

VICS Newsletter



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News and information on medical cannabis

Medical Cannabis News:

Victoria, BC - VICS Members and Supporters Protest Raid

Roughly 50 people joined together outside the office of Crown prosecutor Michael Mark on June 10 to protest the May 27 raid at the Vancouver Island Therapeutic Cannabis Research Institute (VITCRI) that resulted in the seizure of all the organic cannabis reserved exclusively for the members of the Vancouver Island Compassion Society (VICS).

"This has not only forced 400 seriously ill patients back onto an unknown, potentially unsafe, black-market supply, it has also resulted in the loss of the safest and most standardized source of organic cannabis available in Canada," said Philippe Lucas of the VICS and Canadians for Safe Access.

Lucas presented Mark with documents attesting to three pending or in-place Health Canada licences for 41 plants and nearly 2 kg of cannabis legally grown at the research facility. Lucas also requested the return of all seized equipment and dried cannabis.

Lucas asked for dismissal of all charges against two individuals found on the property, based on legal precedents as well as reference to a 2002 court case in which provincial court Judge R. Higinbotham threw out trafficking charges against him. Lucas also handed over a petition from over 100 VICS members, from cancer and AIDS patients to fibromyalgia and chronic pain



Michelle

sufferers, requesting dropping of the charges and returning the cannabis and equipment.

Several VICS members spoke briefly to the prosecutor. Ron, a legal Health Canada user who is almost totally blind, has been assaulted while seeking out cannabis on the street. Michelle works three jobs so that she can purchase the medicine, not subsidized, that allows her to carry on with her life without ingesting pharmaceuticals and experiencing their (very) unpleasant side effects. Bob has a lot of pain in his knees and spine, and cannabis provides the only relief without destroying his stomach lining from pain pills. All members value the harm reduction qualities of this medicine.

The public is in general agreement about the legal use of cannabis for medicinal purposes upon the recommendation of a physician.

This raid does not serve the public interests in this matter - the actions against ill Canadians are disrespectful, an abuse of power and a gross disservice.

Mark said he will review the documents Lucas gave him, "but I'll also review them in the context of the rest of the case which I am yet to see."

The VICS hopes that common sense and compassion will rule the day and that our task of helping ill Canadians can proceed unfettered.

As of press time, the charges have not been released to the defence prior to the first trial date on July 13, 2004.

Source: "Dozens decry compassion club raid", Times Colonist, June 11, 2004



Ron and Phil

Canadians for Safe Access Proposes a Moratorium on Federal Cannabis Research and Distribution

On June 11th, Canadians for Safe Access received the results of two THC tests performed by the Quebec National Institute of Public Health on the Health Canada (HC) cannabis being cultivated by Prairie Plant Systems (PPS) in Flin Flon, Manitoba. Both tests show that this product is almost exactly 5% THC, and nowhere near the 10.2% THC marked on the package and claimed by HC and PPS.

In September of 2003, Canadians for Safe Access first released independent THC test results of the Health Canada cannabis. These tests revealed that although Health Canada labeled the product 10.2% THC, it was well below 6% THC. Health Canada denounced these test results, suggesting that since they came from an unidentified independent lab, they could not be verified, yet HC has continued to make independent testing of this cannabis product nearly impossible.

This May CSA learned that nearly 30% of legal users who ordered

cannabis from the government were so dissatisfied that they actually sent it back to Health Canada. With evidence that this product is of poor quality and half the strength claimed by HC, CSA suggests an immediate moratorium on the distribution of this cannabis - to either research facilities or to legal users - pending further investigation. CSA also proposes that exemptees withhold payment and be reimbursed for any cannabis purchased so far.

The independent testing of all medicines and foods in Canada is a basic right of the end-users of these products. In April MP Libby Davies wrote to Health Minister Pettigrew in support of independent testing, stating "the suggestion being made, by denying access to an independent test, is that legal cannabis users do not have the same rights as other consumers to access independent testing of their medication".

It's time to stop toying with the health of chronically ill Canadians.

MORE Medical Cannabis News:

Canada - Exemptee Evicted For Using Medicine at Home

Eric and Marlene Young lost another bid to remain in a Victoria apartment run by the Capital Region Housing Corporation (CRHC) but are planning to take the arbitration to the Supreme Court of Canada. Eric is a legal user of medical cannabis and Marlene is a legal producer who can grow cannabis for him.

Complaints of the smell of cannabis coming from their apartment brought about the confrontation that has gone on for two years. The Youngs live in a building that allows cigarette smoking. The court battle has included a complaint that the Capital Regional District violated the Young's right and freedom when the CRD's corporation, the CRHC, evicted the couple.

The Young's refused to seal under their doorway, arguing that they need the airflow and that cigarette smokers didn't have to seal their doorways.

"If it was a non-smoking apartment, then I would suggest that, unfortunately, we have to look at alternate suggestions of ingestion - using vapourizers, using sprays or ingestibles," said Philippe Lucas of CSA. "But in this particular case, it doesn't seem to make much sense to kick out a man for smoking his medicine, does it?"

We're sure that some creative mechanical system designer could come up with a workable ventilation solution that would please all parties - maybe next time?

Source: "Youngs lose fight to smoke marijuana in CRD housing". Saanich News, May 27, 2004. <http://www.mapinc.org/drugnews/v04.n793.a10.html>

US - Court Orders Feds To Stay Away From Medical Cannabis Patients

The medical cannabis patients who won a landmark case against John Ashcroft last December got the legal protection they sought on May 18. Based on that federal appellate court ruling, a judge has issued a preliminary injunction against the federal government, preventing it from pursuing either Angel McClary Raich or her co-plaintiffs -- Diane Monson and the two anonymous caregivers who provide Mrs. Raich with cannabis.

In a precedent-setting decision, the U.S. Court of Appeals in San Francisco ruled last December that the arrest and prosecution of medical cannabis patients is unconstitutional, so long as they obtain the drug without buying it or crossing state borders and use it medicinally in compliance with state law. The three-judge panel directed the District Court to issue a preliminary injunction. On May 14, 2004, U.S. District Judge Martin Jenkins cited that ruling in issuing a preliminary injunction against the government. His order notes that "In Raich v. Ashcroft, 352 Fed. 3d 1222 (9th Cir. 2003), the United States Court of Appeals for the Ninth Circuit held that the Plaintiffs have demonstrated a strong likelihood that 'as applied to them, the [Controlled Substances Act] is an unconstitutional exercise of Congress' Commerce Clause authority."

The case was the first instance of the federal ban on marijuana being ruled unconstitutional and has already had far-reaching effects. Based on the Raich ruling, a similar injunction protecting a medical cannabis cooperative in Santa Cruz is expected soon. The first federal prisoner to be released pending appeal based on Raich is also being permitted to use cannabis as recommended by his doctor while on release. And a couple awaiting federal trial in Los Angeles will be the first to present what the judge there called a "Raich defense"-- evidence that their cannabis was medical.

"I am elated knowing that I am the first medical cannabis patient to be protected by the judicial branch of government," said Raich.

Source: News advisory from Americans for Safe Access. San Francisco, Tuesday, May 18, 2004. <http://www.safeaccessnow.org/>

Oral Cancer and Cannabis Study:

Contrary to previous research findings that have suggested a link between oral cancer and cannabis use, a large population-based study found no association between cannabis use and increased oral-cancer risk, regardless of how long, how much or how often a person has used cannabis. The study also found no increased risk among cannabis users who had other underlying risk factors for oral cancer, such as tobacco or heavy alcohol use.

"When asking whether any marijuana use puts you at increased risk of oral cancer, our study is pretty solid in saying there's nothing going on there," said Stephen M. Schwartz, Ph.D., a senior author of the study.

The study also found out that cannabis smokers with certain common genetic variations that are known to interfere with the body's detoxification process are at no greater risk of oral cancer than those who carry normal copies of such genes. The study counters findings from a smaller investigation, widely publicized in 1999, which suggested that ever-users of cannabis were at more than twice the risk of getting head-and-neck squamous-cell carcinomas as compared to non-users. "Our study casts a fair bit of doubt on the overall conclusion of the previous study," Schwartz said.

In addition to some control group limitations, the previous study had only 1/3 the number of participants as compared to the latest study. "The size of our study tends to make our findings statistically stable," Schwartz said.

The study, led by researchers at Fred Hutchinson Cancer Research Center of Seattle, WA., in collaboration with other researchers around the US, is the most comprehensive evaluation to date regarding the association between cannabis use and the incidence of oral squamous-cell carcinoma. The findings appear in the June issue of Cancer Research.

Source: "Study finds no association between marijuana use and incidence of oral cancer", June 1, 2004. http://biz.yahoo.com/prnews/040601/sftu083_1.html

Hemp Festival in Aylesford, N.S.

Aylesford, Nova Scotia, set in the beautiful Annapolis Valley, will host Atlantic Canada's first-ever hemp festival. The two-day event, starting July 31, is aimed at raising awareness about medical cannabis. Food, entertainment, guest speakers and paraphernalia will be featured. The non-profit group Maritimers Unite for Medical Marijuana (MUMM) plans to use the festival to highlight its concerns about the growth, supply and distribution of medical cannabis.

To find out more, send an e-mail to chair@mumm.ca.

US - New York DA Lends Support to Medical Cannabis

Manhattan District Attorney Robert Morgenthau is in support of a New York state bill that would permit cannabis for medical purposes. Morgenthau joined television talk show host Montel Williams on June 15 to lend support for the bill.

"It should be available to those whose suffering would be eased by the use of marijuana," the district attorney said. "There is absolutely no reason for not using marijuana for medical purposes. It's another weapon in the arsenal."

Montel Williams, who uses cannabis to relieve pain in his feet and legs due to multiple sclerosis, is seeking access in New York to the medicine that he can already obtain as a card-carrying prescription marijuana user in California and Canada. If the bill passes, New York will be the eleventh state (Vermont became the tenth state in May) to permit medical cannabis access.

Source: "DA for Pot". Associated Press, June 16, 2004. <http://www.mapinc.org/drugnews/v04.n869.a03.html>

Canadian AIDS Society Position Statement:

Six years ago, the Canadian AIDS Society's Board of Directors adopted a position statement on HIV/AIDS and the medical use of cannabis. The updated Position Statement that reflects the developments of the last 6 years was just released on May 20, 2004.

Seventeen statements are presented for people living with HIV/AIDS, ranging from having easy access to, and a choice of, organic medicinal cannabis, to support of compassion clubs as delivery models, to proposing that a physician and patient be sufficient proof of need for possession and cultivation, to favouring legalization and regulation of cannabis in Canada. It speaks from a place of consideration, compassion and harm reduction.

Many thanks to Lynne Belle-Isle for preparing both the Position Statement and Background Paper on medical cannabis, and for forwarding the information to Health Canada. It is very affirming to hear the Canadian AIDS Society address these issues so clearly and directly. Visit www.cdnaids.ca for more information.

A copy of the complete statement is available at the VICS.

IACM News Summaries: (www.cannabis-med.org)

Driving - Researchers estimated the association between drug use and motor vehicle accidents by conducting a prospective case-control study from May 2000 to August 2001. The 110 cases were drivers involved in road crashes, who needed to stay in hospital. The 816 controls were drivers recruited at random while driving on public roads. The risk for trauma from road accidents was increased by 5-fold with use of benzodiazepines. The risk for alcohol was increased by 5.5 with a blood alcohol concentrations (BAC) between 0.05-0.08 per cent and by 15.5 with a BAC above 0.08 per cent. Increased risks were assessed for drivers using amphetamines, cocaine, or opiates. No increased risk was found for drivers who had used cannabis.

Science - No strong evidence that use of cannabis causes psychological problems, results of a new study show. Various reports indicate that young people who use cannabis tend to experience psychological and social problems. However, there is no evidence that cannabis use is directly linked with such problems, according to the results of a study published on 15 May in *The Lancet*. "Available evidence does not strongly support an important causal relation between cannabis use by young people and psychosocial harm, but cannot exclude the possibility that such a relation exists", Dr. John Macleod of the University of Birmingham in the UK and his colleagues wrote.

"There is a great deal of evidence that cannabis use is associated with these things, but this association could have several explanations," he told Reuters, citing factors such as adversity in early life, which may be associated with cannabis use and psychosocial problems. Macleod and his team reviewed 48 long-term studies, 16 of which provided the highest quality information about the association between illicit drug use reported by adolescents and young adults and later psychological or social problems.

"Claims about the dangers of cannabis are often overstated," according to a comment by Dr. Franjo Grotenhermen of the nova-Institut, Germany. But, "there is reason to believe that cannabis can cause psychological and social harm to young people even if the causal association is not proven yet," he told Reuters. However, "there is little reason to believe that criminalisation has a strong effect on the extent of cannabis use by young people."

The VICS wishes to thank everybody who supported us at the June 10th protest, whether in person or at the end of a telephone or pen or simply in spirit. PEACE

The Medicine Is In The Mail....Maybe:

Can legal, medical cannabis be delivered by mail? Turns out that it can according to Canada Post (CP), but it looked like the conflict over sending medical cannabis through the mail was escalating, and that legal medical cannabis exemptees would be waiting for the proverbial 'cheque' in the mail.

Take, for example, the situation of Michel Aube in Ontario, a legal medical cannabis exemptee under the Health Canada (HC) program who receives legally cultivated cannabis from a federally licensed grower in BC. Aube uses cannabis in conjunction with morphine to ease severe chronic back pain, enabling him to use as little as 1/4 of his daily morphine dose. Recently, the second shipment of Aube's medicinal cannabis from his grower went missing in the mail and never reached its destination. When a lost-item complaint was filed at CP, the sender was told that if detected, cannabis, medical or otherwise, would be confiscated. Aube's first shipment from his grower did arrive, albeit in a battered state with an easily detectable odour.

When questioned, HC stated that regulations in effect since Dec., 2003, say that licenced growers may use any secure courier, but John Caines, Canada Post's media-relations manager, said that they would not deliver, medical or otherwise, at the time and said, "Our interpretation of the regulations drafted by Health Canada was that it was impossible for Canada Post to meet the requirements to deliver medical marijuana." Since then, however, an agreement has been reached with HC such that CP is now in a lawful position "to ship marijuana strictly for medical reasons only."

Source: "Patient losing patience over pot by post" *Montreal Gazette*, June 5, and "Acceptance grows for medical pot", *Grand Forks Gazette*, June 30, 2004, www.map-inc.org/drugnews/v04.n853.a12.html, and [...../drugnews/v04.n945.a06.html](http://www.map-inc.org/drugnews/v04.n945.a06.html)

Medical Errors - Some facts from the Canadian adverse events study, published May 2004 in the *CMA Journal*: one in 13 people who go into hospital suffer an adverse event; based on 2.5 million admissions in 2000, that means 140,000 to 232,000 people experienced adverse events; 37 % of those were preventable; adverse events added an average of six days to a hospital stay; one in five people who had an adverse event went on to die; 9% of these adverse events were categorized as highly preventable; the most common types of adverse events related to surgeries.

Definitions:

carcajou (Zoology) n. American glutton, wolverine. [French, apparently from American Indian origin]
(*The Concise Oxford Dictionary*, 7th ed., 1983)

nirvana n. (Buddhism & Hinduism) beatitude attained by extinction of individuality and desires, with release from effects of karma [from Sanskrit nirvana (nirva be extinguished from nis out + va- to blow)]
(*ibid.*)

surety n. 1. person who makes her/himself responsible for another's appearance in court or payment of debt or performance of undertaking (stand ~, become so responsible, go bail, for another); hence ~SHIP n. 2. (archaic) certainty; for or of a ~, certainly [Middle English from Old French surte, seurte from Latin securitas -tatis SECURITY]
(*ibid.*)

verisimilitude n. appearance of being true, semblance of actuality; statement etc. that seems true; so verisimilar a. [from Latin verisimilitudo from verisimilis probable (veri genitive of verus true, similis like)]
(*ibid.*)

Cannabis News:

Canadian Economic Institute Proposes Legal Cannabis

The Fraser Institute, an economic think-tank at Simon Fraser University, has released a study that proposes the legalization and regulation of cannabis because it makes economic sense. All that would really change, argues the study, is that governments, rather than criminals, would enjoy the spoils.

"If we treat marijuana like any other commodity we can tax it, regulate it, and use the resources the industry generates rather than continue a war ... that has long since been lost," said the study author Stephen Easton, professor of economics and a senior fellow at the institute.

The study calculated the potential tax revenue to be over \$2 billion/year, based upon a \$7 billion industry in BC alone. However, recent work by US economist Jeffrey Miron (see Issue #10, BCCLA Conference) puts the cannabis trade at a more modest \$1 billion/year with an estimated potential revenue stream of \$400-500 million/year from taxes; savings in Canadian enforcement costs would be roughly \$300 million/year.

As with alcohol prohibition, it will be close to impossible to suppress cannabis use; there are at least one million Canadians who indulge in the herb. And, as with alcohol prohibition, the black market and criminals profit. Unlike cannabis, more people indulge in alcohol and tobacco, both with more serious health concerns. Easton said alcohol prohibition served only to expand organized crime in North America. While the end of prohibition generated some problems, they were nothing compared to those afflicted on society during the days of Al Capone.

Source: "Legalize Marijuana, Fraser Report Says", Victoria News, June 9, 2004

Portugal - Ganja OK, Booze Not

Portuguese police announced before the Euro 2004 soccer tournament held in Lisbon last month that they wouldn't arrest or detain visiting Brits who were spotted smoking cannabis because the drug decreases violent urges.

The selective and temporary moratorium on cannabis arrests is aimed at discouraging hooligan behavior and rioting and focuses on alcohol consumption and the crazed, violent atmosphere it can enable.

A police spokeswoman said, "If you are quietly smoking and a police officer is 10 metres away, what's the big risk in your behavior? I'm not going to tap you on the shoulder and ask 'What are you smoking?' if you are posing no menace to others. Our priority is alcohol."

"Portugal's Reefer Madness", The Sun Journal, June 16, 2004.
<http://www.mapinc.org/drugnews/v04.n870.a05.html>

Section 56 Comp. Club Charges Dropped:

'Not in the public interest to pursue prosecution', stated the federal Department of Justice in so many words when all trafficking-related charges against a second compassion club in Toronto were dropped.

Three defendants of the Section 56 Compassion Club were relieved to hear that sentiment. Facing charges of trafficking and possession of proceeds of a crime, the defendants heard that charges were withdrawn without the Justice Department providing reasons. There was a similar lack of explanation in January when the Toronto Compassion Centre had trafficking charges dropped against them.

Justice Department spokesperson Patrick Charette said that some compassion club charges in Ontario have been withdrawn because the allegations related to a period between July 2001 and October 2003 when there was no marijuana possession law in Ontario. Despite the number of legal victories, medical cannabis advocates say that police are still laying charges and the federal government is still not complying with court orders to make changes to the MMAR. Health Canada now permits designated producers to receive compensation but they can still only grow for one legal exemptee, and no more than three designated growers can share a cultivation site.

In light of the recent raid by the RCMP in Sooke, BC, that stripped the members of the Vancouver Island Compassion Society of all of their organic medicine and charged two people with criminal charges, one can only hope that common sense, such as exhibited in Toronto, will take hold in BC, and hopefully all of Canada for that matter. It is disrespectful, and downright mean, to abuse sick people (or their care givers) while they're struggling with serious health issues.

Source: "Crown drops charges", Regina Leader Post, June 22, 2004.
<http://www.mapinc.org/drugnews/v04.n898.a04.html>

More Needle Boxes Installed - In response to safety concerns, the courthouse in Victoria, BC, has recently installed containers for used hypodermic needles in the public washrooms on the lower floor. The boxes are clearly marked as to their purpose. Initial fears about the perception of a court house installing boxes for used needles were outweighed by the safety of others. Used needles have been found in garbage bins and stuffed inside toilet paper dispensers. The city-owned public washrooms in Centennial Square and the Crystal Pool on Quadra St. also have needle disposal boxes.

Find our newsletter online at <http://www.thevics.com>

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Action Committee of People

with Disabilities

383-4105

Canadians for Safe Access

<http://www.safeaccess.ca>

Canadian Cannabis Coalition

<http://www.cannabiscoalition.ca>

Canada Medical Marihuana

<http://www.medicalmarihuana.ca>

Media Awareness Project

<http://www.mapinc.org>

DrugSense

<http://www.drugsense.org>

Health Canada

<http://www.hc-sc.gc.ca/hecs-sesc/ocma/>

1-866-337-7705

Norml Canada

<http://www.normlcanada.org>

Cannabis Health

<http://www.cannabishealth.com>

Cannabis Research Institute

<http://www.cannabisresearchinstituteinc.com>

"The reasonable man adapts himself to the world; the unreasonable one persists in trying to adapt the world to himself. Therefore, all progress depends on the unreasonable man." -- George Bernard Shaw