

From: **"Singh, Sandra"**

To: **"Direct to Mayor and Council - DL"**

Date: 3/25/2024 6:14:15 PM

Subject: FW: 24-102656-226 Letter from Health Canada - City Manager of Vancouver

Attachments: Letter to City Manager of Vancouver -The Medicinal Mushroom Dispensary March 15, 2024.pdf

Good evening Mayor and Council,

At the Business License hearing held on Tuesday March 5th, a decision was reached by the Panel to overturn the decision of the Chief Licence inspector to suspend the business licence issued to the operator of a retail space at 247 West Broadway. The Chief License Inspector had suspended the licence as a result of allegations that the location was selling psilocybin products (hallucinogenic mushrooms).

Currently, the sale of any products containing psilocybin is prohibited by federal law. As per the City of Vancouver Business Licence By-law, all business licence holders are obligated to adhere to both Federal and Provincial laws in addition to municipal regulations.

The attached letter addressed to the City Manager from the Office of Controlled Substances at Health Canada addresses this regulatory requirement and speaks to the purpose of the Controlled Drugs and Substances Act (CDSA) and its regulations which is to create a framework for the legal production, distribution, sale, and possession of controlled substances, including psilocybin, in Canada.

Please feel free to direct any questions to General Manager of Development, Building, and Licensing Andrea Law and she will ensure a response through the weekly Q&A or we will send direct to Mayor and Council as appropriate.

Thanks,

Sandra

Sandra Singh | Deputy City Manager

Pronouns: she/her

Assistant: Stacey Crawford

Phone: 604-871-6135

E-mail: stacey.crawford@vancouver.ca

Pronouns: she/her

The City of Vancouver acknowledges the unceded homelands of the xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and Sel̓wílh (Tseil-Waututh) Nations.

MECS 24-102656-226

DATE: March 15, 2024

Paul Mochrie
City Manager
City of Vancouver
453 West 12th Ave.
Vancouver, BC V5Y 1V4

Dear Mr. Mochrie,

Subject: Sale of Regulated Substances

It has been brought to Health Canada's attention that Vancouver city councillors have voted to reissue the business licence for the retail store "The Medicinal Mushroom Dispensary", located at 247 W. Broadway, Vancouver, BC.

It is important that City of Vancouver officials be aware that psilocybin mushrooms are controlled under the *Controlled Drugs and Substances Act* (CDSA).

Storefronts selling psilocybin to the general public are not authorized to do so under the CDSA and its regulations. Therefore, such storefronts may be subject to law enforcement action.

The purpose of the CDSA and its regulations is to create a framework for the legal production, distribution, sale, and possession of controlled substances, including psilocybin, in Canada. The Act seeks to prevent the diversion of controlled substances, including psilocybin, to the illegal market, while providing access to controlled substances for legitimate purposes. Under the CDSA, activities such as the possession, sale, production, import, export and provision of controlled substances are prohibited, unless specifically authorized through the issuance of a licence or a Section 56 exemption.

Psilocybin is classified as a restricted drug under Part J of the *Food and Drug Regulations*, meaning psilocybin cannot be sold to the general public. Even holders of a controlled substances dealer's licence cannot sell psilocybin to the general public. Our

Canada

webpage page titled [Controlled substance licence restrictions: Licences for controlled substances](#) includes more information on licences for restricted drugs.

Health Canada's webpage on [Psilocybin and psilocin \(Magic mushrooms\)](#) further outlines the various legal means available to Canadians who may require access to psilocybin for a legitimate purpose.

Health Canada maintains the position that illegally operating storefronts pose a risk to the health and safety of Canadians.

Please do not hesitate to contact me at Carol.Anne.Chenard@hc-sc.gc.ca should you have any questions.

Sincerely,

Cesare Spadaccini

For Carol Anne Chenard
A/Director General
Controlled Substances and Opioid
Response Directorate