



PEOPLE'S PARTY FOR DEMOCRACY AND DEVELOPMENT

PRESENTATION TO

JOINT SELECT COMMITTEE

2019

September 19th 2019

The Peoples Party for Democracy and Developments, Submission

Joint Select Committee

The Peoples Party for Democracy and Development (PDP) is pleased to submit the following for consideration of the Joint Parliamentary Select Committee on the Medicinal Cannabis Industry Bill 2019.

The Peoples Party for Democracy and Development (PDP) applauds the Government for making the Bill the subject of wider Public discussion and consultation. It is our view, that the Bill can be better drafted after discussions occur, both in the Public and Parliament, based on information, knowledgeable expertise and the opinions of various community groups, Professional Bodies, Experts, Practitioners, religious communities and interest groups.

We are here to address the questions set out by this committee regarding the Medical Cannabis Industry Bill 2019.

We are going to start by asking the following question:

Is this committee and the drafters of this Bill willing to listen, consider and make the necessary changes to this Bill based on the feedback and wise counsel offered by the critical stakeholders, to ensure this Bill will best serve the People of Barbados?

The PDP is of the view that the reach of the Bill is so vast, in that it attempts to deal with matters of cultivation, research, transportation, storage, medicinal use, importation, exportation and retail, which then results in the absence of clear regulations and such a deficiency that the bill now entails the unintended consequence of permitting far easier access to Marijuana for recreational use.

This Bill, which purports to be a Medical Cannabis Bill is so loosely drafted, that in essence, it will provide easy access to cannabis for every single citizen in Barbados. It is essentially a recreational use of Cannabis bill hidden in a Medical Cannabis bill.

They are those who believe this bill is so creatively drafted, that there will be no need for any referendum on the legalization of recreational Cannabis, because this bill will have already provided for it.

Has the Bill clearly defined the Objects of this Medical Cannabis Industry Bill?

“The objects of this Act are to establish a Medicinal Cannabis Industry to provide for the lawful access to medicinal cannabis as an alternative treatment for persons who are suffering from a qualifying medical condition and to provide for a comprehensive licensing scheme to regulate the supply, possession and use of medicinal cannabis.”

Jamaica Cannabis Act

Our answer to the above question is ‘No’. We feel committed to this response based on our careful evaluation of the following:

- Under Objects and Reasons, there is no provision for growing, cultivating, harvesting, processing or the establishing of a Cannabis Industry.
- This is the “opening ball” for the establishment of a medical cannabis Industry in Barbados, and in our opinion it is ill-defined.

The Professional View

The Profession of Pharmacy goes back for centuries and have served in leading and managing the health of many generations of citizens, both locally and abroad.

Mr. Chairman, pharmacists are INDEED DRUG SPECIALISTS, whose focus during their Degree programs is on the key areas of: -

- **Clinical Therapeutics**
- **Pharmaceutical counselling**
- **Pharmacognosy** - the study of Medicinal Plants
- **Pharmacology** - concerned with the study of drug or medication action; where a drug can be broadly defined as any man-made, natural, or endogenous molecule which exerts a biochemical or physiological effect on the cell, tissue, organ, or organism.
- **Pharmacokinetics** - the branch of pharmacology concerned with the movement of drugs within the body, which involves many times three pages of mathematical calculations to determine accurately the situation for a patient or disease.

We reiterate, **pharmacists are indeed DRUG SPECIALIST.**

We started here so that you would have an appreciation of our responses looking through the eyes of the Pharmacy Profession and understand that our comments and feedback are based on science and have a very strong Public Health component.

Under the Pharmacy ACT CAP 372D, Section 31 (1) And (2)

- 1) No person shall, unless he is registered as a pharmacist or any other authorised seller of poisons as the case may be make use of any of the following titles
 - a) Pharmacist;
 - b) Druggist;
 - c) Pharmaceutical chemist;
 - d) Pharmaceutist;
 - e) Dispenser; or
 - f) Authorised seller of poisons.

- 2) No person shall, unless he is registered as a pharmacist, display on any premises any sign, title, emblem or representation that includes the description “drug store”, “drug dispensary”, or “pharmacy” or any other sign, title, emblem, or representation that implies or from which the public may reasonably infer that those premises are registered as a pharmacy.

Section 2 whereby “Definition of Dispensing” means the supplying of Drugs on and in accordance with a prescription given by a medical practitioner, a dental practitioner or practitioner. The dispensing of which is directly under the supervision of a Pharmacist.

Under this Bill the term Therapeutic Facility appears. It is an ambiguous term and we are suggesting that serious consideration should be given to the elimination of this term from the Medical Cannabis Bill. The challenge with the term Therapeutic Facility is its direct conflict with the Pharmacy Act 372D, Section 31 (1) and (2), whereby dispensing can only be executed by a Pharmacist according to Barbadian law.

The reason for our position on this matter is that we are cognizant of the specificity of Dosage forms listed in the Medical Cannabis Bill to be administered as: -

- Tablets
- Liquids-Solutions, Tinctures,
- Sublingual Drops
- Topical Oils, creams, ointments
- Eye Drops

These do not require a special room (Therapeutic Facility) to be administered.

You can take your Co Diovan, your Diabetic medication as well as your Medical Cannabis from the foregoing methods of administration.

We say then, for medical use, it is strongly advised against the Vaping of Oils, as the **Centre for Disease Control (CDC) USA** and our local Ministry of Health are finding a direct correlation between Vaping of Oils, Lung Disease and ultimately Death. We must slow right down on this one.

The Drug Inspectorate established under the Pharmacy Act CAP 372D, managed under the Ministry of Health and reporting in Law to the Pharmacy Council - the highest body in the land for regulation of the Profession - police Drugs, Medicines and Devices. We, the PDP, are appealing for an immediate confiscation of illegally imported CBD oils and Medicaments. The Act has not yet been passed and breaking of the Law is out through the gate. The Drug Inspectorate needs to COMB Barbados to ensure that Bajans are not being Hoodwinked by inhaling cooking oil, olive oils, oils loaded with high levels of THC and a substance that may not even be CBD etc. – all unregulated.

They have not been tested because they cannot be tested due to the lack of change in the Legislation.

Thereby, why are some individuals being charged for “spliffs” and illegal importers of Medical Cannabis are not being challenged?

We require balanced scales.

We can confirm Colonel Jeffrey Bostic has publicly, and categorically, expressed his commitment for the proper regulations and the protection of the Public’s Health, with regards to these illegal imports.

Retail Licenses

The term 'Retail License' in the Act is unclear as it relates to "Therapeutic Facility".

What is a Therapeutic Facility? We see the definition as stated in the Act, but "what is it used for?"

If the following methods outlined in the Act are the recommended methods of delivery, we therefore see no need for the term "Therapeutic Facility" to be used.

- Tablets
- Liquids-Solutions, Tinctures,
- Sublingual Drops
- Topical Oils, creams, ointments
- Eye Drops

Smoking of Cannabis, i.e. burning the plant, should not be considered for Medical Cannabis as the little suggested benefit does not out-weigh the associated risk when we look at the science.

Additionally, it damages / destroys Cannabinoid, the actual chemical that gives a therapeutic effect, and results in a euphoria which is not the **objective of the therapy. Please see the attached graph (Appendix 1)**

The Bill is also attempting to legalize Vaping.

Retail Distributor License should only be issued to Pharmacies and those authorized to legally dispense under the currently established Laws under Health.

In the definitions section it says **“premises” means any land or building and includes any vehicle or receptacle located on such land or in any such building**; under what circumstance can a car or receptacle be considered premises in the context of its use in this bill? Since this word ‘premises’ is used in this bill as a place where medical cannabis can be sold or used, that means a man can sell medical cannabis out of the back of his car or from a snow cone cart, or from a garbage bin. Or for that matter, even a temporary shop on the mighty Gryner highway on ‘kadooment’ day.

It is clearly indicative of how wide and non-specific the term ‘premises’ can be construed under its current definition.

The use of the term Prescription

The use of the Term Prescription and the understanding surrounding its use in both the Medicinal and The Profession of Pharmacy is accepted.

In many conversations with both experienced Pharmacist and doctors of many, many years, the use of the term recommended **as it appears in this Bill, has no place.**

In the Pharmacy Act 1984-14, The Pharmacy Compounding and Dispensing of Drugs and Poisons Regulations 1986, Section 3 (1) and (2), it clearly states the following: -

3. (1) The dispensing of drugs shall be carried out by

- a) a registered pharmacist; or
- b) a graduate pharmacist under supervision of a registered pharmacist; or
- c) an intern under the supervision of a registered pharmacist.

(2) Drugs dispensed to patients should contain the following information clearly written, typed or printed on the label;

- a) name of patient;
- b) date medication was dispensed;
- c) description number;
- d) name of medical practitioner;
- e) strength of drug;
- f) directions for use of drug written in the English language;
- g) name of manufacturer of drug dispensed; and
- h) name and address of pharmacy.

DRUG INTERACTION BETWEEN CANNABIS AND OTHER STANDARD MEDICATIONS

We would like to bring to the consciousness of the Committee, another critical Public health consideration in respect to the Bill and the importance of ensuring the management by Doctors and Pharmacists of Medical Cannabis Patients.

There may be clinically significant interaction (i.e. cumulative effects) when medical cannabis is taken at the same time as central nervous system (CNS) depressants, including alcohol and sedative-hypnotics

There may also be risk of adverse effects when consuming cannabis in conjunction with opioids (i.e. Fentanyl), olanzapine) and anti-psychotic medications i.e. clozapine, which are also used for neurological challenges.

Xenobiotic – a mediated inhibition or potentiation of cannabinoid metabolism

- ▶ THC is metabolized by the isoenzymes CYP2C9 and CY3A4, which also metabolized other drug in the liver
- ▶ Amidorone, Isonidazid, Proton Pump Inhibitor
- ▶ Antidepressants, Macrolides i.e. Clarithromycin
- ▶ Calcium Antagonist i.e. Verapamil, Antimycotic
- ▶ Anti-mycotics (i.e. itraconazole)
- ▶ HIV protease inhibitors i.e. Ritonovir

Cannabinoid –mediated regulation of drug metabolism

- ▶ Cannabis may increase the bioavailability of drugs that are metabolized by the isoenzyme (Hepatic) Enzymes CYP1A2 and CYP1B1 through inhibition of isoenzyme activity
- ▶ This may affect the efficacy of the medication and increase the potential for toxicity and side effects:
 - ▶ Amitriptyline
 - ▶ Phenacetin
 - ▶ Theophylline
 - ▶ Gransitron
 - ▶ Dacabazine
 - ▶ Flutamide

THE NEW DATA PROTECTION ACT – PROHIBITION OF PATIENT NOTES

There is no Justification for persons other than a Pharmacists and Doctors to interact with patients and patient profiles to ensure there is safety in the use of Medical Cannabis. Hence, the PdP posits that management of Medical Cannabis by persons other than those who trained as professionals to so do, should not be encouraged.

This leads to our position that patient confidentiality is of the utmost importance in the practise of these professions. The Minister and Ministry of Agriculture should have no place in accessing patient notes, only the Minister and Ministry of Health.

It is **PUBLIC HEALTH** and **SAFETY** issue.

Regulatory concerns

1. Part II section 3 provides for the establishment of the Barbados Cannabis Licensing Authority, which is understood to be a statutory corporation. But the government has already incorporated a legal entity called Barbados Cannabis Licensing Authority Inc., dated July 26th 2019 under Registration No. 43755, prior to this bill becoming Law. Can you tell me what this incorporated entity will do?

The Pdp believes this is a misstep.

2. The Authority must be above reproach in its composition. Full transparency and good fiduciary practice is critical to ensure good governance.

On the matter of the Composition of the Authority, Pharmaceutical Manufacturing should come under the Profession of Pharmacy in respect to the representative Authority. We are therefore requesting that the term Member of Pharmacy be used and not Pharmacologist.

3. The Bill purports to establish a licensing authority, which is intended to be the regulatory entity which allocates the licenses. Now, how is this being done in advance of both the establishment and passage of the Bill and the Authority. Can we have a private company incorporated a year prior to the Bill being introduced?
4. The Bill speaks to Regulations 3 (2) of Pharmacy Compounding and Dispensing of Drugs and Poisons Regulation 1986 (S.I 1986 No.82). It purports to address both prescription and recommendation, however, nowhere is the word recommendation mentioned within the regulations. The PdP asserts that there is no need for the word 'recommendation'.

5. We hold strongly to the view that the implications which flow from the establishment of this industry are such that the Regulations should be addressed at the same time of the parent Bill. The far reaching implication of this Bill significantly revolves around security, cultivation, research, medical cannabis, transportation and Penalties. Without regulation it would be a catastrophe.
6. The broad term Academia should be used for representation on the board.
7. The initial Regulation should be written and approved with the Bill. The Authority will have the power to amend or develop regulations.
8. Negative (prescribe) Resolution should not be used to make amendments to the regulations. Affirmative Resolution, only, should be used and engaged.
9. The fact that the Canadian model is the prototype being used for the Public Health categorization which falls under their Ministry of Health, means it is critical that our Laws align with those of Canada. Henceforth, the Barbados Medical Cannabis management must remain under the authority of the Ministry of Health.
10. The Bill is void of guidelines and regulations to ensure that Cannabis is being grown exclusively for Medical Purposes.

Tendering of Testing Facilities

The Testing Facility should all be Tendered, as they are persons across the length and breadth of Barbados suitably qualified to develop, structure, and meet the stated quality objectives of the International protocol for research, testing and identifying bio-equivalents.

In science we speak of having redundancy, we also use the quote “If something is scientific it is repeatable”. The development of the Cannabis Industry would obviously not preclude other players, even if it is for the purpose of cross-referencing results, strains and testing findings independently. This will make for good science.

If the earnings of the Medical Cannabis industry are as large as is being purported by the Agriculture Minister, then it can certainly facilitate an increase in numbers in the critical area of testing to ensure quality along the value chain. Therein, truly developing the science around medical cannabis.

Handover to the Ministry of Health

Earnings from this bill should be ploughed back into the Ministry of Health to support the anticipated fallout associated with growing medical cannabis in Barbados. Unlike the Canadian Medical Cannabis Bill, there are no areas for the support of abuse, neither is there adequate public health training and messaging in this Bill.

Scholarship for students

Under this Bill, unlike the Oil and Gas Industry and Bauxite/Mining Industry, there are no mandatory provisions for Scholarships that would raise our local intellectual capacity.

Moneys should be proportionally placed in Escrow directly from proceeds of earnings from the Medical Cannabis industry, and not just from Taxation and fees.

Economic Impact:

The Economic Potential for Cannabis

The Bill does not speak to how the products will allow proceeds/earnings to stay in Barbados. This begs the questions: -

- How do we benefit from the Medical Cannabis Industry?
- Are we primary producers or end users of the product?
- How much land will be utilized?
- How many jobs do we anticipate will be created and what categories of jobs?
 - Would there be a movement away from the traditional farming labour supply (Yam, Potatoes etc.)?
- How much will the Medical Cannabis Industry contribute to GDP?
- How do we as a country retain Foreign Exchange earnings?

The PDP believes that the country will lose more than we gain from this industry. We may retard the countries progress, resulting in social decline if the necessary controls are not clearly enshrined in the Bill and Regulations.

There remain many unanswered questions regarding the economics of this industry. What will there be in the regulation to ensure that the country benefits substantially from this New Industry?

We must guard against going back to the treatment, and negative experience associated with the Plantocracy in the Marijuana Industry.

Approximate 0.70 cents of every Tourism dollar leaves the country for foreign shores. We must have, in this Bill, elements to ensure that the earnings and proceeds from the Medical Cannabis Industry stay in Barbados for an identifiable, sustained and specific time frame; such that it would infuse our economy with foreign exchange whereby the economic multiplier effect can be felt.

Our economists should have a significant role in unpacking this aspect of the Bill to ensure that the People once and for all earn from this industry.

These Industries traditional were based and steeped in the Old Colonial systems which parasitically extracted from our Bajan people but never supported the practice of sharing the wealth widely, and across generations of lower- and middle-class Barbadians.

It is our stand, that the small farmers, though being strung along will experience palpable disappointment if this document is not structured correctly.

- The global market for Cannabis is relatively respectable in size – estimated as being US\$150 billion. [Source: The Green Fund]

- Barclays, in their European Consumer Staples Report in September 2018, suggests that this figure could increase to **USD\$272 billion** by 2028.
- When compared with the Tourism Market, valued at US \$1.451 trillion (SOURCE: UNWTO International Tourism Highlights 2019 Edition) (and the major external driver of our domestic economy, contributing some US\$685.2 million to Barbados' GDP in 2018), **the Global Cannabis market = 10% of the Global Tourism market in size.**
- Sugar Cane Production has dramatically declined since Independence in 1966:

Barbados: Sugar cane, production quantity (tons)					
1966	2017	CHANGE			
1,584,000	102,181	-94%			

Positive Socio-Economic Factor – Increased Wages

However, it is possible that wages for some workers in the industry could rise:

- The majority of field workers in St. Vincent and the Grenadines earn between \$45 - \$60 daily;
- Traditional cannabis cultivators claim to earn between \$100 - \$120 daily;
- However, Cannavais has decided to offer the same wages made by field workers in the United Kingdom, which is equivalent to \$200 per day therefore, some daily paid workers with the company can therefore be expected to take home up to \$4,800 monthly. The salary structure will see the company's workers earning salaries comparable to that above many professional sector employees.
 - Source: Cannavais, an EU investor in St. Vincent

We, the members of the **People’s Party for Democracy and Development** (PDP) and you the current government, have an opportunity to tighten the legislative framework of this Bill by considering the suggestions and the submissions made in this document.

