Any business is considered a food premises and subject to the regulations if engaging in any of the above activities.

Section 11 of the Regulation requires that every operator of a food premises ensure that all food on the premises is obtained from a source that is approved by the Government of Canada, the Provincial Government, the government of another province or territory, or an official or agency of any of those governments under whose authority food safety standards are established and enforced. Under current regulatory framework in Canada, marijuana cannot be legally sourced for sale to the public.

If no marijuana edibles are prepared, sold or distributed, no action is required on the part of the dispensary. Dispensaries that currently prepare, sell or distribute marijuana edibles should be aware of what is required to comply with BC regulations.

Office of the Chief Medical Health Officer

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Where business licensing is currently underway, Island Health will work with local government who are issuing licenses and advise that, under the BC Food Premises Regulation, the production, sale, or distribution of marijuana edibles is not permitted. Noncompliance with provincial legislation could impede the issuance of a business license.

We are not currently aware of any facility authorized to prepare, sell or distribute marijuana edibles to the public. We recognize that the regulatory environment surrounding marijuana is changing quickly and we will continue to monitor that edible products are prepared and distributed in accordance with the BC Food Premises Regulations.

Please direct any questions to your local Health Protection office: HPES.Nanaimo@viha.ca.