This is the 2nd affidavit of Todd Cain
of Ottawa, Ontario, in this case and was
made on January 15, 2015

Court File No: T-2030-13

Federal Court

Between

NEIL ALLARD
TANYA BEEMISH
DAVID HEBERT
SHAWN DAVEY

Plaintiffs

and

HER MAJESTY THE QUEEN IN RIGHT OF CANADA

Defendant

AFFIDAVIT # 2 OF TODD CAIN

I, Todd Cain, public servant, of the City of Ottawa, in the Province of Ontario, AFFIRM THAT:

1. I am an employee of Health Canada, currently working as Executive Director, Review of the Inspection Function for the Department of Health. I report directly to Paul Glover, Associate Deputy Minister, Health Canada.

2. I hold a Bachelor in Public Administration degree from Carleton University and a Master of Industrial and Labour Relations degree from Cornell University. I have extensive private and public sector experience in the areas

of management, organizational change, strategic business initiatives and change management. My Curriculum Vitae is attached at **Exhibit "A"**.

3. From June 2013 to September 2014 I was working as Executive Director Market Development for Healthy Environments and Consumer Safety Branch (HECSB). My responsibilities included supporting the transition from the *Marihuana Medical Access Regulations* (MMAR) to the *Marihuana for Medical Purposes Regulations* (MMPR) by identifying and resolving issues in the development and establishment of a stable supply base for medical marijuana.

4. My role included determining the financial incentives behind participating in licenced production, identifying likely sectors of industry that may be interested in participating, identifying and reaching out to research applicants based on their participation in other Health Canada programs.

5. As such, I have personal knowledge of the evidence sworn to in this affidavit, save and except where any of the following information is stated to be based on information and belief, in which case I state the source of the information and believe that information to be true.

The Transition to the New Model: Marijuana for Medical Purposes Regulations

6. The MMPR and the MMAR operated concurrently from June 2013, when the MMPR came into force, until the MMAR was repealed on March 31, 2014. As of April 1, 2014, the MMPR were intended to provide the sole means by which Canadians who choose to use marijuana for medical purposes could have reasonable access to it. However, pursuant to a March 21, 2014 interlocutory order of the Federal Court, certain persons were authorized to continue to possess and to produce marijuana for medical purposes, under the conditions of the order, until a decision is rendered in the present matter.

7. Under the MMPR, individuals who intend to use dried marijuana for medical purposes are required to register with a Licensed Producer (LP) by presenting a signed medical document which authorizes them to use dried marijuana for medical purposes. Personal and designated production are no longer options for obtaining dried marijuana for medical purposes.

8. The MMPR are intended to improve significantly the way in which individuals access marijuana for medical purposes, while at the same time, to reduce risks to individual and public health, safety and security. The MMPR provide for expanded options regarding who may sign a medical document, taking into account provincial law and professional bodies, and they impose no limit on the strain of dried marijuana LPs may offer for sale.

9. In fact, the MMPR allowed that, until the repeal of the MMAR on March 31, 2014, with specific authorizations from Health Canada, LPs could purchase marijuana seeds or marijuana plants from individuals who held valid Personal Use Production Licenses or Designated Person Production Licenses; making it possible for a LP to cultivate and sell a preferred strain of marijuana. I am advised by Jacinthe David, Manager Licensing and Permits Division, at Health Canada's Office of Controlled Substances, that sixteen (16) LPs have availed themselves of this option.

10. The MMPR require that the dried marijuana LPs offer for sale is produced in compliance with good production practices, and that in carrying out their business, LPs meet physical and personnel security requirements and keep records in accordance with the regulations. These requirements are similar to those imposed on other drugs for therapeutic purposes. LPs must not operate in a dwelling house. Health Canada will inspect LPs for compliance purposes. Many inspections have already occurred and will be discussed in more detail below. The Licensed Producer Reporting Requirements: Guidance Document, the Cultivation Security Guideline: Guideline on

Building and Cultivation Security Requirements for Marihuana for Medical Purposes and the Guidance Document: Building and Production Security Requirements for Marihuana for Medical Purposes are attached at **Exhibit "B"**, **Exhibit "C"** and **Exhibit "D"**, respectively.

11. Under the MMPR, individuals who use dried marijuana for medical purposes no longer require Health Canada approval. Individuals obtain a medical document from their medical practitioner and submit this to the LP of their choice, and order the dried marijuana product of the strength and variety they choose.

12. To facilitate the transition from the MMAR to the MMPR and, in particular, to the use of LPs, Health Canada created a Market Development Team ("the team"), reporting directly to the Assistant Deputy Minister and operating independently from the Licensing and Permits team. This team was created to work with departmental officials responsible for transition from the MMAR and implementation of the MMPR, as well as with external entities and potential LP applicants. In particular, Health Canada was aware that at all times during the transition period that reasonable access to marijuana for medical purposes must be maintained and this consideration drove the department's transition plans.

13. Therefore, it was also part of the team's responsibility to design and implement a strategy to facilitate the transition from personal to LP production of dried marijuana for medical purposes. Specifically, the team engaged with potential applicants for production licenses, and others, to encourage understanding of the potential marketplace and to facilitate the application process.

14. I was personally charged with the responsibility for development and implementation of a comprehensive strategy to:

a. create a timeline for managing the transition from personal to LP production of dried marijuana for medical purposes;

b. develop models to estimate demand and supply and create strategies for securing sufficient dried marijuana for medical purposes to meet demand during the transition from the MMAR to the MMPR, including the period of time after October 1, 2013, when no new or amended personal production licenses would be issued, and the time frame following MMAR repeal on March 31, 2014;

c. generate and implement a plan to encourage and to promote applications from potential LPs with the goal of ensuring that during transition to, and early days of, the new industry, conditions were in place to create reasonable legal access to a quality supply of dried marijuana for medical purposes;

d. work with the Licensing and Permits team to streamline the application process to make it accessible to potential applicants for production licenses (see the complete application package, including the Guidance Document, available on the Health Canada Website at http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/app-demande-eng.php and attached as **Exhibit "E"**); and

e. devise contingency plans for accessing a supply of dried marijuana to meet demand, in the event that:

   i. insufficient applications for production licences were received;

   ii. an inadequate number of applicants applied or failed to meet security and other regulatory requirements; or

iii. the application process did not unfold in sufficient time to allow newly approved LPs to cultivate, grow, harvest, and make dried marijuana available in sufficient quantities to meet demand.

Ongoing Reasonable Access to Quality Dried Marijuana for Medical Purposes

15. The coming into force of the MMPR established a new production and delivery system for medical marijuana in Canada. It was, and remains, a Health Canada priority that a continuous, stable and adequate supply of dried marijuana for medical purposes is available during the transition period and beyond.

16. Given the timelines associated with the transition from the MMAR to the MMPR, Health Canada initiated several strategies to provide for an adequate and timely supply of dried marijuana for medical purposes under the MMPR.

17. One of the primary strategies has been to conduct an information campaign to encourage applications for production licenses under the MMPR. The goal of this campaign was to generate awareness among potential applicants for production licenses and businesses who could support them, about the legitimate new business model created by the MMPR.

18. On December 15, 2012, Health Canada arranged for publication in the Canada Gazette Part I of a notice advising that parties interested in becoming LPs under the MMPR could seek authorization to conduct research and development activities with cannabis prior to the MMPR coming into force, using existing mechanisms under the *Controlled Drugs and Substances Act* and the *Narcotic Control Regulations*. The notice is available online at

http://canadagazette.gc.ca/rp-pr/p1/2012/2012-12-15/html/notice-avis-eng.html#d111. A true copy of the Canada Gazette Part I published December 15, 2012 is attached at **Exhibit "F"**.

19. Health Canada also created an outreach plan and made contact with other government organizations, such as Agriculture Canada, Industry Canada, Finance Canada, Business Development Canada, Farm Credit Canada, and Canada Post, as well as with other strategic partners including financial institutions, provinces, industry associations (Insurance Bureau of Canada, Flowers Canada Growers Inc., and Ontario Greenhouse Vegetable Growers) healthcare practitioners, municipalities, law enforcement, fire authorities, and media.

20. In addition, Health Canada developed and implemented an industry engagement strategy that included creating guidance documents about the application process, operating a call centre with trained staff to answer questions from potential applicants, and creating streamlined processes for processing applications, which could be submitted at any time after June 7, 2013.

21. Health Canada also triaged applications for production licenses in an effort to provide reasonable access to dried marijuana for medical purposes during transition to the MMPR. This triage approach was created to foster efficient and appropriate approval of qualified applicants and start-up of LPs.

22. When considering the order in which applications could be processed, Health Canada assessed the applications against a variety of factors. These included the completeness of the application, the application's quality (for example, the level of detail provided in respect of good production practices, record keeping and security) and the applicant's general business readiness.

23. Other significant elements of Health Canada's strategy for providing for reasonable access to a quality supply of dried marijuana for medical purposes included:

a. Providing applicants with "Ready to Build" letters upon the completion of the paper review process, upon request. These letters advise applicants that if they complete their site build as described in their application, if the site is verified by a pre-licence inspection, and if security clearances are granted, the applicant's licence may be issued. This letter is intended to provide applicants with documentation they may use to make necessary financial and other business-related arrangements.

b. Providing a "phased licensing process". If an applicant had completed the paper review and met the regulatory standards for cultivation of dried marijuana, Health Canada would inspect and licence that applicant for cultivation activity only, in order to accelerate production capacity. The applicant could subsequently obtain full licensing upon meeting the further requirements of the MMPR. This means, for example, that applicants who were ready to begin cultivation, but who were not yet set up to meet the storage security requirements under the MMPR, could begin to grow marijuana while continuing to complete the requirements for physical storage of dried marijuana. This transition provision was discontinued after March 31, 2014.

The Plan for Transition

24. Health Canada took significant steps to project both demand and available supply of dried marijuana for medical use. In anticipating demand, Health

Canada took into account available information on numbers of individuals licenced to possess dried marijuana for medical purposes, the upward trend of that number, the daily dosage amounts identified in the most current scientific literature, and international practice around dosage as set out in "Information for Health Care Professionals" available online at http://www.hc-sc.gc.ca/dhp-mps/marihuana/med/infoprof-eng.php. This document is attached at Exhibit "G" to Affidavit #4 of Jeannine Ritchot dated January 15, 2015.

25. The "Information for Health Care Professionals" document, states at page iii that "Following the most recent update to this document (February 2013), a study was published in the Netherlands tracking data obtained from the Dutch medical cannabis program over the years 2003-2010. The study reported that in a population of over 5,000 Dutch patients using cannabis for medical purposes, the average daily dose of dried cannabis (various potencies) used was 0.68 grams per day (Range: 0.65-0.82 grams per day) (Hazencamp and Heerdink 2013). In addition, information from Israel's medical marijuana program suggests that the average daily amount used by patients was approximately 1.5 grams of dried cannabis per day in 2011-2012 (Health Canada personal communication)."

26. Supply estimates took into account producer forecasts, which Health Canada "risk-adjusted" to account for unforeseen circumstances. By risk adjustment, I mean that the forecasting model discounted producer-estimated production amounts by between 70% and 90%, based on individual applicant factors, such as: access to starting materials, status of financing, relationship with municipalities, experience working in a regulated environment, site readiness, and related expertise. These risk factors were adjusted as applicants progressed through the review process.

27. Health Canada made arrangements with its then contractor, Prairie Plant Systems (PPS), to purchase overstock as a reserve in case of a supply shortfall during the transition period to LPs. Health Canada secured between 400-500 kilograms of dried marijuana, which was made available for sale to Canadians who qualified to use dried marijuana for medical purposes. Health Canada ultimately did not have to rely on its store of dried marijuana.

28. Health Canada even explored the possibility of importing marijuana from international sources, and in fact, held discussions with the Netherlands and Israel to that end. Ultimately, Health Canada approved import from the Netherlands by an LP of over 100 kilograms of dried marijuana between January and May 2014.

29. In addition, Health Canada considered the possibility of a collaborative approach among LPs, which if necessary, could be negotiated to manage demand while supply caught up.

30. Through contingency planning, estimating supply and demand, and facilitating applications from potential LPs, Health Canada made significant efforts to provide reasonable access to quality dried marijuana for medical use. Health Canada continues to monitor supply and demand. At this time, there is overall sufficient supply to meet the current demand. While it is expected that this will continue, given the production capacity of current producers and the expectation that additional producers will be licensed in the future, the ongoing uncertainty in the market makes this challenging to definitively predict.

31. Again, Health Canada's approach to contingency planning was and is guided by the principle that a legal supply of dried marijuana for medical purposes must be reasonably accessible.

The Progress of the Licensed Producer Application Process

32. I am advised by Jacinthe David, Manager, Licensing and Permits Division, Office of Controlled Substances, that as of December 22, 2014 the following information regarding license applications is correct:

- Health Canada has received 1,191 LP applications;
- Health Canada receives on average 15 new applications a week;
- 138 applications are at the screening phase which is the preliminary triage to ensure the completeness of the application;
- 37 applications are at the review phase which is the in depth review to ensure that all the requirements of the MMPR are met;
- 120 at the Security Clearance Phase;
- 599 have been returned as incomplete (they may be resubmitted);
- 15 applicants have received ready-to-build letters and the program is currently waiting on either the results of their security checks or for the applicant to confirm their readiness for inspection before a licence can be considered;
- 23 LP licenses have been issued;
- 35 applications have been withdrawn; and
- 223 applications have been refused.

33. Of the 223 applications that were refused, 90 were refused because the site chosen by the applicant was not suitable for licensed production. This could be due to the fact that the location poses a high risk to public health, public safety and security.

34. Another 21 applications were refused because of inadequate information provided concerning the qualifications of the chosen Quality Assurance Person. Pursuant to the MMPR, a LP must have a Quality Assurance Person

who is responsible for assuring the quality of dried marijuana before it is made available for sale. This person must have the training and experience and technical knowledge in order to the conduct the required duties outlined under Division 4 of the MMPR.

35. Another 112 applications were refused for failing the application screening stage. The reasons for each failure vary. For example, some applications were rejected because of a failure to submit complete applications while others were rejected because the proposed security measures outlined in the application do not meet the requirements of the MMPR.

36. When a LP is ready to begin registering clients and distributing dried marijuana, contact information for that LP is provided on Health Canada's website. As of January 7, 2015, the Health Canada website indicates that 15 of the 23 current LPs are ready to register clients and to distribute marijuana in a variety of strains and at a range of prices:

37. As of December 31, 2014, the collective projected annual production capacity of the current 23 LPs is over 25,008 kilograms of dried marijuana. In my previous affidavit, sworn February 7, 2014, the collective projected annual production capacity of the then 8 LPs was 31,000 kilograms of dried marijuana. Some of the LPs initially thought they could produce or sell more than they actually could. As such, as initial licenses expired and LPs engaged in the license renewal process, their renewed licenses reflected lower annual production amounts.

Aphria	1-877-427-4742	info@aphria.com
Bedrocan Canada Inc.	1-855-420-7887	info@bedrocan.ca
Broken Coast Cannabis Ltd.	1-855-488-3668	info@brokencoast.ca
Canna Farms Ltd.	1-855-882-0988	info@cannafarms.ca
CanniMed Ltd.	1-855-787-1577	info@cannimed.com

Delta 9 Bio-Tech Inc.	1-855-245-1259	info@delta9.ca
In The Zone Produce Ltd.	1-800-420-1707	info@inthezoneproduce.com
Mettrum Ltd.	1-844-638-8786 (METTRUM)	info@mettrum.com
MariCann Inc.	1-844-627-4226 (MARICANN)	clients@maricann.ca
MedReleaf Corp.	1-855-4-Releaf (73-5323)	askus@medreleaf.com
OrganiGram Inc.	1-855-961-9420	info@organigram.ca
The Peace Naturals Project Inc	1-888-64-PEACE (73223)	info@peacenaturals.com
Tilray	1-844-TILRAY1 (845-7291)	tilray@tilray.ca
Tweed Inc.	1-855-55-TWEED (89333)	hi@tweed.com
Whistler Medical Marijuana Corp.	1-604-962-3440	info@whistlermedicalmarijuana.com

38. I am advised by Kurt Chin Quee, Senior Analyst for Health Canada's Healthy Environments and Consumer Safety Branch, and verily believe, that as of December 10, 2014, the price range per gram for marijuana from LPs was between $1.75 to $15 per gram. Attached at **Exhibit "G"** are true copies of the websites for each of the above LPs.

39. Eight (8) LPs were offering some type of compassionate pricing scheme for low income persons who use marijuana for medical purposes. Below is a summary of the compassionate pricing listed on the LPs' websites, true copies which are attached at Exhibit "G":

- Mettrum Ltd. is offering a low income discount, 30% off all strains on the first 30 grams/month;
- The Peace Naturals Project Inc. is offering $3 per gram for those on disability allowance;

- Tweed Inc. is offering a 20% discount for customers receiving financial assistance or with an income below $29,000;
- Delta 9 Bio-Tech Inc. is offering a program that will help subsidize the cost of marijuana for eligible clients on disability and those with low income. Under this program, registered patients will be able to access any variety in Delta 9's portfolio at a 50% discount to regular pricing;
- Organigram is offering a 25% off compassionate pricing discount;
- Bedrocan is offering a 20% discount on the first 30 grams of cannabis ordered within a 30 day period for eligible clients;
- MedReleaf is offering 25% off for low income / disability patients; and
- MariCann Inc. is offering a 30% discount off list price to qualified patients.

40. As of December 9, 2014, many of the LPs have listed the available strains of marijuana on their respective websites. Attached at Exhibit "G" are true copies of the websites for each of the above LPs with respect to strains. Each LP offers a varying number of strains. They range from 62 strains offered by Canna Farms to 5 strains offered by Bedrocan.

41. As of November 30, 2014, LPs' had registered 14,682 clients and had produced 4,270.538 kg. Of this production, the LPs have sold 1,612.211 kg.

Licensed Producer Inspections

42. Under the MMAR, inspection of private dwellings was not possible without consent of the homeowner or a warrant. Under the MMPR, Health Canada Inspectors may enter a MMPR LP site unannounced at any time during their normal business hours to ensure compliance with the regulations. Inspectors

may evaluate all aspects of compliance with the regulations, including reporting requirements. As noted above, a true copy of the Licensed Producer Reporting Requirements is attached at Exhibit "B".

43. As discussed in more detail below, there are four (4) different types of inspections. There is the pre-licence inspection, the initial inspection, the targeted inspection and the regular inspection. One of the main goals of these inspections is to make observations concerning LP operations.

44. I am advised by Carol Anne Chénard, Head of the National Compliance Section of the Office of Controlled Substances (OCS), Health Canada, and verily believe, that between April 1, 2014 and August 30, 2014, inspectors recorded 589 observations made during their inspections. An observation is defined as a deficiency or deviation from the requirements of the law found during the inspection of a LP. Inspectors categorize individual observations as critical (more likely to result in diversion or risk to health of patients) or non-critical (less likely to result in diversion or risk to health of patients). Inspectors must document all observations, critical observations in particular, in a manner that conveys how the LP's action or inaction impacts the critical risk area.

45. I am advised by Carol Anne Chénard, and verily believe, that as of November 30, 2014, Health Canada has conducted 43 pre-licence inspections. Pre-licence inspections are conducted after an application has been received, a review completed and the physical security measures are ready to be inspected. The purpose of a pre-licence inspection is to verify that the information submitted in the application is congruent with the information collected and observed on-site and to assess compliance with the applicable sections of the MMPR prior to licence approval. Attached as **Exhibit "H"** is the Standard Operating Procedure: Conducting a Pre-Licence Inspection under the *Marihuana for Medical Purposes Regulations*.

46. The planning of the pre-licence inspection is a shared responsibility between the Inspector(s) and the Regional Manager (RM). The RM is responsible for assigning an inspection team to conduct inspections and will identify a Lead Inspector. Inspectors will gather comprehensive information prior to the inspection. They will perform a document review of the application and all attached documentation as well as prepare an inspection plan.

47. The pre-license inspection will include a visual inspection of all the security measures at the production site as well as the floor plans. The inspection team will record the areas within the site where cannabis will be present, the ventilation and the flow of material through the site. They will confirm that good production practices will be adhered to. Further, they will confirm with the applicant the sanitation requirements and record keeping requirements for inventory.

48. Upon completion of the inspection, an exit interview will be conducted at the proposed licensed site. A detailed inspection report that documents all discrepancies which exist in terms of what has been observed versus what was provided in the application submission will also be prepared. The Lead Inspector will make a general conclusion of the applicant's ability to comply with the MMPR.

49. I am advised by Carol Anne Chénard, and verily believe, that as of November 30, 2014, Health Canada has conducted 27 initial inspections. An initial inspection is scheduled once the LP has final product ready for sale (the product will have been tested for contaminants and percentage of THC and CBD as required under Division 4 of the MMPR). An initial inspection is conducted to ensure the LP complies with all the provisions under the MMPR. After this stage, if the LP is found to be operating in compliance with the MMPR, Health Canada will amend its license to allow for the sale of

dried marijuana to registered clients. It is only at this point that the LP will be able to start registering clients and selling product. Attached as **Exhibit "I"** is the Standard Operating Procedure: Conducting the Initial Inspection under the *Marihuana for Medical Purposes Regulations*.

50. Initial inspections should be unannounced. Inspectors will proceed with a physical inventory reconciliation of a representative sample of the inventory which is proportional to the total inventory, representative of the products handled by the LP and reflective of all activities conducted by the LP.

51. Inspectors will proceed with a complete review of all phases of operation for compliance with the MMPR, including production, packaging, sample retention, waste material, distribution, returns and destructions. The inspectors assess and look for any opportunities for diversion in order to assess the security measures for effectiveness and sufficiency. They will also verify that all operating procedures and good production practices have been implemented at the site.

52. An exit interview will be conducted at the LP's site followed by a written report documenting all discrepancies which exist in terms of what has been observed versus the requirements of the MMPR. The Lead Inspector will make a general conclusion of the LP's ability to comply with the MMPR. The Lead Inspector will review corrective action plans submitted by the LP in response to each observation cited in the Inspection Report and determine if the proposed actions are sufficient.

53. I am advised by Carol Anne Chénard, and verily believe that as of November 30, 2014, Health Canada inspectors have conducted 104 targeted inspections. A targeted inspection is an in-depth inspection which is not intended to assess the compliance with the entire breadth of the MMPR requirements, but focuses on identified criteria. Attached as **Exhibit "J"** is the Standard

Operating Procedure: Conducting Targeted Inspections under the *Marihuana for Medical Purposes Regulations*.

54. The on-site portion of a targeted inspection should be unannounced. Every targeted inspection includes:

- a re-inspection of any observation classified as critical from the previous inspection;
- follow up on complaints from industry, registered clients, etc.;
- areas of high risk, such as verification of subsets of inventory, record keeping, good production practices and client registration procedures, etc.; and
- at the discretion of the Inspector and if time permits, a re-inspection of any noncritical observations from previous inspections.

55. There will be an exit interview conducted at the LP's site at the end of the targeted inspection. Inspectors will discuss whether past observations have been sufficiently corrected. If Inspectors determine that the progress of corrective action is not on track, or if there are new observations, LPs will be required to provide a written response. The Lead Inspector, in a written report, will make a general conclusion about the applicant's ability to comply with the MMPR.

56. I am advised by Carol Anne Chénard, and verily believe, that as of November 30, 2014 Health Canada inspectors have conducted 4 regular inspections. Regular inspections, much like initial inspections, are full MMPR inspections. The Inspector assesses the LP against all applicable MMPR requirements. Attached as **Exhibit "K"** is the Standard Operating Procedure: Conducting a Regular Inspection under the *Marihuana for Medical Purposes Regulations*. Regular inspections are unannounced.

57. I am advised by Carol Anne Chénard, and verily believe, that as of November 30, 2014, Health Canada has suspended certain licensed activities for 3 licenced producers.

a. The first suspension was the result of a number of critical observations related to all aspects of the LP's operations. Specifically, a failure to meet the security requirement for the production site as well as a failure to meet recording obligations and sanitary standards. Further, the Licenced Producer was using pesticides that did not meet the requirements listed under section 54 of the MMPR.

b. The second suspension was the result of a Licenced Producer using an unapproved grow room that was unsanitary and did not meet the requirements of section 55 of the MMPR. Further, the Licenced Producer was using pesticides that did not meet the requirements listed under section 54 of the MMPR.

c. The third suspension was the result of an unsanitary facility and equipment. There was a severe insect infestation in the growing rooms and mould on the drying racks. Bowls and buckets used for storing marijuana and the scissors used for trimming were all dirty. There was no sanitation program in place nor were production records complete.

58. Pursuant to the MMPR, a LP must establish and maintain a system of control that permits the rapid and complete recall of every lot or batch of dried marijuana that has been made available for sale. The LP is obligated to report any recalls to Health Canada. I am advised by Carol Anne Chénard, and verily believe, that as of November 30, 2014, there have been 3 recalls due to failure to meet the requirements of Division 4 of the MMPR. Attached as

Exhibit "L" is the Licensed Producer Reporting Requirements Monthly Report.

59. The MMPR put in place a regime that provides for the production of dried marijuana for medical purposes that must be cultivated, processed, packaged and distributed in accordance with criteria set out in the regulations. Health Canada may and does inspect these premises for compliance with the regulations and may impose enforcement consequences when products created for therapeutic use by seriously ill Canadians fall short of the standards set out in the regulations. In this way, there are controls in place to further individual and public health safety and security interests.

AFFIRMED BEFORE ME)
At the city of Ottawa,)
in the Province of Ontario,)
on the 15th day of January, 2015)

Commissioner for Taking Affidavits)

TODD CAIN

Sherri Laureen Szabados, a Commissioner, etc.,
Province of Ontario, for the Government of Canada,
Department of Health.
Expires December 2, 2015

This is **Exhibit "A"** referred to in
the Affidavit of **TODD CAIN**
Affirmed before me at the City of
Ottawa, in the Province of Ontario,
this 15th day of January 2015.

A Commissioner for Taking Affidavits

Sherri Laureen Szabados, a Commissioner, etc.,
Province of Ontario, for the Government of Canada,
Department of Health.
Expires December 2, 2016

TODD R. CAIN

PROFILE

An insightful and driven leader with a rich base of experience covering strategic management, policy, public sector governance and HR gained through direct line experience as well as policy and consulting roles with leading organizations including Health Canada, Ford, GE, Deloitte and the Treasury Board of Canada.

EMPLOYMENT

EXECUTIVE DIRECTOR, INSPECTION REVIEW ***2014 to Present***
Health Canada
Lead a horizontal initiative to review and improve the governance and management of Health Canada's diverse compliance and enforcement programs.

EXECUTIVE DIRECTOR, MARKET DEVELOPMENT ***2013 to 2014***
Health Canada
Led outreach to the private sector to ensure a viable, professional supply base to meet patient needs for medicinal cannabis under new regulations. Collaborated with federal partners, industry, the financial sector, medical researchers, law enforcement and municipal officials on implementation.

VICE-PRESIDENT, PUBLIC GOVERNANCE ***2010 to 2013***
The Institute on Governance
Led the Institute's practice in organization effectiveness and governance for crown corporations, core government and non-profits, working with board chairs, CEOs and executive teams to improve governance and performance, as well as leading related research programs.

SENIOR MANAGER, CONSULTING ***2006 to 2010***
Deloitte Inc.
Led the national organization design practice as well as local consulting projects for a diverse set of clients on strategy, organizational optimization, talent management, human resources transformation, governance, acquisition integration, compensation, change and process improvements. Developed relationships at senior levels in the federal public service, led sales pursuits and new services development, and research and wrote on topics in organization design and public management.

POLICY DIRECTOR ***2004 to 2006***
Treasury Board of Canada
Provided critical analysis and strategic advice to the President of the Treasury Board on policy, governance and management issues in the Federal Government. Consulted with parliamentarians, officials and stakeholders on departmental and government-wide issues. Developed communications plans and materials in support of policy initiatives.

DIRECTOR, HUMAN RESOURCES ***1999 to 2004***
GE Energy
Provided strategic HR support to a variety of power and water businesses. Responsibilities included, including acquisition assessment and integration, change management, organization and talent development, global compensation and benefits, including incentive compensation, salary planning and expatriate management, recruiting and labour relations. Multiple stock option recipient.

Negotiated 7 collective agreements with 6 different unions and was a member of the national GE Canada bargaining team.

HUMAN RESOURCES ASSOCIATE *1995 to 1999*
Ford Motor Company of Canada
Highlights included leading large scale hiring and training programs during plant expansions, merit planning, union relations, numerous automation projects and local and national bargaining in a 5 plant, 6,500 employee automotive complex.

RESEARCH ASSISTANT *1993 to 1995*
Programs for Employment and Workplace Systems, Cornell University
Researched topics in union-management cooperation and organizational development analysed case studies in creativity and innovation in industrial relations and assisted consultants with training programs in interest-based bargaining.

INFORMATION OFFICER *1991 to 1993*
Treasury Board of Canada Secretariat
Assessed access to information and privacy requests and assisted with the planning of the Treasury Board committee meetings and internal consultations and events.

EDUCATION

Cornell University **Ithaca, NY**
Master of Industrial and Labour Relations, May 1995

Carleton University **Ottawa, ON**
Bachelor of Public Administration, Highest Honours, June 1992

PUBLICATIONS

Public Governance Exchange Research Series, IOG, 2010-12

Dr. Schumpeter Comes to the public sector: Creative destruction in public spending, Deloitte, Spring 2008

Closing the gap between policy design and execution, Canadian Government Executive, January 2008

OTHER

Fluent in French (Current levels - ECC)
Active in reading, travel, cross country skiing, canoeing and hiking
Currently Chair of the Ottawa YMCA Board and a leader with Scouts Canada, past volunteer with United Way (Account Executive), Arthritis Society (Fundraiser), and Nakkertok Ski Club (Coach)
Secret Level Security Clearance (valid to 2024)

This is **Exhibit "B"** referred to in
the Affidavit of **TODD CAIN**
Affirmed before me at the City of
Ottawa, in the Province of Ontario,
this 15th day of January 2015.

A Commissioner for Taking Affidavits

Sherri Laureen Szabados, a Commissioner, etc.,
Province of Ontario, for the Government of Canada,
Department of Health.
Expires December 2, 2015

As per the conditions of your licence, the following information must be submitted to the Office of Controlled Substances of Health Canada on a monthly basis, unless otherwise stated.

This report is due at the Office of Controlled Substances on or before the 15th day of each month, for the previous month.

PART A. Dried marihuana production (kg)
You must report the total amount of dried marihuana (in kilograms) produced in the reporting period.

PART B. Total quantity sold (kg)
You must report the total amount of dried marihuana (in kilograms) sold to the following during the reporting period:

- Registered clients
- Other licensed producers
- Licensed dealers – you must also report on the reasons for selling to Licensed dealers
- Other clients – you must specify the type of client

PART C. Number of clients registered
You must report the total number of persons that were registered clients of your organisation at the end of the reporting period. Include only those persons whose registrations were valid on the last day of the reporting period.
AND
You must report the total number of persons that were registered as new clients of your organisation during the reporting period.

PART D. Number of refused registrations and refusals to fill order
You must report the following for the reporting period: the number of registered clients who tried to register with you, but could not be registered, regardless of the reason;
AND
The number of clients who placed orders or tried to place orders that could not be filled, regardless of the reason.

PART E. Quantity of dried marihuana held in stock as of the final day of the reporting period
You must report the total amount of dried marihuana (in kilograms) as of the final day of the reporting period.

PART F. Import of dried marihuana (kg)
You must report the total amount of dried marihuana (in kilograms) that you imported during the reporting period.

PART G. Export of dried marihuana (kg)
You must report the total amount of dried marihuana (in kilograms) that you exported during the reporting period.

PART H. Quantity lost/stolen (g)
You must report the total amount of dried marihuana (in grams) lost and/or stolen during the reporting period.

PART I. Quantity destroyed (g)
You must report the total amount of dried marihuana (in grams) destroyed during the reporting period.

PART J. Number of shipments
You must report the total number of shipments sent to the following during the reporting period:

- Registered clients
- Other licensed producers
- Licensed dealers
- Other clients – you must specify the type of client

PART K. Number of shipments per province (based on client's location)
You must report the total number of shipments sent to the following in each province and territory.

- Registered clients
- Other licensed producers
- Licensed dealers
- Other clients – you must specify the type of client

PART L. Average amount of marihuana for medical purposes authorized (in g)
You must report the average daily amount of dried marihuana (in grams) supported by Health Care Professionals to be used by the registered clients of your organisation. The daily amount of dried marihuana to be used is indicated on the medical document provided by the registered client's health care professional. The average must be obtained by adding the daily amount of dried marihuana to be used by each registered client and dividing by the total number of registered clients. You should include only those registered clients whose registrations are valid on the last day of the reporting period.

PART M. Median amount of marihuana for medical purposes authorized (in g)
You must report the median daily amount of dried marihuana (in grams) supported by Health Care Professionals to be used by registered clients of your organisation. The daily amount of dried marihuana to be used is indicated on the medical document provided by the registered client's health care professional. The median must be obtained by identifying the daily amount authorised for each registered client, and putting the numbers in increasing order. If the sequence contains an odd number of values, the middle number in the sequence is the median. If the sequence contains an even number of values, you must add together the two values in the middle and divide them by two to obtain the median.

Example 1:
List of numbers:

3, 13, 7, 5, 21, 23, 39, 23, 40, 23, 14, 12, 56, 23, 29

If we put those numbers in order we have:

3, 5, 7, 12, 13, 14, 21, 23, 23, 23, 23, 29, 39, 40, 56

There are fifteen numbers. Our middle number will be the eighth number:

3, 5, 7, 12, 13, 14, 21, **23**, 23, 23, 23, 29, 39, 40, 56

The median value of this set of numbers is 23.

Example 2:

In that case we need to find the middle pair of numbers, and then find the value that would be half way between them. This is done by adding them together and dividing by two.

List of numbers:

3, 13, 7, 5, 21, 23, 23, 40, 23, 14, 12, 56, 23, 29

If we put those numbers in order we have:

3, 5, 7, 12, 13, 14, 21, 23, 23, 23, 23, 29, 40, 56

There are now fourteen numbers and so we don't have just one middle number, we have a pair of middle numbers:

3, 5, 7, 12, 13, 14, 21, 23, 23, 23, 23, 29, 40, 56

In this example the middle numbers are 21 and 23.
To find the value half-way between them, add them together and divide by 2:
21 + 23 = 44
44 ÷ 2 = 22
And, so, the Median in this example is 22.

PART N. Average shipment size (in g)
You must report the average shipment size (in grams) sent to registered clients during the reporting period. The average must be obtained by adding the total amount (in grams) of each shipment and dividing by the total number of shipments.

PART O. Median shipment size (in g)
You must report the median size (in grams) of the shipments sent to registered clients in the reporting period. See the examples above which explain how to determine the median.

PART P. Monthly list of ten highest totals (in g) shipped to a registered client (de-identified)
You must report the ten highest amounts of dried marihuana shipped to registered clients in the reporting period. The name or other information of the registered client must not be identified.

PART Q. Monthly list of ten lowest totals (in g) shipped to a registered client(de-identified)
You must report the ten lowest amounts of dried marihuana shipped to registered clients in the reporting period. The name or other information of the registered client must not be identified.

PART R. Number of shipment per 10 g intervals (0-150g)
You must report the total number of shipments of dried marihuana to registered clients for each of the following: 0 to 10 grams, 11 to 20 grams, 21 to 30 grams, 31 to 40 grams, 41 to 50 grams, 51 to 60 grams, 61 to 70 grams, 71 to 80 grams, 81 to 90 grams, 91 to 100 grams, 101 to 110 grams, 111 to 120 grams, 121 to 130 grams, 131 to 140 grams, and 141 to 150 grams.

PART S. List of all physicians who have completed medical documents for marihuana for medical purposes for registered clients and their location
You must provide a list of all physicians who provided a medical document for a registered client in the reporting period, and include the following information for each physician: the location of the physician and the number of medical documents the physician signed during the reporting period.

PART T. List of all nurse practitioners who have completed medical documents for marihuana for medical purposes for registered clients and their location

You must provide a list of all nurse practitioners who provided a medical document for a registered client in the reporting period, and include the following information for each nurse practitioner: the location of the nurse practitioner and the number of medical documents the nursed practitioner signed during the reporting period.

NOTE: As per the *Marihuana for Medical Purposes Regulations* (MMPR), "dried marihuana" means harvested marihuana that has been subjected to any drying process.

Please submit your completed monthly report to the Office of Controlled Substances by email at MMPR-RMFM@hc-sc.gc.ca, or you may submit by mail to:

Health Canada
A.L.: 0300B
Ottawa, ON K1A 0K9

All relevant sections of the monthly report must be completed and submitted by the deadline of the 15th day of each month, for the previous month. If your monthly report is incomplete, it may be returned to you.

A Health Canada representative is available to assist you if you have any questions pertaining to these reporting requirements. You can send us your questions by email at MMPR-RMFM@hc-sc.gc.ca or call us at 1-866-337-7705.

This is **Exhibit "C"** referred to in
the Affidavit of **TODD CAIN**
Affirmed before me at the City of
Ottawa, in the Province of Ontario,
this 15th day of January 2015.

A Commissioner for Taking Affidavits

Sherri Laureen Szabados, a Commissioner, etc.,
Province of Ontario, for the Government of Canada,
Department of Health.
Expires December 2, 2015

DRAFT VERSION 13
HEALTH CANADA

DRAFTv13

CULTIVATION SECURITY GUIDELINE: GUIDELINE ON BUILDING AND CULTIVATION SECURITY REQUIREMENTS FOR MARIHUANA FOR MEDICAL PURPOSES

(Security Requirements for Licensed Producers for the Building Construction and Cultivation of Marihuana for Medical Purposes)

OFFICE OF CONTROLLED SUBSTANCES
CONTROLLED SUBSTANCES AND TOBACCO DIRECTORATE

FRENCH COPY AVAILABLE

I. PURPOSE AND SCOPE

This guideline has been written for all licenced producers (LP's) wishing to undertake cultivation of marihuana for medical purposes.

It is intended to establish realistic minimum security standards for LP's for securing their building and all cultivation activities involving marihuana for medical purposes which are flexible enough to take into consideration advances in technology, changes in abuse patterns, local problems, construction materials and construction expertise. It is also intended to assist LP's in their own risk assessment when designing security which best meets their needs and scale of production.

An LP's security will be reviewed against the requirements set out in the regulations and this guideline may aid in its approval by Health Canada.

II. RISK ANALYSIS

In a risk assessment there are two major factors which must be measured and their effects considered: the consequence to an affected party should a security incident occur and the probability based upon a number of factors that any such security incident will occur.

(1) Consequences should a security incident occur to:

(i) Society - Through the adoption of the former *Narcotic Control Act* (repealed May 14, 1997), the *Food and Drugs Act* and, most recently, of the *Controlled Drugs and Substances Act*, Parliament has determined that the consequence of controlled substances being available to the general populace, except on a regulated basis, is unacceptable. Cost to society of drugs reaching the illicit market includes, but is not limited to, police and court costs as well as a variety of health and social service costs.

(ii) Licenced Producer- The licenced producer's costs would be:
1) loss of assets
2) loss of potential sales
3) time spent in investigations
4) loss of credibility with law enforcement, members of the community, health professionals, and the Government.

(b) Probability based on a number of factors that a security incident will occur:

When a threat to the assets has been identified, the LP should determine the manner in which to ensure security safeguards are cost effective. Major areas of concern include:

(i) Illicit Market Value -The illicit market values of adolescent plants, mature plants, harvested plants and plant waste is directly related to the probability of theft. Annexe B contains the illicit price of the production and cultivation assets used to determine the type of security required at an LP's building and cultivation site.

Health Canada does not envision updating the illicit market values unless there is a marked change in the desirability of marihuana.

(ii) Robbery/Theft - If armed robbery during the daytime is the most likely form of theft, the LP may consider a method of rapidly notifying the local law enforcement that a robbery is in progress. Thus, proactive discussion could take place with the local law enforcement in the area in order to devise such a plan. Good physical security will both provide a deterrent and delay infiltration. Furthermore, LP's should consider actively protecting all personnel against personal harm which may occur during a robbery or theft.

(iii) Pilferage – Marihuana plant clippings may easily be slipped into a pocket and taken outside the building. To mitigate such a situation, one could require that all employees wear pocket-less coveralls while working in secure areas. The value and ease of concealment of these assets make them an extremely attractive target. Thus there must be restricted admittance to the areas in which any controlled substances are located.

3. SECURITY SYSTEM DESIGN

After completing a risk assessment, security systems can be designed which are commensurate with the value of the assets at each stage being protected and the anticipated threat to each.

By incorporating these security controls into the planning stages of the building a major reduction in both capital and operating costs can be realized. This will avoid costly upgrading at a later date should there be a need to increase the level of security.

(a) SOME CURRENT CONCEPTS IN SECURITY DESIGN

Certain security concepts can be incorporated into the overall design of a security system. Some items worth considering are:

(i) **Observation** - This concept involves the positioning of the items of value in a location where they are under continual or casual observation.

(ii) **Split Target** -This concept requires that the objects being protected are stored in several secure areas instead of in just one secure area.

(iii) **Rings of Protection** - This is a concept which, when properly designed, is very effective. Basically it requires the construction of various rings or barriers of protection around the items being protected, which act initially to detect and then to slow down any intrusion. An alarm system is not a substitute for adequate physical security provisions. Good locks and doors, proper safes and vaults are required. Layers of security can also create a psychological deterrent which may prevent some attempts at theft.

Each barrier should be constructed so that there are no weak areas to attack. It is this concept which forms the basis for most of Health Canada's security requirements.

(b) ACCESS CONTROL

(i) An acceptable security design should incorporate at least the following four security zones:

(1) **Public zone** will provide a buffer zone which will give a clear indication to the public that ownership, and therefore responsibility for behavior in this space, rests with the licencee;

(ii) **Operational zone** is all areas of the building to which delivery personnel, contractors, etc.) has access on a restricted basis, i.e. specific times of the day or night;

(iii) **Security zone** normally located in a restricted area which should only be accessible to employees with a need for access through general security areas; and

(iv) **High security zone** is normally located in a restricted area in which are housed high value/highly sensitive assets, as well as material to which access is strictly restricted to authorized personnel.

(b) Electronic Security Elements

Intrusion Alarm System and Line Supervision
An intrusion alarm system with line supervision to indicate an unauthorized attempt to enter any secure location or tamper with any security equipment is required.

Closed-Circuit Video Equipment
Closed-Circuit Video Equipment (CCVE) must be used in all rooms and the entire premises with the exception of the cultivation area and greenhouse for detection, classification, assessment and recognition (as defined in ULC S-317, latest version). All cameras must be able to allow for positive identification of individuals. All cameras will be recorded 24/7 in duplicate (on two physically separate recording devices) and in real time with recordings kept on file for at least two weeks on a rotating schedule. All cameras and recording devices shall be connected to an uninterruptible power supply sufficient for continuous operation.
Location and installation of cameras and lenses shall be per ULC S-317, latest version. Where CCVE is employed for the purposes of recognition (identification) and/or to provide 100% coverage of areas, the cameras shall be in fixed mountings and not be in a pan-tilt-zoom (PTZ) configuration.

Lighting shall be of sufficient intensity and Colour Rendering Index to meet the CCVE manufacturer's requirement to achieve the detection, classification, assessment, or recognition from the images recorded, per the application requirement.

Alarms
All alarm control units and systems shall be installed in accordance with ULC-S302 (latest version) and monitored by a central station in accordance with ULC-S301 (latest version). Alarm communication (supervision) shall meet the Active Level 2 (*Active Level 2 means attempts to compromise the alarm communication (e.g. spoofing the signal) would be detected)* requirements of ULC-S304 (latest version). Alarm monitoring shall be conducted in compliance with ULC-S301.

All alarm components (sensors, control units, and communicators/enunciators) shall be connected to a protected uninterruptible power supply sufficient for 24 h continuous operation.

Intrusion Monitoring System (IMS)
All intrusion monitoring equipment (e.g. volumetric sensors, glass-break detectors, beam-break sensors) required by this directive shall conform to ULC -S306 (latest version) or UL-639 (latest version) and be installed in accordance with ULC-S302 (latest version).

Electronic Access Control

Electronic access control is the process of identifying an individual through some kind of credential, e.g. personal identification number (PIN), proximity, stripe, or smart card, or biometrics.

Where electronic access control is not supplemented by CCVE-enabled or direct guard recognition, it shall employ two separate methods of authentication, e.g. proximity card and PIN.

A PIN credential by itself is not sufficient for access control (due to security concerns with over viewing and/or disclosure of PINs).

Electronic Access Control Systems shall conform to ULC – S319 (latest version) for Class III systems.

General Physical Security Measures

The following offers a description of the security which is presented as Health Canada's minimum requirements for building security as well as securing the cultivation of marihuana for medical purposes. All potential LP's must provide all their security proposal specifications as part of the application process. Health Canada will review this documentation and provide guidance as necessary. All buildings regardless of production size must meet these minimum building and cultivation requirements. Health Canada may allow alternate methods of construction provided the penetration resistance is at least equal to the standard. It is the responsibility of the Senior Person In-Charge (SPIC), Responsible Person In-Charge (RPIC) and Alternate Responsible Persons In-Charge (A/RPIC's) to ensure all requirements for safeguarding the building, plant materials and activities relating to the cultivation of marihuana for medical purposes as per their license are met. Furthermore only the SPIC, RPIC and A/RPIC's are permitted to have access to padlock keys, alarm codes and vault combinations and therefore must be stored in a secure location. All combinations must be changed yearly, or when a person knowing the combination no longer requires it.

For securing seeds and dried material, the *Directive on Physical Security Requirements for Controlled Substances (Security Requirements for Licensed Dealers for the Storage of Controlled Substances)* published by the Department, as amended from time to time applies.

SECURING THE BUILDING

LP buildings may be (1) stand alone or consist of (2) shared walls. LP's must have signage stating no trespassing (trespassers will be prosecuted) and private property as demarcation. The minimum requirements for each building type are described below.

Retrofit Requirements
Where existing buildings (either single-occupancy "stand-alone" or multiple-occupancy "shared") are used, LPs must demonstrate to satisfaction of Health Canada inspectors that the existing structural elements provide penetration resistance equivalent to the construction specified for building requirements.

(1) STAND-ALONE BUILDING

Fence
All external building doors and shipping/receiving areas must be fenced. The fenced area must be secured in order to prevent unauthorized access as well as be equipped with CCVE for facial recognition. The minimum specification and installation requirements for fences are described below.

Chain Link Fence:
Fence must be at least 1.8 m in height constructed of wire chain links made of wire not smaller than gauge number 11, having openings whose sides do not exceed 6 cm in length.

Wall Fence:
Wall must be at least 1.8 m in height, constructed of steel, wood, concrete, masonry or other substantial material or composites of such.

STAND-ALONE BUILDING REQUIREMENTS

The following are examples of acceptable construction techniques for stand-alone buildings:

Floor
Buildings on grade are envisaged as the typical installation. In these instances, the floor shall be constructed of a minimum of 10 cm (4") of poured concrete (20.7 MPa (3000 lb/in^2) minimum strength), reinforced as required to meet structural codes. Reinforcement shall consist of a minimum of 1/8" wire on maximum 8" grid spacing.

External Building Walls
All external building walls must be at least 10 feet in height and shall be constructed with a minimum number of openings. All openings in walls are to be secured against unauthorized entry.

Roof

The following roof construction requirements apply except to the greenhouse. All openings in the roof are to be kept to a minimum and are to be secured against unauthorized entry. Roof construction must provide penetration resistance equivalent to ¼" mild steel plate.

Where access to the roof is required, access mechanisms (for example a ladder) shall be mounted to either the interior or exterior of the building. External fixed access to the roof is to be constructed as per Annexe C.

Exterior Windows

Windows shall be kept to a minimum number and are to be secured against unauthorized entry; protected with security screens or grilles as per Annexe D. Where moveable windows are used, they must only open inwards.

Exterior Doors

Exterior building doors shall be kept to a minimum number and must be secured against unauthorized entry.

All exterior door locks shall employ ANSI 156.13 Security Grade 1 deadbolt using a UL 437-listed cylinder. Exterior door locks shall not be keyed to the Master key system. The key function shall not be used to override the intrusion detection system.

Access through doors must be controlled by electronic access control (the access control system shall not be able to by-pass or override the intrusion monitoring system) and by CCVE facial recognition by guard; but not solely by mechanical keys. The CCVE must provide 100% coverage of all personnel wishing to gain access to the building.

Door and Frame – Commercial Steel Door and frame compliant with section 08 11 13 of Canadian Steel Door Manufacturer's Association (CSDMA) Publication: *Recommended Specification for Commercial Steel Door and Frame Products.* Door may be specified as fire rated where required. All doors and frames are to be selected and installed as per Annexe E.

Other Openings

All openings greater than 96 sq inches in cross-section with at least one dimension greater than 6 inches must be secured with structures providing force resistance equivalent to the security screens or grilles specified for exterior windows (Annexe D).

Where movable openings (for example roof access hatches) are used, they must be secured from the interior where possible, and must be locked with an approved padlock (Annexe A).

Shipping/Receiving (Loading) Area

A secured and fenced area must be established for loading and unloading vehicles. Access to this area shall be restricted to authorized personnel and escorted drivers only. CCVE must be installed and used to provide 100% coverage of the shipping/receiving area.

(2) SHARED WALL(S) BUILDING

Fence

Fencing (per requirements for Stand-Alone Building) around all external building doors and around the shipping and receiving area. If fencing around an external building door in a shared walls building is not feasible, the LP must ensure that the external building door connects to a secondary public zone within the building prior to entering a secondary secured operational zone.

Personnel Access to Building

Access through doors must be controlled by electronic access control and by CCVE facial recognition by guard; but not solely by mechanical keys. The CCVE must provide 100% coverage of all personnel wishing to gain access to the building.

SHARED WALL(S) BUILDING REQUIREMENTS

Examples of acceptable construction techniques for shared-wall buildings are as per stand-alone section 1 requirements. In addition to this, all shared wall(s) within a building must be secured and have CCVE cameras providing 100% coverage of these wall(s).

Shared utilities

Penetrations in the walls, floor, and roof for utilities (e.g. electrical, gas, water) shall be secured per the Mechanical and Electrical Pass-through Construction requirements (Annexe G).

SECURING CULTIVATION

The cultivation area is defined as an enclosed space where marihuana plants are grown and harvested under controlled conditions. Marihuana seeds, adolescent plants, mature plants, harvested plants, dried plants, packaged plants and plant waste are to be secured as per the requirements described below.

CULTIVATION AREA (securing and storing live and harvested plants)

The cultivation area is defined as an enclosed area consisting at minimum of concrete floor, metal mesh-reinforced walls or industrial rebar, and either a structural or metal-mesh reinforced ceiling. These requirements apply regardless of building construction, i.e. the metal mesh ceiling is still required for greenhouse-based operations. Access through doors must be controlled by electronic access control and CCVE facial recognition by guard.

Wall Construction

Cultivation area walls should be slab-to-slab (from finish floor to the underside of structural roof or floor) or continue across the ceiling to form a continuous secure enclosure. From a security perspective, steel mesh sheets attached to the underside of structural joists are acceptable.

Duct Openings

When a duct is passing into or through the cultivation area and has a cross-section area greater than 96 sq inches, it must be protected with steel man bars (any duct with one dimension less than six inches does not require man bars). Man bars shall be 5/8" – 15 mm diameter on 6 inch (150 mm) spacing or less, securely welded to steel frames. Duct pass-through construction shall be per Annexe F.

Mechanical and Electrical Pass-through Construction

In the cultivation area, mechanical and electrical pass-throughs shall be kept to a minimum and shall be constructed as per Annexe G.

Where necessary to accommodate pipe or conduit movement or expansion, pipes and conduit may be enclosed in a close-fitting sheet metal sleeve and the sleeve mechanically fastened to the stud framing at two places (minimum). Clearance between the sleeve and pipe or conduit must not exceed ¼".

Ventilation

In order to prevent the escape of pollen and other particles, 100% of the exhaust air must be filtered through HEPA H-13 filters. The entire cultivation area shall be a "negative pressure" environment.

Doors

Access doors to the cultivation area could be kept to the minimum and must be equipped with approved locking hardware (see Annexe E), door closers, contact switches, electronic access control, and be kept closed and locked to the extent possible consistent with operations.

Door and Frame – Commercial Steel Door and frame compliant with section 08 11 13 of Canadian Steel Door Manufacturer's Association (CSDMA) Publication: *Recommended Specification for Commercial Steel Door and Frame Products.* Door must be specified as fire rated where required. Doors are to be selected and installed per Annexe E.

GREENHOUSE

The greenhouse is defined as an enclosed space with a glazed ceiling where marihuana plants are grown and harvested under controlled conditions. Where a greenhouse is being used by an LP building, it must meet all the requirements of a stand-alone building (including solid wall construction to the roofline or a minimum of 10 feet high, whichever is greater) with the exception of the structural roof requirements. All cultivation area requirements must be satisfied for a greenhouse, including the steel mesh ceiling, however, the following additional requirements apply:

Glazing panel removal
Glazing panels shall be attached to the roof structure in such a manner to prevent removal from the exterior.

Glazing break/penetration detection:
Breakage of any glazing element that results in an opening of 96 sq inches or greater shall be detected by one of the three options listed. Where non-laminated glass is employed, all 3 detections options are permitted. Where all other glazing is employed, only options 2 and 3 are permitted.

Option 1:
Glass-break sensors of sufficient number must be appropriately located to provide 100% coverage of the glazing area in accordance with the manufacturer's recommendations.

Option 2:
Electrically conductive foil or wire shall be applied to or otherwise incorporated in the glazing elements to provide detection of breaks greater than 96 sq. inches.

Option 3:
Volumetric or beam-break detection systems shall be employed to provide 100% coverage of the interior surface area of the glazing.

Openings
All openings in the greenhouse greater than 96 sq inches in cross-section with at least one dimension greater than 6 inches are to be secured with structures providing force resistance equivalent to the security screens or grilles specified for exterior windows.

Where movable openings (e.g. roof access hatches) are used, they could be secured from the interior where possible, and shall be locked with an approved padlock.

SECURING AND STORING WASTE MATERIAL

All waste material from cultivation or production is still considered to be a controlled substance with the exception of mature cannabis stalks (not including leaves, flowers or seeds) and fibers derived from the stalks as well as any non-viable cannabis seeds as per Schedule II of the *Controlled Drugs and Substances Act*. For this reason, waste material that is a controlled substance must be secured as per the cultivation area requirements until destroyed by an approved method.

ANNEXES

ANNEXE A: Approved Padlocks

All padlocks used to secure openings must be used with their matching hasp. All hasps must be installed with close-fitting, high strength hardware (Grade 5 or higher bolts/screws) using appropriate security features (e.g. carriage bolts, or one-way fasteners) and be installed into structurally solid elements so that the hasp cannot be easily pried off the door or frame. Where hasps are installed on hollow metal products less than 3/16" thick (e.g. door frames), the frame must be internally reinforced with a plate of 1/8" thick steel that overlaps the hasp by at least 1/2" on all sides and is welded in place.

The following is a list of some padlocks available which meet or exceed Health Canada's requirements.

MANUFACTURER	MODEL	SHACKLE DIAMETER (mm)	SHACKLE CLEARANCE (mm)
ABLOY with Protec keyway	PL340N/25 PL342N PL350N/25 PL362N	Various	11
MEDECO with M3 keyway	54K-71FRO 54K-725RO	11	11

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ANNEXE B: Prices to be Used in Determining the Illicit Value for Marihuana Cultivation

TABLE 1

PRICES TO BE UTILIZED IN DETERMINING THE ILLICIT VALUE FOR MARIHUANA CULTIVATION

Growth Stage	Illicit Value
Seed	$1 per seed
Adolescent Plant	$225 per plant
Mature Plant	$750 per plant
Harvested	$10 per gram
Dried Plant and Dried Packaged Plant	$10 per gram
Plant Waste	$5 per gram

ANNEXE C: Securing exterior, fixed-mount access ladders on building structures

This design assembly may be completely bolted, riveted or welded.

Steel Door

Frame
The frame shall be a minimum 25 mm x 25 mm x 4.8 mm (1" x 1" x 3/16") steel angle welded at each corner.

Door
The face of the door shall be between 1.6 mm (16 gauge) and 1.0 mm (20 gauge) CRS.

Fastening
The sheet steel may be either bolted to the frame, the bolts spaced a maximum of 203 mm (8") OC. and peened at the end, or spot welded every 203 mm (8") with a 25 mm (1") weld on the inside.

Size
The door shall be a minimum of 2438 mm (8'-0") high and the width determined by the width of the ladder.

Location
The door shall be secured to the ladder so there is a minimum of 1524 mm (5'-0") from the finished grade to the bottom of the assembly.

Hinges
The hinges shall be steel, standard duty with fast spun pins (FSP) and a minimum size of 76 mm x 44 mm (3" x 1 3/4").
There shall be a minimum of 3 hinges per door.
The hinges shall be secured by bolts, to be subsequently peened, riveted or welded in place.

Hasp
The hasp shall be steel, standard duty, of sufficient size to accept a 50mm lock shackle.
The hasp shall be secured by bolts, subsequently peened, riveted or welded in place.
The hasp shall be secured 305 mm (1'-0") above the bottom of the door.

Sides
Where required, both sides of the ladder shall be enclosed with sheet steel between 1.6 mm (16 gauge) and 1.0 mm (20 gauge) in thickness.
The sheet steel may be bolted to the ladder frame, the bolts spaced a maximum of 203 mm (8") OC. and peened, or spot welded every 203 mm (8") with a 25 mm (1") weld.

Bottom

19 mm (3/4") steel rod shall be positioned at the bottom of the door and welded to the steel brackets or steel flanges may be welded to the ends of the 19 mm (3/4") steel rod enabling the rod to be bolted to the steel brackets. If bolted, they shall be peened.

Spring Latch

To prevent the barrier from vibrating in high winds, a spring latch may be applied to the ladder, 305 mm (1'-0") from the top of the door by either bolting or welding in place (not mandatory).

Approved Padlocks

As per Annexe A

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ANNEXE D: Windows Specifications

Where windows are used, they will be protected with security screens or grilles such as the following:

Security Window Screens Construction Details:

A. Frame: Mild Steel angle - square cornered, mitered & fully welded size as follows:
1. 25 mm x 25 mm x 3 mm for windows up to 900 mm in width or height
2. 32 mm x 32 mm x 5 mm for windows 900 mm to 1800 mm in width or height

Windows larger than 1800 mm in width or height must be secured using the Security Grille Construction Details.

B. Screen Material: standard 3/4 – 9 flattened (10 gauge) expanded metal mesh with 3 mm fillet weld along the strand at each contact point with the frame. There are to be no seams or joints in the screen material.

C. Fasteners: 10 mm (3/8") dia bolts securely anchored to structural members through 11 mm dia fastening mount holes in frames. Bolt heads to be arc welded to frame over min. ½ of bolt head circumference. Bolts are to be spaced at 300 mm on centre (OC) or less, with bolts less than 100 mm from each corner as per Figure 1.

Security Grille Construction Details:

A. Frame: Mild Steel angle - square cornered, mitered & fully welded size as follows:
1. 25 mm x 25 mm x 3 mm for windows up to 900 mm in width or height
2. 32 mm x 32 mm x 5 mm for windows 900 mm to 1800 mm in width or height
3. 38 mm x 38 mm x 6 mm for windows over 1800 mm in width or height

B. Grille Construction: Minimum 15 mm (5/8") dia square or rectangular solid steel rods (no tubular material). All points of contact between different design elements shall be fully welded at all contact points. The maximum dimension in the grille opening shall not exceed 150 mm.

C. Fasteners: 10mm (3/8") dia bolts securely anchored to structural members through 11mm dia fastening mount holes in frames. Bolt heads to be arc welded to frame over min. ½ of bolt head circumference. Bolts are to be spaced at 300 mm OC or less, with bolts less than 100 mm from each corner as per Figure 1.

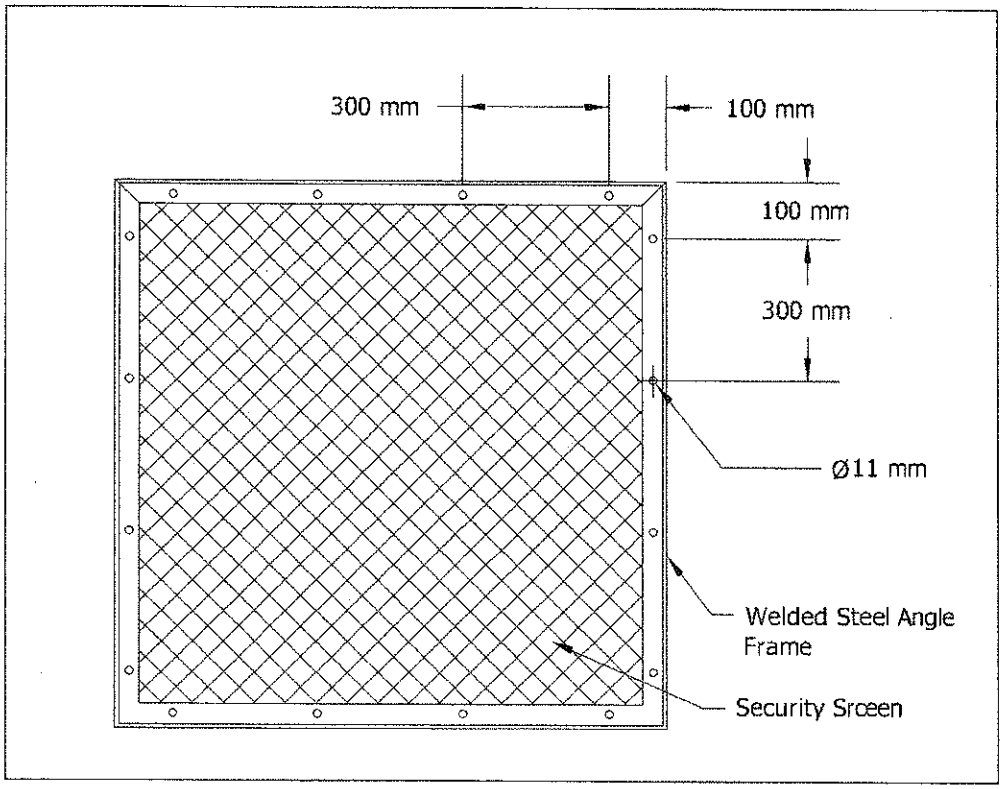

Figure 1: Window Bolt Spacing Requirements

Installation

Window screens and security grilles will be fixed (non-movable) and may be mounted in either recessed mountings (Figure 2), or flush mounted (Figure 3).

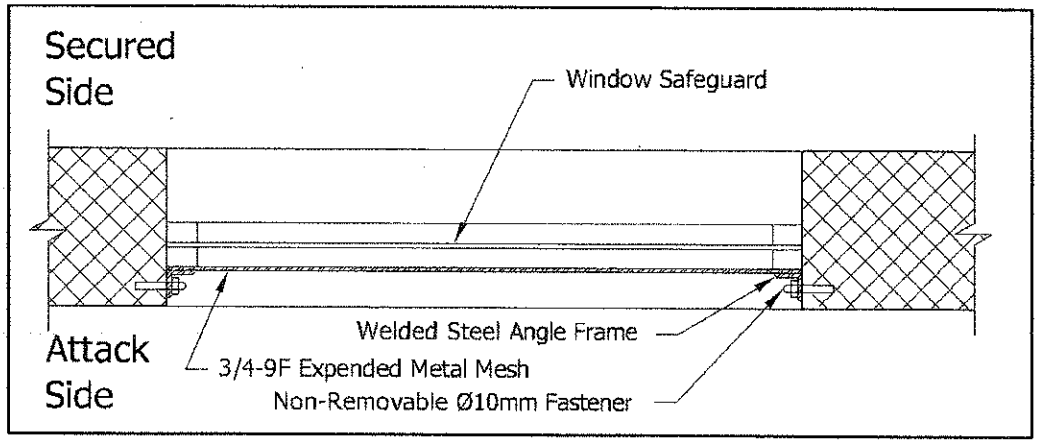

Figure 2: Recess-mounted Window Security Screen

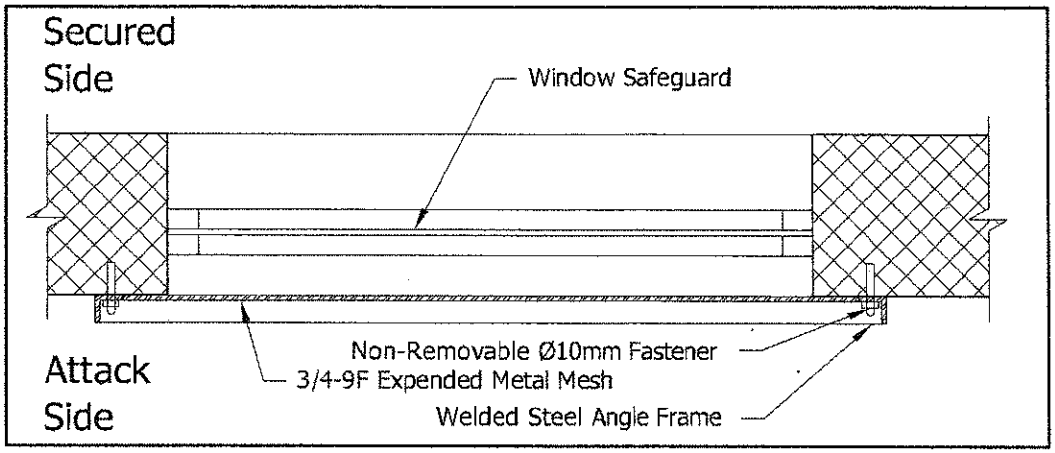

Figure 3: Flush-mounted Window Security Screen

Referenced Commercial Standards

These standards are available for purchase from their respective standards associations, or from standards vendors such as IHS Standards (http://global.ihs.com/) , the ANSI Store (http://webstore.ansi.org/)

ASTM F1267-07: *Standard Specification for Metal Expanded Steel*
American Society for Testing and Materials http://www.astm.org/

EMMA 557-99: *Standard for Expanded Metal, Introduction, Product Selection Considerations, Terminology, Manufacturing Process, Manufacturing Tolerances and Applications.*
Expanded Metal Manufacturers Association http://www.naamm.org/emma/

ANNEXE E: Door, Frame, Locks, Hinges and Hardware Construction Requirements

Door and Frame – Commercial Steel Door and frame compliant with section 08 11 13 of the Canadian Steel Door Manufacturer's Association (CSDMA) Publication: *Recommended Specification for Commercial Steel Door and Frame Products.* Door may be specified as fire rated where required.

Door

Face Gage: 18 gauge (1.2 mm) steel
Construction: Laminated core with vertical steel stiffeners at 150 mm OC (stiffeners laminated to each face sheet with voids between stiffeners filled with fiberglass batt type material).
Caps: 'Flush Closing Channel' or 'Flush Channel' top and bottom cap required.
Edges: all edges and top and bottom cap to be continuously welded and ground smooth. Refer to NAAMM 810-09 Part 2. A. Figures E and F for edge details.
Door handing: must be specified as per client requirements.

Frame

Gage: 16 gauge (1.63 mm) steel
Frame construction: Welded or fully field welded "knock-down" (for retrofit applications).
Anchors: "Z" shape steel wall anchors welded to frame.
Reinforcing at latch: as per lock manufacturer recommendations. Lock specifications must be provided to the supplier/ manufacturer to provide necessary reinforcing requirements.

Locks

A LKM7006 pedestrian door lock is to be used on each door accessing the cultivation area in conjunction with UL 437-listed rim cylinder and electronic access control system.
Note that Request to Exit switch must not be wired to disable the intrusion detection system (alarm).

Hinges

Hinges shall be to ANSI/BHMA A156.1 (Test Standard) and ANSI A8112 (Steel Material Standard).
Full mortise, five knuckles, two ball bearings, Standard Weight.
Dimensions: 114 mm (4 ½") x 114 mm (4 ½") x 3.4 mm (0.124 in) thick.
Three (3) hinges per door required (1½ pairs).
Hinges mounted on the attack side must be NRP (non-removable-pin) and have security studs.

Door closer:

Door closer to be overhead style, conforming to ANSI A156.4 Grade 1.

Door Contact:

Minimum 2 contact switches per door or moveable opening.
Ensure that the model has steel built into the switch so that mounting on steel will have no effect during installation and the adjustment will remain correct.

Door Installation:

Doors and Frames are to be installed in accordance with HMMA840-07.
Doors may be either regular or reverse hung. For reverse hung doors, a "Z" type astragal covering the entire lock edge of the door is required. The astragal is to be constructed of 14 gauge steel conforming to either ASTM A653 or A653M. Where doors are regular hung, the astragal is not required.

Where double doors are used (e.g. to allow handling equipment access), the second door (not equipped with the approved lock) shall be secured by installing heavy duty locking bars at the top and bottom that can be secured with approved padlocks (to ensure users do not open them and leave them open). The bars shall be of not less than 30 mm diameter and connected to the door with two guides that are welded or riveted to the door and spaced at least 300 mm apart (shown in Figure 4). The bars must project at least 30 mm into a pocket or guide welded or riveted to the frame. The bars shall have a design that prohibits the bars from coming unlocked when the padlock is attached.

This approach requires strict adherence to policy and procedure and could be used with discretion. The second door shall only be unlocked during the time required to move the equipment in or out. The keys to the padlocks will be secured by the SPIC and RPIC only.

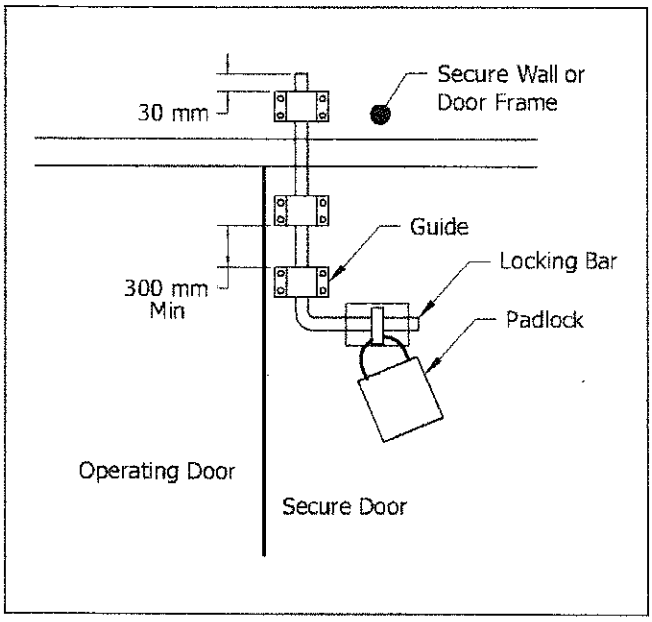

Figure 4: Double door locking requirements

Referenced Commercial Standards

These standards are available for purchase from their respective standards associations, or from standards vendors such as IHS Standards (http://global.ihs.com/), the ANSI Store (http://webstore.ansi.org/)

ANSI/ BHMA A156.4: Door Controls-Closers
American National Standards Institute http://www.ansi.org/

ANSI/BHMA A156.1: *Butts and Hinges*
American National Standards Institute/ Builders Hardware Manufacturers Association http://www.ansi.org/

ASTM A627-03: *Standard Test Methods for Tool-Resisting Steel Bars, Flats, and Shapes for Detention and Correctional facilities* http://www.astm.org/

ASTM F1267-07: *Standard Specification for Metal Expanded Steel*
American Society for Testing and Materials http://www.astm.org/

CSDMA 08 11 13: *Recommended Specification for Commercial Steel Door and Frame Products*
Canadian Steel Door Manufacturer's Association http://www.csdma.org/

HMMA 840-07: *Guide Specification for Installation and Storage of Hollow Metal Door and Frame*

HHMA 810-09 (NAAMM Standard): *Hollow Metal Doors*
Hollow Metal Manufacturers Association http://www.naamm.org/hmma/

ANNEXE F: Duct Pass-through Construction Detail:

A. Ceiling mount (Figure 5)
   1. Wall framing shall be constructed to provide ½" or less clearance around duct sleeve.
   2. Duct sleeve shall be the same thickness as duct passing thru. The overall dimension of the sleeve shall be slightly greater than the actual duct line as it need to fit in the sleeve.
   3. Frame shall be constructed of 1 3/8'' x 1 3/8'' x 1/8'' angles welded around duct sleeve and could have ceiling mount brackets.
   4. Man bars Ø 5/8'' (16 mm) shall be spaced at 6'' OC and welded to the angle frame.
   5. The duct sleeve shall be secured to the structural ceiling with mechanical fasteners.
   6. Protection material shall extend to within ¾" from the edge of the duct opening on all sides.

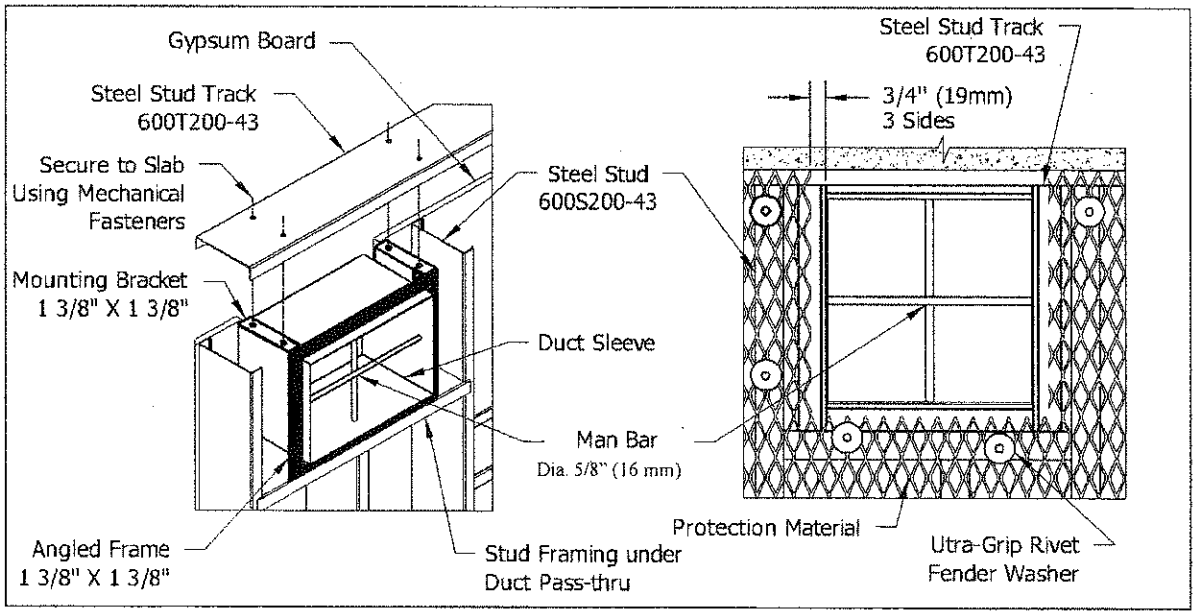

Figure 5: Ceiling Mount Duct Pass-through

B. Surface mount: (Figure 6)
   1. Wall framing shall be constructed to provide ½" or less clearance around duct sleeve.

2. Duct sleeve shall be the same thickness material as duct passing through with an overall dimension slightly greater than the actual duct line as needed to fit.
3. Outside cultivation area: Frame shall be constructed of 1- 3/8'' x 1- 3/8'' x 1/8'' angles welded around duct sleeve. 5/8'' (16 mm) dia man bars shall be spaced at 6'' (150 mm) OC and welded to angled frame.
4. Inside secure room: Frame shall be constructed of 1- 3/8'' x 1- 3/8'' x 1/8'' angles welded together. Inside dimension to be slightly greater than the duct sleeve as it needs to fit around the sleeve.
5. Duct sleeve must be secured with ¼'' dia bolts and hex nuts (inside the room) at 8'' OC around the outside duct sleeve. The bolt head shall be on the attack side and be welded all around to the angle frame.
6. Protection material shall extend to within ¾" from the edge of the duct opening on all sides.

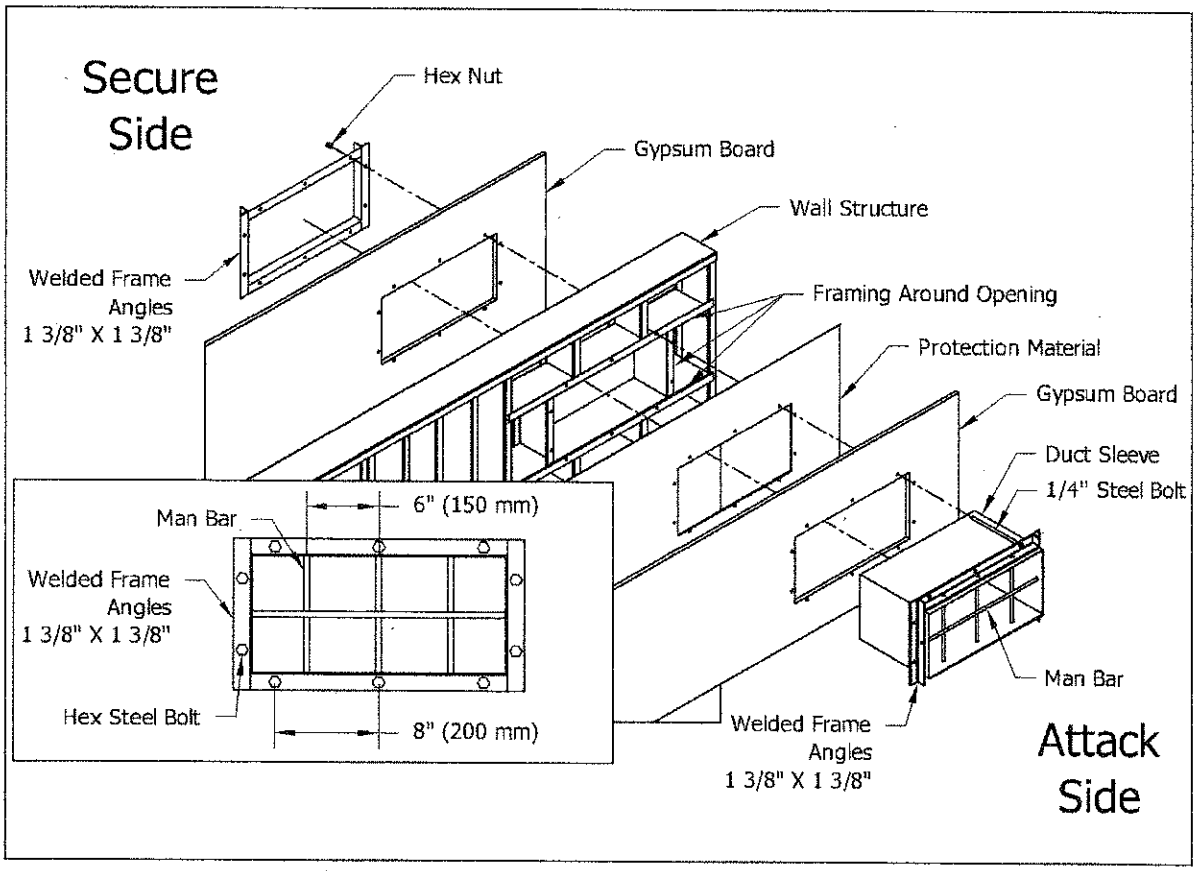

Figure 6: Surface Mount Duct Pass-through

Annexe G: Mechanical and Electrical Pass-through Construction

Where pass-throughs are required, openings in the wall could be framed with studs to within 1 inch (25 mm) of the pipe/conduit and the pipe or conduit secured to the stud framing at a minimum of 2 places. The wall protection material (steel mesh) shall be extended to within ¾" (20 mm) of the edge of the opening.

This is **Exhibit "D"** referred to in
the Affidavit of **TODD CAIN**
Affirmed before me at the City of
Ottawa, in the Province of Ontario,
this 15th day of January 2015.

A Commissioner for Taking Affidavits

Sherri Laureen Szabados, a Commissioner, etc.,
Province of Ontario, for the Government of Canada,
Department of Health.
Expires December 2, 2015

June 19, 2013

GUIDANCE DOCUMENT

Building and Production Security Requirements for Marihuana for Medical Purposes

Published by authority of the
Minister of Health

Controlled Substances and Tobacco Directorate
Healthy Environments and Consumer Safety Branch

Canada

Pub: 130083

Également disponible en français sous le titre: *Exigences en matière de sécurité des bâtiments et de la production de marihuana à des fins médicales.*

FOREWORD

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Guidance documents are meant to provide assistance to industry and health care professionals on how to comply with governing statutes and regulations. Guidance documents also provide assistance to staff on how Health Canada mandates and objectives should be implemented in a manner that is fair, consistent and effective.

Guidance documents are administrative instruments not having force of law and, as such, allow for flexibility in approach. Alternate approaches to the principles and practices described in this document may be acceptable provided they are supported by adequate justification. Alternate approaches should be discussed in advance with the relevant program area to avoid the possible finding that applicable statutory or regulatory requirements have not been met.

As a corollary to the above, it is equally important to note that Health Canada reserves the right to request information or material, or define conditions not specifically described in the document, to allow the Department to adequately mitigate the risk of diversion of controlled substances to an illicit market or use.

This document should be read in conjunction with the relevant sections of other applicable guidance documents and the *Directive on Physical Security Requirements for Controlled Substances*.

TABLE OF CONTENTS

1. Purpose

The document is intended to help Licensed Producers (LPs) comply with Division 3 security measure requirements of the *Marihuana for Medical Purposes Regulations* (MMPR) which include general security measures, and security measures for the perimeter of site and areas within a site where cannabis is present.

LP's should note that this guidance document **does not** apply to the storage of dried marihuana, marihuana seeds and cannabis used solely for the purpose of testing in order to determine the percentages of cannabinoids in dried marihuana. The security measures for the storage of these substances can be found in Health Canada's *Directive on Physical Security Requirements for Controlled Substances* (Security Directive). The Security Directive establishes realistic minimum security standards for the **storage** of controlled substances and applies to dried marihuana, marihuana seeds, and to cannabis used solely for the purpose of conducting in-vitro testing in order to determine the percentages of cannabinoids in dried marihuana (both packaged and unpackaged). In addition to the requirements included in the Security Directive, there are specific outcome based requirements set out in Division 3 of the MMPR. These requirements aim to prevent unauthorized access to your site and to restrict and monitor access to areas within your site where cannabis is present.

It is the LP's responsibility to ensure that provincial, municipal and federal legislation including building and fire codes are complied with. Health Canada's Office of Controlled Substances is the authority responsible for licensing and compliance monitoring under the *Controlled Drugs and Substances Act* (CDSA) and MMPR.

2. Background

The safeguarding of controlled substances is an issue that confronts all manufacturers, distributors, practitioners, pharmacists, law enforcement and government. Health Canada limits the handling of these substances through policies, guidelines and legislation such as the CDSA, the *Narcotic Control Regulations* (NCR) and the MMPR. Cannabis, its preparations, derivatives, and similar synthetic preparations as listed under Schedule II of the CDSA are included in the definition of a controlled substance. Those wishing to engage in lawful activities must, therefore, be properly licensed and ensure that the controlled substances are adequately secured and safeguarded at all times for public safety and to minimize risks of diversion.

3. Scope

This guidance document is applicable if you are interested in producing marihuana for medical purposes or want to engage in any other regulated activity set out in the MMPR. These guidelines outline regulatory requirements and include examples of security measures that you can put in place for both building construction and electronic systems. The Procedures section of this document will assist you on how to meet these requirements. Furthermore, it is the LP's responsibility to ensure that provincial, municipal and federal legislation including building and fire codes are complied with.

This guidance document does not apply to licensed dealers under the *Narcotic Control Regulations*, the *Benzodiazepines and Other Targeted Substances Regulations*, and Part G or Part J of the *Food and Drug Regulations*.

Please note that all waste cannabis material from cultivation or production is considered to be a controlled substance with the exception of mature cannabis stalks that do not include leaves, flowers, branches or seeds; and fibers derived from the stalks as well as any non-viable cannabis seeds as per Schedule II of the CDSA. Waste cannabis material that is a controlled substance must be secured in accordance with the CDSA and as outlined in Health Canada's *Directive on Physical Security Requirements for Controlled Substances* (Security Directive) until destroyed.

4. Procedures

As part of the application to become a LP, you must provide a detailed description of the security measures at the proposed site, in accordance with Division 3 of the MMPR and the Security Directive, published by Health Canada, as amended from time to time. It is up to you to determine potential security risks at your site and to design and implement appropriate security systems and protocols to meet the regulatory requirements outlined above. Health Canada officials will review your security proposal as part of their consideration of your application. It is important that you seek appropriate professional advice before undertaking any construction work.

The security of your site and of the areas within your site where cannabis is present does not end with the design and construction. Security requirements detailed in the regulations require your attention on a continual basis. It is the ongoing responsibility of the LP to ensure that all requirements for securing their site, areas within their site where cannabis is present and the storage of cannabis and any activities relating to the production of marihuana for medical purposes (as per their licence) are met.

In addition, it is the responsibility of the LP to ensure that provincial, municipal and federal legislation including building and fire codes are complied with.

5. Specific Regulatory Provisions in Division 3 of the MMPR

In this section, specific regulatory provisions from the MMPR are reproduced in bold and italicized text, followed by guidance on how these regulatory provisions can be met.

5.1 Regulatory Provisions Relating to Securing Your Site

MMPR s41	***A licensed producer must ensure that the security measures set out in Division 3 are carried out.***
MMPR s42	***The licensed producer's site must be designed in a manner that prevents unauthorized access.***
MMPR s47	***Those areas [within a site where cannabis is present] must include physical barriers that prevent unauthorized access.***

Guidance: Signage and Physical Barriers

If your site is a stand-alone building, or a space within a building that shares walls, then physical barriers and signage posted at the perimeter and entrance to your building/space can assist in ensuring that your site is secure. The main purpose is to prevent unauthorized access and to act as a definite demarcation. Physical barriers are required for securing all areas within a site where cannabis is present. Physical barriers should provide sufficient resistance to impede unauthorized access to the premises where cannabis is present.

For example, a physical barrier of some kind (e.g. a fence surrounding the site) and a sign stating that it is private property or a restricted area and that unauthorized access is prohibited are appropriate.

Guidance: Entrances, Doors and Frames

Minimizing the number of entranceways to the site and areas within a site where cannabis is present will assist in securing and monitoring the space; however, it should remain consistent with fire and building safety codes. Securing all entrances to the building, site or areas within a site where cannabis is present would prevent unauthorized access.

For example, entranceways to areas within a site where cannabis is present could be equipped with commercial steel doors and frames. Doors may be specified as fire rated where required. The doors could also be equipped with the appropriate locking hardware, door closers, contact switches, and electronic access control mechanisms, to assist in providing appropriate security against unauthorized access.

Keeping your entranceways closed and locked to the extent possible given your business operations can assist in ensuring that your site and areas within a site where cannabis is present are secure.

Keeping doors and entrances to the areas within your site where cannabis is present closed at all times with an operational intrusion detection system on (alarm system that operates at all times) would further prevent unauthorized access.

Guidance: Openings, Ducts and Mechanical/Electrical Pass-Throughs

Minimizing the number of openings, ducts and pass-throughs in your site and areas within your site where cannabis is present will assist in preventing unauthorized access.

Protecting all other openings with security screens, steel bars or equivalent material, welded to steel frames will assist in preventing unauthorized access to your site. The screens and bars are most effective in preventing unauthorized access including quick entry, grab and exit type intrusions.

Where appropriate to accommodate pipe or conduit movement or expansion, pipes and conduits can be enclosed in a close-fitting sheet metal sleeve and fastened to a frame to provide appropriate security.

Guidance: Wall Construction

The walls of your site should be constructed to assist in ensuring that unauthorized access to your site and areas within your site where cannabis is present is prevented.

For example, slab-to-slab construction and steel mesh sheets attached to the underside of structural joists can assist in ensuring wall security.

Guidance: Glazing Panel Security

Appropriate use of glazing panels can assist in ensuring that unauthorized access to your site is prevented.

For example, any glazing panels used in roofing (in a greenhouse for example) should be attached directly to the roof structure in such a manner as to preventing removal from the outside.

Building security can be further ensured by using appropriate electronic equipment to monitor glazing elements, including sensors that can detect breakage of glazing panels.

Mechanisms that can provide secure monitoring of glazing elements include at least one of the following:

- Glass-break sensors of sufficient number may be appropriately installed to provide 100% coverage of the glazing area.
- Electrically conductive foil or wire can be incorporated in the glazing elements to provide detection of breaks.
- Volumetric or beam-break detection systems can be employed to provide 100% coverage of the interior surface area of the glazing.

5.2 Regulatory Provisions Relating to Monitoring and Detection

Perimeter of the Site

MMPR s43. (1)	***The perimeter of the licensed producer's site must be visually monitored at all times by visual recording devices to detect any attempted or actual unauthorized access.***
MMPR s43. (2)	***The [visual recording] devices must, in the conditions under which they are used, be capable of recording in a visible manner any attempted or actual unauthorized access.***
MMPR s44.	***The perimeter of the licenced producer's site must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in the site or tampering with the system.***
MMPR s45.(1)	***The system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence [of attempted or actual unauthorized access].***
MMPR s45.(2)	***If any such occurrence is detected, the personnel must make a record of: the date, time of the occurrence; and the***

measures taken in response to it and the date and time when they were taken.

Areas Within a Site Where Cannabis is Present

MMPR s48.(1) ***Those areas [within a site where cannabis is present] must be visually monitored at all times by visual recording devices to detect illicit conduct.***

MMPR s48.(2) ***The devices must, in the conditions under which they are used, be capable of recording in a visible manner illicit conduct.***

MMPR s51.(1) ***The intrusion detection system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence [of illicit conduct, any attempted or actual unauthorized access to or movement in those areas or tampering with the system].***

MMPR s51.(2) ***If any such occurrence is detected, the personnel must make a record of: the date, time of the occurrence; and the measures taken in response to it and the date and time when they were taken.***

Guidance: Video Coverage

Visual monitoring of the perimeter of your site, as well as the areas areas within your site where cannabis is present can be achieved using closed circuit video equipment (CCVE). Appropriate lighting equipment in conjunction with CCVE can assist in the detection, classification, assessment, and recognition of the images recorded.

Camera should be in sufficient number and appropriately located to cover the area to be monitored.

Guidance: Redundancy and Back-Ups

Keeping all cameras recording 24/7, and having appropriate back-up mechanisms in place can achieve the appropriate coverage to detect illegal activity, unauthorized access and any attempts to breach the security of your site and of the areas within your site where cannabis is present.

Back-up mechanisms must ensure that all visual recordings and records of a detected occurrence be retained for two years. These back-up mechanisms may include storing the visual recordings on multiple media devices.

5.3 Regulatory Provisions Relating to Access Control

MMPR s42.	***The licensed producer's site must be designed in a manner that prevents unauthorized access.***
MMPR s46. (1)	***Access to each area within a site where cannabis is present must be restricted to persons whose presence in the area is required by their work responsibilities.***
MMPRP s46.(2)	***The responsible person in charge or, if applicable, the alternate responsible person in charge must be physically present while other persons are in those areas.***
MMPR s46.(3)	***A record must be made of the identity of every person entering or exiting those areas.***

Guidance: Securing access to the site perimeter and areas within a site where cannabis is present

There is a wide range of appropriate electronic access control systems, including intrusion detection mechanisms and CCVE that may be employed to ensure that access to the site, and areas within the site where cannabis is present, is restricted to the appropriate personnel and that a record is kept of each person entering or exiting those areas.

The system that you install must be capable of identifying each individual who enters or leaves restricted areas to comply with regulatory requirements. A personal identification number (PIN) credential system alone is not sufficient for access control because PINs can be purposefully or inadvertently disclosed.

For example, a security system that requires a PIN and an identification card, or biometrics and visual monitoring are examples of ways to prevent both unauthorized access to those areas within a site where cannabis is present, and keep track of the movements of personnel that enter and leave those areas.

Guidance: Security System Control Mechanisms

Steps should be taken to ensure the appropriate control of codes, keys, combinations and other elements of your security system.

For example, to ensure appropriate security, only senior personnel including the senior person in charge, the responsible person in charge and any alternate responsible persons in charge should have access to alarm codes, vault combinations and other security elements for the site. Changing combinations and codes on a regular basis and when there are any changes with any senior personnel will assist in ensuring appropriate control of the security system.

5.4 Regulatory Provisions Relating to Intrusion Detection

Perimeter of the Site

MMPR s44.	***The perimeter of the licenced producer's site must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in the site or tampering with the system.***
MMPR s45.(1)	***The system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to any occurrence of an attempted or actual unauthorized access to or movement in the site or tampering with the system.***
MMPR s45.(2)	***If any such occurrence is detected, the personnel must make a record of: the date, time of the occurrence as well as all measures taken in response to it and the date and time when they were taken.***

Areas within a site where cannabis is present

MMPR s49.	***Those areas [within a site where cannabis is present] must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in those areas or tampering with the system.***
MMPR s51.	***The intrusion detection system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence [of illicit conduct, any attempted or actual unauthorized access to or movement in those areas or tampering with the system].***

A robust intrusion detection system can assist in securing both your site and areas within your site where cannabis is present.

Guidance: Monitoring

Monitoring your site's perimeter and areas within your site where cannabis is present via an intrusion detection system with personnel in a central location will

allow your personnel to detect any unauthorized attempts to enter those areas; or to tamper with security equipment. Appropriately trained personnel will assist in responding to any incident involving detected unauthorized activity.

When there are no responsible personnel present, a link to a monitoring station will enable notification to the appropriate personnel and law enforcement.

A response plan should be designed to ensure quick action when detection has occurred.

Guidance: Records of Detected Matters

Keeping all cameras recording 24/7, and having appropriate back-up mechanisms in place can achieve the appropriate coverage to detect illegal activity, unauthorized access and any attempts to breach the security of your site and areas within your site where cannabis is present.

Back-up mechanisms must ensure that all visual recordings and records of a detected occurrence be retained for two years. These back-up mechanisms may include storing the visual recordings on multiple media devices.

Guidance: Tampering

The effectiveness of any system is dependent on the signal reaching the individuals responsible for the monitoring of the signal and the response to its warning. Depending on how the signal is carried, tampering with the line carrying the signal may result in the signal not reaching its intended destination. An acceptable system should be able to identify, record, and notify if the lines are tampered with or if an attempt has been made.

A response plan should be designed to ensure quick action when tampering occurs.

Guidance: Power Supply

In order to comply with regulations, your security system must include visual recording devices, access control and an intrusion detection system which must operate on a continuous basis.

For example, supporting your security system and all components (e.g., sensors, control units and communicators/enunciators, volumetric sensors, glass-break detectors, beam-break sensors) with an uninterruptible power supply sufficient for 24/7 continuous operation would effectively maintain the integrity of your security system.

5.5 Regulatory Provision Relating to Air Filtration

MMPR s50. ***Those areas [within a site where cannabis is present] must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen.***

Guidance: Air Filtration

To assist in the prevention of the escape of pollen, odours, and other particles, all exhaust air from your cultivation area and other areas within your site where cannabis is present can be filtered through appropriate air filtration systems.

For example, a high-efficiency particle air filter such as a H13 HEPA filter can ensure appropriate ventilation and filtration of exhaust air.

This is **Exhibit "E"** referred to in
the Affidavit of **TODD CAIN**
Affirmed before me at the City of
Ottawa, in the Province of Ontario,
this 15th day of January 2015.

A Commissioner for Taking Affidavits

Sherri Laureen Szabados, a Commissioner, etc.,
Province of Ontario, for the Government of Canada,
Department of Health.
Expires December 2, 2015

APPLICATION TO BECOME A LICENSED PRODUCER UNDER THE *MARIHUANA FOR MEDICAL PURPOSES REGULATIONS* (MMPR)

(Disponible en français)

For guidance on completing this application please refer to the *Guidance Document: Application to Become a Licensed Producer under the Marihuana for Medical Purposes Regulations.* Note: An incomplete application may be returned to you.

1. PREFERRED LANGUAGE OF COMMUNICATION

English ☐ French ☐

2. APPLICANT

2.a. Applicant Name

Surname of Individual Applicant or Authorized Corporate Representative					
Given Name(s) of Individual Applicant or Authorized Corporate Representative					
Other registered name(s)[1]					
Title (if applicable)					
Gender	M ☐ F ☐		Date of Birth (YYYY/MM/DD)		
Street Address					
City		Province		Postal Code	
Telephone No.	( ) -		Fax No. (if applicable)	( ) -	
Email					

[1] Any other name registered with a province, under which the individual intends to identify himself or herself or conduct the activities for which the licence is sought.

Licence is sought for: ☐ an individual **-or-** ☐ a corporation

2.b. Corporation

For a corporation, please specify the legal name of the corporation and any other name registered with the province under which the applicant intends to identify itself.

Legal name	
Other registered name (s)[2]	

[2] Any other name registered with a province, under which the corporation intends to identify itself or conduct the activities for which the licence is sought.

Please attach the following to the application form:

1. A list indicating the full (legal) name, date of birth and gender of each of the corporation's officers and directors, and whether each officer and director holds a valid security clearance.

   List of directors and officers attached: ☐

2. A copy of the certificate of incorporation or other constituting instrument.

   Certificate attached: ☐

3. **If applicable**, a copy of any document that states the applicant's name that has been filed with the province where the proposed site is located. This includes any document that references any other name registered with the province, under which the applicant intends to identify itself or conduct the proposed activities.

   Document(s) attached: ☐

3. PROPOSED PERSONNEL

3.a. PROPOSED SENIOR PERSON IN CHARGE (SENIOR PIC)

The Senior Person in Charge will have overall responsibility for management of the activities carried out by the licensed producer under their licence at their site — who may, if appropriate, be the licensed producer. Please identify the proposed Senior Person in Charge. The Senior Person in Charge will have the authority to bind the applicant.

Surname		Given Name(s)	
Other Title			
Gender	M ☐ F ☐	Date of Birth (YYYY/MM/DD)	
Telephone No.	( ) -	Fax No. (if applicable)	( ) -
Email			

3.b. PROPOSED RESPONSIBLE PERSON IN CHARGE (RPIC)

The Responsible Person in Charge will work at the licensed producer's site and have responsibility for supervising the activities with respect to cannabis conducted at that site by the licensed producer under their licence, and for ensuring that the activities comply with all relevant Acts and regulations. This person may be the same as the Senior Person in Charge.

Surname		Given Name(s)	
Gender	M ☐ F ☐	Date of Birth (YYYY/MM/DD)	
Proposed Schedule – Work Hours and Days (e.g. 8am – 4pm, Mon – Fri)			
Other Title			

3.c. PROPOSED ALTERNATE RESPONSIBLE PERSON IN CHARGE (A/RPIC)

The applicant may designate one or more Alternate Responsible Person in Charge to work at the proposed site and replace the Responsible Person in Charge when that person is absent. The Alternate Responsible Person in Charge will work at the licensed producer's site, in the absence of the RPIC, and have responsibility for supervising the activities with respect to cannabis conducted at that site by the licensed producer under their licence and for ensuring that the activities comply with all relevant Acts and regulations.

If more than one A/RPIC is proposed, additional pages must be attached for each one. Check here if additional pages are included: ☐

Number of A/RPIC(s) you are submitting:

Proposed A/RPIC:

Surname		Given Name(s)	
Gender	M ☐ F ☐	Date of Birth (YYYY/MM/DD)	
Proposed Schedule – Work Hours and Days (e.g. 8am – 4pm, Mon – Fri)			
Ranking (e.g. 1st A/RPIC, 2nd A/RPIC, etc.)			
Other Title			

3.d. PROPOSED PERSONS AUTHORIZED TO PLACE ORDERS FOR CANNABIS ON BEHALF OF THE APPLICANT

Only individual(s) on this list will be authorized to place orders for cannabis on behalf of the applicant. Attach additional pages if required.

Check here if additional pages are included: ☐

Surname	Given Name(s)	Gender
1)		M ☐ F ☐
2)		M ☐ F ☐
3)		M ☐ F ☐
4)		M ☐ F ☐
5)		M ☐ F ☐

4. SECURITY CLEARANCE

The following individuals are required to have a valid security clearance:

- An individual applicant
- All officers and directors of a corporate applicant (as identified in section 2.b.)
- The proposed Senior Person in Charge (as identified in section 3.a.)
- The proposed Responsible Person in Charge (as identified in section 3.b.)
- The proposed Alternate Person(s) in Charge (as identified in section 3.c.)

The individuals identified above **must** hold a valid security clearance. A producer's licence will not be issued if all the security clearances required under the MMPR have not been granted.

If any of these individuals already hold a valid security clearance, please attach the confirmation of the security clearance to the application.

If any of the individuals listed above do not already hold a valid security clearance, they will be required to complete the **Security Clearance Application Form**. The form can either be sent with the completed application, or it can be sent separately. If sent separately, please attach a note to clearly indicate under which name and for which site (if applicable) the application was made. The **Security Clearance Application Form** can be found online at: http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/securit-eng.php

Note: Applications will not be processed until all completed Security Clearance Application forms associated with this application have been received.

As part of the Security Clearance Application process, each of the individuals identified above will also be required to complete the **Security Clearance Fingerprint Third Party Consent to Release Personal Information** form that will allow a Canadian police force or a fingerprinting company accredited by the RCMP to submit fingerprints to the RCMP for the purposes of a criminal record check. A list of agencies accredited by the RCMP can be found at: http://www.rcmp-grc.gc.ca/rtid-itr/vulner-eng.htm. The Security Clearance Fingerprint Third Party Consent to Release Personal Information form can be found online at http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/third_party-tierce_partie-eng.php. Health Canada does not need to be provided with a copy of this consent form.

	Already holds a security clearance:	Completed Security Clearance Application Form:	Completed Security Clearance Fingerprint Third Party Consent to Release Personal Information form:
Individual Applicant	☐ attached	☐ attached ☐ to follow	☐ submitted to a Canadian police force or a fingerprinting company accredited by the RCMP
Corporate Applicant (Officers and Directors)	☐ attached	☐ attached ☐ to follow	☐ submitted to a Canadian police force or a fingerprinting company accredited by the RCMP
Senior Person in Charge	☐ attached	☐ attached ☐ to follow	☐ submitted to a Canadian police force or a fingerprinting company accredited by the RCMP
Responsible Person in Charge	☐ attached	☐ attached ☐ to follow	☐ submitted to a Canadian police force or a fingerprinting company accredited by the RCMP
Alternate Person(s) in Charge	☐ attached	☐ attached ☐ to follow	☐ submitted to a Canadian police force or a fingerprinting company accredited by the RCMP

5. ACTIVITIES AND SUBSTANCES TO BE SPECIFIED ON THE LICENCE

5.a. ACTIVITIES WITH MARIHUANA

Please check the box(es) of proposed activities that you intend to carry out using **marihuana.** Please also indicate the: substance description; building where the activities will take place; and purpose for conducting each of the activities.

Activity	✓	Substance Description[1]	Building Name and Address[2]	Purpose
a) Possession	☐			
b) Sale or Provision	☐			
Please refer to the MMPR for information about to whom you can sell or provide.				
c) Shipping, Transportation or Delivery	☐			
d) Destruction	☐			
e) Production	☐			

NOTES:

1. Substance Description: Specify whether the activities involve dried marihuana, marihuana plants or seeds.
2. Building: Please ensure this information corresponds to the building information provided in section 6 of this form.

5.a.i. Quantity of Dried Marihuana to be Produced (if applicable)

Please indicate the maximum quantity (expressed as the net weight in kilograms) of dried marihuana to be produced and the production period.

Quantity of dried marihuana to be produced (kg)	Production Period(s) involved

5.a.ii. Quantity of Dried Marihuana to be Sold or Provided to Eligible Persons Under the MMPR (if applicable)

Please indicate the maximum quantity (expressed as the net weight in kilograms) of dried marihuana to be sold or provided to eligible persons and the period in which that quantity is to be sold or provided.

Quantity of dried marihuana to be sold or provided (kg)	Period(s) involved

5.b. ACTIVITIES WITH CANNABIS, OTHER THAN MARIHUANA

Complete this section if you intend to conduct activities with cannabis derivatives, preparations and similar synthetic preparations, other than marihuana (e.g. in order to conduct *in vitro* testing to determine the percentages of cannabinoids in dried marihuana).

Please check the box(es) of proposed activities that you intend to carry out using **cannabis, other than marihuana.** Please also indicate the: substance description; building where the activities will take place; and purpose for conducting each of the activities.

I do not intend to conduct activities with cannabis, other than marihuana: ☐

Activity	✓	Substance Description[1]	Building Name and Address[2]	Purpose
a) Possession	☐			
b) Sale or Provision Please refer to the MMPR for information about to whom you can sell or provide.	☐			
c) Shipping, transportation or delivery	☐			
d) Destruction	☐			
e) Production	☐			

NOTES:

1. Substance Description: Specify the cannabis derivatives, preparations or similar synthetic preparations to be used (e.g. delta 9-tetrahydrocannabinol or cannabidiol).
2. Building: Please ensure this information corresponds to the building information provided at section 6 of this form.

6. PROPOSED SITE INFORMATION

If you intend to conduct licensed activities at more than one site, a separate application must be completed for each site.

Site Information:

Street Address					
City		Province		Postal Code	
Telephone No.	( ) -	Fax No. (if applicable)	( ) -		
Email Address (if applicable)					

Mailing Address: Same as above ☐

Street Address					
City		Province		Postal Code	

Building Information (if applicable):

If the proposed site is comprised of more than one building in which proposed activities are to be conducted, please provide information on each building. For multiple buildings, attach additional sheets as required.

Check here if additional pages are attached: ☐

Number of buildings included: _____

Building Name (if applicable)					
Street Address					
City		Province		Postal Code	
Telephone No.	( ) -	Fax No. (if applicable)	( ) -		
Email (if applicable)					

Mailing Address: Same as above ☐

Street Address					
City		Province		Postal Code	

7. OWNERSHIP OF PROPERTY

If the applicant is the owner of the **entire** proposed site, the declaration in section 7.a. is to be signed by the proposed Senior Person in Charge (Senior PIC).

If the proposed **site or any portion of the site is not owned by the applicant**, a declaration signed and dated by the owner(s) of the site or each portion of the site must be submitted along with this application consenting to the use of it by the applicant for the proposed activities. (See Appendix A)

Appendix A attached to this form: ☐

7.a. Applicant and Site Owner's Declaration

I hereby declare that the entire proposed site, mentioned herein within this application, on which the proposed activities are to be carried out, is entirely owned by the applicant for this license under the *Marihuana for Medical Purposes Regulations.*

Surname of site's Senior PIC		Given Name(s)	
Other Title (e.g. President)			
Signature of the site's Senior PIC:		Date: (YYYY/MM/DD)	

8. PROPOSED SITE AND PHYSICAL SECURITY

Please attach a detailed description of the **security measures and floor plans of the site**, including each of the building(s) within the proposed site within which any licensed activities are to be conducted:

Description of security measures attached ☐

Floor Plan of the site attached ☐

Floor plan(s) for the building(s) attached ☐

Note: Any licensed activities proposed to be undertaken at any proposed site must comply with the requirements *Marihuana for Medical Purposes Regulations* and the Health Canada *Directive on Physical Security Requirements for Controlled Substances* at http://www.hc-sc.gc.ca/hc-ps/pubs/precurs/dealers-distrib/phys_securit_directive/index-eng.php. A security level must be established for each building where cannabis, other than marihuana plants, will be stored.

Please also refer to the *Guidance Document – Building and Production Security Requirements for Marihuana for Medical Purposes* at: http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/bp-securit-eng.php for assistance in determining the security measures required based on the proposed licensed activities to be conducted at the proposed site.

9. NOTICE TO LOCAL GOVERNMENT, POLICE AND FIRE AUTHORITIES

Before submitting this application, a notice that includes the proposed activities to be conducted with cannabis and the address of the site(s) and of each building within the site(s) must be provided to a senior official of the local police, local fire authority and local government.

Please identify below the names of the senior officials within your local police, local fire authority and local government to whom you have provided notifications. Please also attach a copy of each notice to this application.

Copies of all the notices are attached ☐

Police Force

Local authority:	
Name of senior official:	
Title:	
Address:	
Date provided:	

Fire Authority

Local authority:	
Name of senior official:	
Title:	
Address:	
Date provided:	

Local Government (e.g. Municipality)

Local authority:	
Name of senior official:	
Title:	
Address:	
Date provided:	

DECLARATION to be completed by the Senior Person in Charge

I hereby declare that written notices containing the information referred to in this application regarding proposed activities regulated under the MMPR have been provided to the senior official of the local authorities listed above:

Surname (Senior PIC)		Given Name(s)	
Other Title (e.g. President)			
Signature of Senior PIC:		Date: (YYYY/MM/DD)	

10. QUALITY ASSURANCE PRE-LICENSING REPORT

The applicant must submit a document signed and dated by the proposed quality assurance person that includes:

i. a description of the quality assurance person's qualifications in respect of the proposed licensed activities and the requirements of the MMPR; and,
ii. a report establishing that the buildings, equipment and proposed sanitation program to be used in conducting the proposed activities referred in the MMPR comply with regulatory requirements.

Note: The accuracy of the information in the report will be verified by Health Canada inspectors during the pre-licence inspection of the proposed site.

Document signed and dated by the proposed quality assurance person attached: ☐

11. RECORD KEEPING

Please provide in an attachment a detailed description of your proposed record keeping methods. Your proposed record keeping methods must comply with and will be evaluated for compliance with Part 6 of the MMPR.

If available, you may choose to also submit examples of the documents you are planning to use to ensure proper record keeping.

A detailed description of proposed record-keeping methods is attached: ☐

Optional: Example(s) of proposed record-keeping document(s) is attached: ☐

12. DECLARATIONS AND ATTESTATIONS

The following declarations and attestations must be signed and dated by the Senior Person in Charge.

I hereby declare that the proposed Senior Person in Charge (Senior PIC), the proposed Responsible Person in Charge (RPIC), and if applicable, the proposed Alternate Responsible Person(s) in Charge (A/RPIC) are familiar with the provisions of the *Controlled Drugs and Substances* Act and its regulations and the *Food and Drugs Act* that will apply to this licence.

I hereby declare that the entire proposed site, mentioned herein within this application, on which the proposed activities are to be carried out, is not a dwelling-place.

I hereby attest that all of the information and documents submitted in support of the application are, to the best of my knowledge, correct and complete.

I hereby attest that I have the authority to bind the applicant.

Surname of Senior PIC		Given Name(s)	
Other Title (e.g. President)			
Signature of Senior PIC:		Date: (YYYY/MM/DD)	

13. SUBMISSION

Please take note that all mandatory information and documents requested must be provided to avoid delay of processing this application. Your application may be returned to you if it is incomplete. Please send the completed Application Form and accompanying documents to the Office of Controlled Substances at the following address:

Health Canada
A.L.: 0300B
Ottawa, ON
KIA 0K9

A Health Canada representative is available to assist you if you have any questions pertaining to these requirements and the application process. You can send us your questions by email at MMPR-RMFM@hc-sc.gc.ca or call us at 1-866-337-7705.

APPENDIX A

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CONSENT BY OWNER TO UTILIZE SITE

If the proposed site, or any portion of the site, identified below is not owned by the applicant, this declaration is to be signed and dated **by the owner of the site** (or each portion of the site). The owner must consent to the use of the site by the applicant for the proposed activities with cannabis.

If there are multiple owners, each owner must consent to the use of the site by the applicant for the proposed activities with cannabis using part (2) b) of this Appendix. Please attach additional pages as needed.

Check here if additional pages are attached: ☐

(1) To be completed by the applicant:

Please provide a brief description of the activities to be conducted on the proposed site or any portion of the site for which this consent is being requested.

Description of Activities to be Conducted with Cannabis on the Proposed Site

Location of proposed site for which consent is being requested:

Street Address					
City		Province		Postal Code	

(2) To be completed by site owner(s):

(2) a) Sole owner

I hereby declare that I am the sole owner of the proposed site listed in section (1) of this Appendix and that I am fully aware of and consent to the activities with cannabis described in section (1) of this Appendix being conducted on this site.

Signature: _____ Date: _____
(YYYY/MM/DD)

Print Full Name: _____

(2) b) Joint Owner(s)

Note: If the site is co-owned, please provide the name and address for each property owner.

Property Co-owner

Full Name:	
Address:	

Property Co-owner

Full Name:	
Address:	

Property Co-owner

Full Name:	
Address:	

Property Co-owner

Full Name:	
Address:	

I hereby declare that I am a co-owner of the proposed site listed in section (1) of this Appendix and that I am fully aware of and consent to the activities with cannabis described in section (1) of this Appendix being conducted on this site.

Property co-owner's signature: _____

Print Full Name: _____

Date: _____
(YYYY/MM/DD)

Property co-owner's signature: _____

Print Full Name: _____

Date: _____
(YYYY/MM/DD)

Property co-owner's signature: _____

Print Full Name: _____

Date: _____
(YYYY/MM/DD)

Property co-owner's signature: _____

Print Full Name: _____

Date: _____
(YYYY/MM/DD)

Check here if additional pages are included ☐

SECURITY CLEARANCE APPLICATION FORM

MARIHUANA FOR MEDICAL PURPOSES REGULATIONS (MMPR)

Privacy Notice Statement

The information you provide on this form is required by Health Canada for the purpose of having a security screening assessment conducted as part of the application process for a licence to produce marihuana for medical purposes. This Notice explains the purposes of the collection and use of the personal information you provide on this form. The collection and use of your personal information is in accordance with the federal *Privacy Act* and collected under the authority of the *Marihuana for Medical Purposes Regulations* (MMPR). The personal information collected is retained in Health Canada Personal Information Bank number HC PPU 073 and will be processed by the Office of Controlled Substances (OCS). Security clearance is a requirement under the MMPR for issuance of a licence to produce marihuana for medical purposes. A refusal to provide the information requested on this form will result in the refusal of the application. The information collected by Health Canada will be disclosed to the Royal Canadian Mounted Police (RCMP) for the purpose of conducting a criminal activity check. In some cases, personal information may be disclosed without your consent for purposes not outlined here pursuant to subsection 8 (2) of the *Privacy Act*. The *Privacy Act* states that you have the right to access your personal information and request changes to incorrect information or make changes to the information disclosed in this form.

<table>
<tr><td colspan="6">ADMINISTRATIVE INFORMATION (To be completed by Department)</td></tr>
<tr><td colspan="2">Surname</td><td colspan="2">New ◯ Update ◯</td><td colspan="2">Request #</td></tr>
<tr><td colspan="2">Individual applicant / Company Name:</td><td colspan="4"></td></tr>
<tr><td colspan="2">Position of the Person for the individual applicant/Company:</td><td colspan="4"></td></tr>
<tr><td colspan="6">Part A - Requirements Checklist (To be submitted by applicant)</td></tr>
<tr><td colspan="6">◯ All 5 pages of the application form completed and signed.
◯ A copy of a valid piece of photo identification issued by the government of Canada or a province or a copy of the applicant's passport that includes the passport number, country of issue, expiry date and the applicant's photograph.
◯ Applicant's Fingerprints – Please confirm that you have submitted the Security Clearance Fingerprint Third Party Consent to Release Personal Information Form to a Canadian police force or private accredited fingerprinting agency accredited by the RCMP.</td></tr>
<tr><td colspan="6">PART B - Biographical Information (To be completed by applicant)</td></tr>
<tr><td colspan="3">Surname (last name)</td><td colspan="3">Full given names (no initials) underline or circle name used</td></tr>
<tr><td colspan="3">Surname at birth</td><td colspan="3">All other names used (nicknames; former surnames)</td></tr>
<tr><td colspan="2">Date of birth
Year | Month | Day</td><td>Place of birth - City</td><td>Province/State</td><td colspan="2">Country</td></tr>
<tr><td colspan="3">Birth Certificate Number:</td><td colspan="3">Province of Issue:</td></tr>
<tr><td>Sex
Female ◯
Male ◯</td><td>Marital Status</td><td>Eye Colour</td><td>Hair Colour</td><td>Height (cm/in)</td><td>Weight (kg/lbs)</td></tr>
<tr><td colspan="2">Municipality & Country of Birth</td><td colspan="2">Port of Entry</td><td colspan="2">Date of Entry</td></tr>
</table>

If Naturalized Canadian provide Certificate Number	Date of Issue
If Permanent Resident provide Certificate Number	Date of Issue
Have you ever been convicted in Canada of an offence for which you have not been granted a pardon? If yes, please provide more information.	☐ Yes ☐ No
Have you ever been convicted outside Canada of an offence for which you have not been granted a pardon? If yes, please provide more information.	☐ Yes ☐ No

PART C - Addresses of all locations where you have resided during the last five (5) years, starting with most current. There should be no gaps. (Rural addresses to include lot and Civic number)

Apt #	Street #	Street Name	Civic number (if applicable)	From Y M	To Y M
City	Province or state	Postal Code	Country	Telephone number ( )	
Apt #	Street #	Street Name	Civic number (if applicable)	From Y M	To Y M
City	Province or state	Postal Code	Country	Telephone number ( )	
Apt #	Street #	Street Name	Civic number (if applicable)	From Y M	To Y M
City	Province or state	Postal Code	Country	Telephone number ( )	
Apt #	Street #	Street Name	Civic number (if applicable)	From Y M	To Y M
City	Province or state	Postal Code	Country	Telephone number ( )	
Apt #	Street #	Street Name	Civic number (if applicable)	From Y M	To Y M
City	Province or state	Postal Code	Country	Telephone number ( )	

Part D – EMPLOYMENT HISTORY - Name & address of employers, schools where you have worked/attended during the last five (5) years starting with most current. Include times of unemployment if applicable (there should be no gaps).

Name of employer/educational institution – do not use initials	From		To	
	Y	M	Y	M
Address of Employer/educational institution (street number, name, city, province or state and country)				

Name of employer/educational institution – do not use initials	From		To	
	Y	M	Y	M
Address of Employer/educational institution (street number, name, city, province or state and country)				

Name of employer/educational institution – do not use initials	From		To	
	Y	M	Y	M
Address of Employer/educational institution (street number, name, city, province or state and country)				

Name of employer/educational institution – do not use initials	From		To	
	Y	M	Y	M
Address of Employer/educational institution (street number, name, city, province or state and country)				

Part E – Marital Status/Common-Law Partnership

Current Status

Married ◯ Common-Law Partnership ◯ Separated ◯ Widowed ◯ Divorced ◯ Single ◯

Current Spouse/Common-Law Partner: Surname, Given names	Maiden Name (if applicable)	Present citizenship of Current Spouse/Common-Law Partner / Nationality
Sex: Female ◯ Male ◯		

Date of marriage/common-law partnership			City, province/state, country of marriage/common-law partnership
Y	M	D	

City, province/state, country of birth of spouse or common-law partner		Y	M	D
	Date of birth			
If born in Canada Birth Certificate Number	If separated, widowed, or divorced specify date			

Province of Issue

If born outside of Canada Port and Date of Entry

If Naturalized Canadian provide certificate number

Date of Issue

Present address (apartment number, street number, street name, city, province/state and country)

Name and address of employer – do not use initials

Previous Spouse/Common-Law Partnership:
Surname, Given name(s) (if within past 5 years)

Present citizenship of Previous Spouse/Former Common-Law Partnership

Maiden Name (if applicable)

Sex:
Female ◯ Male ◯

Date of marriage/common-law partnership			City, province/state and country of marriage/common-law partnership
Y	M	D	
Date of divorce, separation, deceased			City, province/state and country of divorce, separation, death
Y	M	D	

City, province/state, country of birth (if known)	Date of birth	Y	M	D

Present address (apartment number, street number, street name, city, province/state and country – if known)

Part F - Travel outside Canada 90 days or over in the last five (5) years

Date of Travel			Destination	Purpose of Travel
Y	M	D		
Date of Travel			Destination	Purpose of Travel
Y	M	D		
Date of Travel			Destination	Purpose of Travel
Y	M	D		
Date of Travel			Destination	Purpose of Travel
Y	M	D		
Date of Travel			Destination	Purpose of Travel
Y	M	D		

Part G – Consent and Certification

Providing misleading or false information on this application may result in a refusal or cancellation of the security clearance.

For security clearance purposes, I consent to the disclosure by the Royal Canadian Mounted Police (RCMP) to other law enforcement agencies, , of any and all information provided by me in support of this application. Without limiting the generality of the foregoing, this includes information relating to my date of birth, education, residential history, employment history, and immigration and citizenship status in Canada. I also consent to the disclosure and use of my fingerprints and facial image for identification purposes during the course of the security clearance process

For security clearance purposes, I hereby authorize Health Canada to seek, verify, assess, collect, and retain for a period of two (2) years after the expiry date of the producer's licence, any and all information relevant to this application including any criminal records and any and all information contained in law enforcement files, including intelligence gathered for law enforcement purposes, and information with respect to my immigration and citizenship status, as well as any and all information that will facilitate the conduct of a security assessment. This includes non-conviction information, charges before the courts, findings of guilt or convictions and court orders registered in my name in the National Repository of Criminal Records and local records available to police services.
For security clearance purposes only, I consent to the release by other Canadian institutions or agencies to Health Canada, information relevant to this application for a security clearance to enable Health Canada to perform security screening assessments in order to determine whether a security clearance should be granted to me.

This consent is given solely for security clearance purposes. Unless cancelled in writing by me and notification is given in writing to Health Canada, this consent shall remain valid for conducting all the necessary verifications, specified checks, assessments and/or investigations, including any subsequent required verifications, if need be, as well as any requirements for updates.

I certify that all the information set out by me in this application for a security clearance, including any supporting documentation, is true and correct to the best of my knowledge and belief.

Applicant Name Printed in Block Letters

Applicant's Signature

Date (AAAA/MM/DD)

Home telephone

Work telephone

IMPORTANT INFORMATION AND INSTRUCTIONS FOR COMPLETION OF SECURITY CLEARANCE FORM UNDER THE MARIHUANA FOR MEDICAL PURPOSES REGULATIONS (MMPR)

NOTE: As part of the Application to Become a Licensed Producer under the Marihuana for Medical Purposes Regulations, a Security Clearance Application Form must be completed by the applicant. A duly completed Security Clearance Application Form must be submitted for all parties identified in the Application to Become a Licensed Producer under the *Marihuana for Medical Purposes Regulations*. The applicants that apply as an individual include the proposed Senior Person in Charge, the proposed Responsible Person in Charge, any proposed Alternate Responsible Person(s) in Charge. In the case of a corporation, each Director and Officer of the corporation must also complete a security clearance form.

1. General:

1.1 If clarification of information is required, a Canadian Government Official may contact the applicant to obtain additional information in order to complete the security screening investigation and an interview of the applicant may be requested.

1.2 This form is to be completed using an automated system or printed in block letter format in black ink.

1.3 Please read and follow the instructions carefully.

1.4 The original signed copy must be submitted.

1.5 It is important that a copy of the completed application be retained by the applicant for future reference.

1.6 Incomplete or illegible forms will NOT be considered.

1.7 All names are to be in full (no initials).

1.8 Addresses are to include, where applicable, civic or township name and the lot and concession numbers.

1.9 If information is not known or is unavailable please indicate this on the form and on a separate sheet of paper explain the cause of circumstances.

1.10 All dates are to be entered in order of, YEAR, MONTH and DAY as applicable.

1.11 If space allotted in any portion of the form is insufficient please use a separate sheet of paper using the same format.

2. Part A: Requirements checklist

2.1 Application completed and signed. All required additional documentation to be submitted with application.

2.2 Health Canada to verify that all required documentation has been received.

3. Part B: Biographical Information

3.1 To be completed by the applicant.

3.2 If naturalized Canadian, it is important to show the certificate number and date of issue. Please include a copy of the certificate with the application form.

3.3 If permanent resident, it is important to show the certificate number and date of issue. Please include a copy of the certificate with the application form.

4. Part C: Address History

4.1 To be completed by applicant.

4.2 Ensure current address is recorded first.

4.3 Addresses must cover the last five (5) years from date of application and should contain no gaps.

4.4 The postal code is mandatory for the current address, and if known, for previous address.

4.5 For rural area, include civic number or lot, concession and township number.

5. Part D: Employment History

5.1 To be completed by applicant.

5.2 Ensure current employment is recorded first.

5.3 Employment history must cover the last five (5) years from date of application. Include periods of time at school or unemployment to ensure no gap in the five year period.

5.4 Full name and full address of employer/educational institution is required. No initials.

6. Part E: Marital Status/Common-law partnership

6.1 To be completed by applicant.

6.2 Common-law partnership in relation to the applicant, means a person who is cohabitating with the individual in a conjugal relationship, having so cohabitated for a period of at least one year. This includes persons of the same sex.

6.3 Include current spouse/common-law partner as applicable.

6.4 If any person is deceased, date of death and last address while living are to be shown.

6.5 Include previous spouse/common-law partner as applicable during the last five years. If a person is deceased, date of death.

6.6 All other questions to be answered as set forth.

7. Part F: Travel outside of Canada

7.1 To be completed by applicant.

7.2 Provide the dates, destination and purpose of any travel of 90 days or more outside of Canada during the five (5) years preceding the application. This excludes travel for government business.

8. Part G: Signature and Date

8.1 Application must be signed and dated by applicant.

Healthy Environments and Consumer Safety Branch (HECSB)
Direction générale de la santé environnementale et de la sécurité des consommateurs (DGSESC)

Office of Controlled Substances

GUIDANCE DOCUMENT

APPLICATION TO BECOME A LICENSED PRODUCER UNDER THE *MARIHUANA FOR MEDICAL PURPOSES REGULATIONS*

(Disponible en français)

This guide does not have any official legal status. It is a reference document and appropriate official documents should be consulted.

June 19, 2013

Canada

Pub: 130076

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1. PURPOSE

This Guidance Document is intended to help a potential licensed producer understand how to complete the ***Application to Become a Licensed Producer under the Marihuana for Medical Purposes Regulations*** (the application). Activities that require a licence under the MMPR include:

- possessing, producing, selling, providing, shipping, delivering, transporting, and destroying marihuana;
- possessing and producing cannabis, other than marihuana, solely for the purpose of conducting *in vitro* testing that is necessary to determine the percentages of cannabinoids in dried marihuana;
- selling, providing, shipping, delivering, transporting, and destroying cannabis, other than marihuana, that was obtained or produced solely for the purpose of conducting *in vitro* testing that is necessary to determine the percentages of cannabinoids in dried marihuana.

Other guidance documents and directives are mentioned throughout this document. Please refer to them as you complete your application to be sure that all appropriate information is included.

This is a guidance document only. It is intended to facilitate the process of completing the application. If there is any inconsistency between this document and the *Controlled Drugs and Substances Act* (CDSA) or the *Marihuana for Medical Purposes Regulations* (MMPR), the CDSA and the MMPR will take precedence. The CDSA and the MMPR are available online at http://canada.justice.gc.ca or you can obtain a copy by contacting Government of Canada Publication, Ottawa, Ontario, K1A OS9.

Please note that it is the responsibility of the applicant to ensure that all relevant sections of the applications are completed. Incomplete applications may be returned to the applicant. Priority will be given to complete applications.

2. DEFINITIONS AND ACRONYMS

The terms used in this document are defined in the CDSA and in the MMPR. Please refer to section 2 of the CDSA and section 1 of the MMPR for a complete list of definitions. For ease of reference, the definitions of dried marihuana, marihuana and cannabis have been set out below.

- **"Dried marihuana"** means harvested marihuana that has been subjected to any drying process.

- **"Marihuana"** means the substances referred to as "Cannabis (marihuana)" in subitem 1(2) of Schedule II to the CDSA.

  Please note that this includes the plant itself and parts of the plants (seeds, clippings) as well as dried marihuana.

- **"Cannabis"** means the substance set out in item 1 of Schedule II to the CDSA.

Please note that the term "Cannabis, other than marihuana" in the MMPR is used exclusively to refer to derivatives of cannabis, cannabis preparations and similar synthetic preparations that are used for testing, such as reference standards for delta-9-tetrahydrocannabinol or cannabidiol. These can be obtained or produced solely for the purpose of conducting *in vitro* testing that is necessary to determine the percentages of cannabinoids in dried marihuana.

3. COMPLETING THE APPLICATION TO BECOME A LICENSED PRODUCER UNDER THE *MARIHUANA FOR MEDICAL PURPOSES REGULATIONS*

SECTION 1: Preferred Language of Communication

Please indicate the applicant's preferred language of communication.

SECTION 2: Applicant Name

Who can apply to become a licensed producer under the MMPR?

1. Individual adults of 18 years of age or older who ordinarily reside in Canada; or
2. Corporations that have a head office or a branch office in Canada and whose officers and directors are all adults.

2.a. Applicant Name

This section should be completed by both individual applicants and, in the case of corporations, their authorized corporate representatives.

Please provide the applicant's full legal name and any other name(s) registered with the province, under which the individual intends to identify himself or herself or conduct the activities for which the licence is sought. Please also provide contact information for the applicant, as well as the applicant's gender and date of birth.

2.b. Corporate Applicant

If the applicant is a corporation, please complete section 2.b. of the application. Please provide the legal name(s) of the corporation, and other name registered with a province, under which the corporation intends to identify itself or conduct the activities for which the licence is sought.

As part of the application, the applicant will be required to provide proof of the corporation's name in the form of a photocopy of a certificate of incorporation and, if applicable, a copy of any document filed with the province that states the corporation's name.

A corporate applicant will also be required to provide a list of its officers and directors of the corporation, including the full legal name, date of birth, and gender of each individual, and whether each officer and director holds a valid security clearance.

SECTION 3: Proposed Personnel

The applicant must designate personnel who will oversee licensed activities at the site. The designated persons must be adults, and must be familiar with the CDSA and its regulations, and the *Food and Drugs Act.*

3.a. Proposed Senior Person in Charge (Senior PIC)

The applicant must designate a Senior Person in Charge (Senior PIC) who has overall responsibility for management of the activities carried out by the licensed producer under their licence at their proposed site. Note: The applicant can be the Senior PIC.

The Senior PIC is considered the representative of the applicant and must have the authority, as an authorized official, to bind the applicant.

Please specify the proposed Senior PIC's full name, title (if applicable), gender and date of birth. Please also provide the telephone number, facsimile number, and e-mail address of the Senior PIC in order to facilitate contact.

3.b. Proposed Responsible Person in Charge (RPIC)

The applicant must designate a Responsible Person in Charge (RPIC) who will work at the site and will be responsible for supervising licensed activities, and for ensuring that the activities comply with the CDSA, its regulations and the *Food and Drugs Act.*

Please provide the proposed RPIC's full name, gender and date of birth. Please also provide the proposed RPIC's title and proposed work hours.

Note: The proposed Senior PIC can also be the proposed RPIC.

3.c. Proposed Alternate Responsible Person in Charge (A/RPIC)

The applicant may designate one or more Alternate Responsible Persons in Charge (A/RPIC) who will work at the site and have the authority to act for the Responsible Person in Charge (RPIC) when that person is absent.

Please provide the full name, gender and date of birth for the proposed A/RPIC(s). Please also provide the title and proposed work hours for the proposed A/RPIC(s).

If the applicant designates more than one A/RPIC, please indicate the ranking of each A/RPIC (i.e. first alternate, second alternate, etc.).

3.d. Proposed Persons Authorized to Place Orders for Cannabis on Behalf of the Applicant

In order to place orders for cannabis on behalf of the applicant, individuals must be authorized. For example, if you want to order cannabis from another Licensed Producer, the employee placing the order on your behalf first must be authorized before the order can be placed.

Please provide the full name of each individual to be authorized to place orders for cannabis, along with his or her gender. These individuals may include the Senior Person in Charge, the Responsible Person in Charge, and the Alternate Responsible Person(s) in Charge.

SECTION 4: Security Clearance

The following individuals are required to have a valid security clearance:

- An individual applicant
- All officers and directors of a corporate applicant (as identified in section 2.b.)
- The proposed Senior Person in Charge (as identified in section 3.a.)
- The proposed Responsible Person in Charge (as identified in section 3.b.)
- The proposed Alternate Person(s) in Charge (as identified in section 3.c.)

The individuals identified above **must** hold a valid security clearance. A producer's licence will not be issued if all the security clearances required under the MMPR have not been granted.

If any of these individuals already hold a valid security clearance, please attach the confirmation of the security clearance to the application.

If any of the individuals listed above do not already hold a valid security clearance, they will be required to complete the **Security Clearance Application Form**. The form can either be sent with the completed application, or it can be sent separately. If sent separately, please attach a note to clearly indicate under which name and for which site the application was made. The **Security Clearance Application Form** can be found online at: http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/securit-eng.php

As part of the Security Clearance Application process, each of the individuals identified above will be required to complete the **Security Clearance Fingerprint Third Party Consent to Release Personal Information** form that will allow a Canadian police force or a fingerprinting company accredited by the RCMP to submit fingerprints to the RCMP for the purposes of a criminal record check. A list of agencies accredited by the RCMP can be found at: http://www.rcmp-grc.gc.ca/rtid-itr/vulner-eng.htm. The **Security Clearance Fingerprint Third Party Consent to Release Personal Information** form can be found online at http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/third_party-tierce_partie-eng.php. Health Canada does not need to be provided with a copy of this consent form.

Note: Applications will not be processed until all completed Security Clearance Application forms associated with this application have been received.

SECTION 5: Activities and Substances to be specified on the Licence

5.a. Activities with Marihuana

In this section, the applicant must indicate: the type of activities they propose to carry out; a description of the substances for each activity (i.e., whether the activities involve dried marihuana, marihuana plants and/or marihuana seeds); the building name and address where each of the activities will be taking place; and the purposes for conducting those activities.

The applicant may request a licence to conduct any or all of the following activities for dried marihuana and/or marihuana, other than dried marihuana, which means the plant itself or seeds:

a) Possession;
b) Sale or Provision;

c) Shipping, Transportation or Delivery;
d) Destruction; and/or
e) Production

Note: If a licence allows possession of marihuana it is not necessary to have the licence allow the holder to purchase marihuana, be it dried marihuana, the plant itself or seeds.

For example:

- If you want to produce dried marihuana, the purpose could be to produce for the purpose of selling or providing to registered clients.
- If you wish to ship marihuana, the purpose could be to ship to registered clients, another licensed producer, or a licensed dealer for testing.

5.a.i. Maximum Quantity of Dried Marihuana to be Produced (if applicable)

Please indicate the maximum quantity of dried marihuana (net weight in kilograms) that you intend to produce and the production period. The maximum quantity and specified period will be indicated on your licence.

5.a.ii. Maximum Quantity of Dried Marihuana to be Sold or Provided to Persons Referred to in the MMPR (if applicable)

Please indicate the maximum quantity of dried marihuana (net weight in kilograms) that you intend to sell or provide to eligible persons (i.e. a registered client, an individual who is responsible for a registered client, a hospital employee or person to whom an exemption relating to dried marihuana has been granted under s.56 of the CDSA). Please also specify the period in which that quantity is to be sold or provided.

Note: In your application you do not need to indicate the amount you intend to sell or provide to another licensed producer, to a licensed dealer, or to the Minister. However, any sales or provision of cannabis to another licensed producer, licensed dealer or the Minister requires a written order and for records of that transaction to be kept.

5.b. Activities with Cannabis (*in vitro* testing)

Note: You only need to complete this section if you intend to conduct activities with cannabis derivatives, preparations and similar synthetic preparations, other than marihuana, necessary to conduct *in vitro* testing (for example, reference standards for delta-9-tetrahydrocannabinol or cannabidiol) to determine the percentages of cannabinoids in dried marihuana.

In this section, the applicant must indicate: the type of activities they propose to carry out; a description of the substances for each activity; the building name and address where each of the activities will be taking place; and the purposes for conducting those activities.

The applicant may request a licence to conduct any or all of the following activities with cannabis, other than marihuana (intended for conducting *in vitro* testing):

a) Possession;
b) Sale or Provision;
c) Shipping, Transportation or Delivery;
d) Destruction; and/or
e) Production

You can possess and produce cannabis, other than marihuana, solely for the purpose of conducting *in vitro* testing that is necessary to determine the percentages of cannabinoids in dried marihuana. You can also sell, provide, ship, deliver, transport and destroy cannabis, other than marihuana, obtained or produced solely for the purpose of conducting *in vitro* testing that is necessary to determine the percentages of cannabinoids in dried marihuana.

For example:

- If you intend to possess derivatives of cannabis, such as THC or cannabidiol found in reference standards, the purpose could be to conduct *in vitro* testing of dried marihuana you produce to determine the percentages of cannabinoids in dried marihuana.
- If you intend to produce derivatives of cannabis from marihuana, the purpose could be to conduct *in vitro* testing of dried marihuana you produce to determine the percentages of cannabinoids in dried marihuana.
- If you intend to provide cannabis, other than marihuana, the purpose could be to provide solely for the purpose of determining the percentages of cannabinoids in dried marihuana (for example, providing marihuana produced to another licensed producer for testing).

SECTION 6: Proposed Site Information

Site Information

The MMPR defines a "site" as (a) a building or a place in a building used by a licensed producer; or (b) an area occupied exclusively by buildings used by a licensed producer.

Please provide the address, telephone number and, if applicable, the facsimile number and email address of the proposed site. If the site's mailing address is different than the site's municipal address, please provide the site's mailing address.

The proposed site must be located indoors and **must not** be a dwelling-place (i.e. a place of residence).

The proposed site may consist of an area occupied **exclusively** by buildings used by the applicant. If you intend to conduct licensed activities at more than one site, a separate application must be submitted for each site.

Regardless of the scope of your licensed activities, you will need a separate application for each physical site where you are proposing to undertake activities licensed under the MMPR.

Note: Your site must be available for a pre-licence inspection by Health Canada for compliance with the MMPR.

Building Information

If the proposed site is an area comprised of more than one building, please provide information on each building on the site. Please provide, the building name (if applicable), street address, city, telephone and, if applicable, facsimile numbers, and email address.

Example:

If a proposed site is an area which contains three buildings, you would need to provide information on the site, as well as all three buildings on the site. All three buildings on the site must be used by the applicant only.

If there are buildings on a site that are not exclusively used by the applicant, then these buildings must be treated as separate sites. In this instance, a separate application would be required for each site.

Note: The applicant is encouraged to use their site floor plan, as required under Section 8: Proposed Site and Physical Security, to clarify their site and building information.

SECTION 7: Ownership of Property

If the applicant is the owner of the entire proposed site, the declaration in this section must be signed by the proposed Senior Person in Charge (Senior PIC) as the person authorized to bind the applicant.

If the proposed site, or any portion of the proposed site, is not owned by the applicant, the declaration in Appendix A must be completed. To complete Appendix A, the applicant must provide the full address of the proposed site, or any portion of the proposed site, for which the applicant is not the owner. The applicant must also provide a description of the activities that will be conducted at that site. The owner/co-owners of the site must then complete and sign the declaration, stating that they: are the owner/co-owner of the proposed site; are fully aware of the activities that the applicant proposes to conduct at that site; and consent to those activities being carried out at the site.

If the proposed site, or any portion of it, is owned by more than one individual, the declaration in Appendix A of the application form must be signed by each owner.

Appendix A must be submitted with applications where the applicant proposes to undertake licensed activities on property not owned by the applicant.

SECTION 8: Proposed Site and Physical Security

The applicant must comply with the site and physical security requirements under the MMPR. Please attach a detailed description of the security measures and floor plans of the site, including each of the buildings within the proposed site where any licensed activities are to be conducted. The applicant must also include floor plans for the site, including each building of the proposed site where proposed licensed activities are to be conducted.

Your proposed site must be designed in a manner that prevents unauthorized access.

To determine the security measures required for proposed licensed activities, please refer to the *Marihuana for Medical Purposes Regulations*, the *Guidance Document – Building and Production Security Requirements for Marihuana for Medical Purposes* at: http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/bp-securit-eng.php, and the Health Canada *Directive on Physical Security Requirements for Controlled Substances at:* http://www.hc-sc.gc.ca/hc-ps/pubs/precurs/dealers-distrib/phys_securit_directive/index-eng.php.

The MMPR set out physical security requirements that are necessary to secure sites where licensed producers conduct activities with marihuana, other than storage. The Guidance Document – *Building and Production Security Requirements for Marihuana for Medical Purposes* provides technical details on how to meet these security requirements.
For storage, Health Canada's *Directive on Physical Security Requirements for Controlled Substances* establishes security requirements for the storage of all controlled substances including dried marihuana, marihuana seeds, and cannabis (for the purposes of conducting *in vitro* testing only) by licensed producers. The applicant is encouraged to follow the *Directive on Physical Security Requirements for Controlled Substances,* as much as possible, in developing the storage elements of their plan.

Please note that the level of security for storage may be different for each building on the proposed site. Please indicate on the building's floor plan the proposed level of security for storage of that building in accordance with the Directive listed above.

The proposed security measures must meet the requirements set out in the *Directive on Physical Security Requirements for Controlled Substances* and in the MMPR, including:

- The perimeter of the licensed producer's site must be visually monitored at all times by visual recording devices to detect attempted or actual unauthorized access.
- The areas within a site where cannabis is present must be visually monitored at all times by visual recording devices to detect illicit conduct.
- The visual recording devices must be capable of recording attempted or actual unauthorized access in a visible manner.
- The perimeter of the site and areas within a site where cannabis is present must be secured at all times by an intrusion detection system capable of detecting attempted and actual unauthorized access to or movement in the site, or tampering with the system.
- The intrusion detection system must be monitored at all times by personnel who can determine the appropriate steps to take in response to any detected activity that is unauthorized.
- In the case of any detected activity, the personnel must record the date and time of the detected matter and the measures taken in response to it. Personnel must also record the date and time when measures were taken.
- Access to areas within a site where cannabis is present must include physical barriers that prevent unauthorized access and must be limited to personnel who require access to the areas to perform their work responsibilities. Records must be kept of each person entering or exiting these areas.
- All areas within a site must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen.

Note: Before a licence can be issued, your compliance with the site and physical security requirements under the MMPR and Health Canada *Directive on Physical Security Requirements for Controlled Substances* will be verified through a pre-licence inspection conducted by Health Canada.

SECTION 9: Notice to Local Government, Police and Fire Authorities

Prior to submitting an application to become a licensed producer of marihuana for medical purposes, the applicant must provide a written notice to local authorities to inform them of their

intention to submit an application. The notice must include the applicant's name, the activities for which the licence is sought (i.e. that activities are to be conducted in respect of cannabis), the site address (and of each building on the site, if applicable) at which the applicant proposes to conduct those activities, as well as the date when the application will be submitted to Health Canada.

In the application to become a licensed producer of marihuana for medical purposes, please identify the name, title and address of the senior official for each of the following local authorities, as well as the date when the notification was provided:

- the local police force or Royal Canadian Mounted Police detachment responsible for providing policing services to the area in which the proposed site is located;
- the local fire authority of that area; and
- the local government (for example, municipality) of that area.

The Senior Person in Charge must sign the declaration in this section confirming that they have provided the required notice to local authorities. A copy of each notice must be provided with the application.

SECTION 10: Quality Assurance Pre-Licensing Report

A licensed producer must have an employee designated as a quality assurance person who is responsible for assuring the quality of the dried marihuana, before it is made available for sale. This employee must have the training, experience and technical knowledge related to the proposed licensed activities and the requirements of the MMPR.

The applicant must submit a document signed and dated by the quality assurance person that includes:

i. a description of the quality assurance person's qualifications in respect of the proposed licensed activities and the requirement of the MMPR; and
ii. a report establishing that the buildings, equipment and proposed sanitation program to be used in conducting the proposed activities referred in the MMPR comply with the regulatory requirements.

The accuracy of the information contained in the report will be verified by Health Canada inspectors during the pre-licence inspection of the proposed site.

For more information on quality requirements, please refer to the *Guidance Document – Technical Specifications for Testing Dried Marihuana for Medical Purposes at: http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/techni-eng.php.*

SECTION 11: Record Keeping

The applicant must submit a detailed description of their proposed record keeping methods. This must include a description of the process that will be used for recording transactions relating to licensed activities, including maintaining appropriate records of transactions and dealings with both suppliers and clients.

The method of record keeping proposed by the applicant must permit compliance with the requirements of Part 6 of the MMPR. The record keeping must allow for the reconciliation of orders for cannabis (including marihuana) and shipments and inventories of cannabis (including marihuana).

Note: The Minister of Health can request that a licensed producer provide records, documents and information referred to in the MMPR in the form and at the time specified by the Minister.

SECTION 12: Declarations and Attestations

The declarations and attestations in the application form must be signed and dated by the proposed Senior Person in Charge.

SECTION 13: Submission

Please submit your completed application to become a Licensed Producer under the *Marihuana for Medical Purposes Regulations*, including all applicable attachments by mail to:

Controlled Drugs Section
Licences and Permits Division
Office of Controlled Substances
Controlled Substances and Tobacco Directorate
Health Canada
150 Tunney's Pasture Driveway, Tunney's Pasture, A.L.: 0300B
Ottawa, ON K1A 0K9

All relevant sections of the application form must be completed and all required documents must be submitted. An incomplete application will not be processed. If your application is incomplete, it may be returned to you.

A Health Canada representative is available to assist you if you have any questions pertaining to these requirements and the application process. You can send us your questions by email at MMPR-RMFM@hc-sc.gc.ca or call us at 1-866-337-7705.

***Canada Gazette*, Part II, publication of MMPR**

June 19, 2013

GUIDANCE DOCUMENT

Building and Production Security Requirements for Marihuana for Medical Purposes

Published by authority of the
Minister of Health

Controlled Substances and Tobacco Directorate
Healthy Environments and Consumer Safety Branch

Canada

Pub: 130083

Également disponible en français sous le titre: *Exigences en matière de sécurité des bâtiments et de la production de marihuana à des fins médicales.*

FOREWORD

Guidance documents are meant to provide assistance to industry and health care professionals on how to comply with governing statutes and regulations. Guidance documents also provide assistance to staff on how Health Canada mandates and objectives should be implemented in a manner that is fair, consistent and effective.

Guidance documents are administrative instruments not having force of law and, as such, allow for flexibility in approach. Alternate approaches to the principles and practices described in this document may be acceptable provided they are supported by adequate justification. Alternate approaches should be discussed in advance with the relevant program area to avoid the possible finding that applicable statutory or regulatory requirements have not been met.

As a corollary to the above, it is equally important to note that Health Canada reserves the right to request information or material, or define conditions not specifically described in the document, to allow the Department to adequately mitigate the risk of diversion of controlled substances to an illicit market or use.

This document should be read in conjunction with the relevant sections of other applicable guidance documents and the *Directive on Physical Security Requirements for Controlled Substances*.

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1. Purpose

The document is intended to help Licensed Producers (LPs) comply with Division 3 security measure requirements of the *Marihuana for Medical Purposes Regulations* (MMPR) which include general security measures, and security measures for the perimeter of site and areas within a site where cannabis is present.

LP's should note that this guidance document **does not** apply to the storage of dried marihuana, marihuana seeds and cannabis used solely for the purpose of testing in order to determine the percentages of cannabinoids in dried marihuana. The security measures for the storage of these substances can be found in Health Canada's *Directive on Physical Security Requirements for Controlled Substances* (Security Directive). The Security Directive establishes realistic minimum security standards for the **storage** of controlled substances and applies to dried marihuana, marihuana seeds, and to cannabis used solely for the purpose of conducting in-vitro testing in order to determine the percentages of cannabinoids in dried marihuana (both packaged and unpackaged). In addition to the requirements included in the Security Directive, there are specific outcome based requirements set out in Division 3 of the MMPR. These requirements aim to prevent unauthorized access to your site and to restrict and monitor access to areas within your site where cannabis is present.

It is the LP's responsibility to ensure that provincial, municipal and federal legislation including building and fire codes are complied with. Health Canada's Office of Controlled Substances is the authority responsible for licensing and compliance monitoring under the *Controlled Drugs and Substances Act* (CDSA) and MMPR.

2. Background

The safeguarding of controlled substances is an issue that confronts all manufacturers, distributors, practitioners, pharmacists, law enforcement and government. Health Canada limits the handling of these substances through policies, guidelines and legislation such as the CDSA, the *Narcotic Control Regulations* (NCR) and the MMPR. Cannabis, its preparations, derivatives, and similar synthetic preparations as listed under Schedule II of the CDSA are included in the definition of a controlled substance. Those wishing to engage in lawful activities must, therefore, be properly licensed and ensure that the controlled substances are adequately secured and safeguarded at all times for public safety and to minimize risks of diversion.

3. Scope

This guidance document is applicable if you are interested in producing marihuana for medical purposes or want to engage in any other regulated activity set out in the MMPR. These guidelines outline regulatory requirements and include examples of security measures that you can put in place for both building construction and electronic systems. The Procedures section of this document will assist you on how to meet these requirements. Furthermore, it is the LP's responsibility to ensure that provincial, municipal and federal legislation including building and fire codes are complied with.

This guidance document does not apply to licensed dealers under the *Narcotic Control Regulations*, the *Benzodiazepines and Other Targeted Substances Regulations*, and Part G or Part J of the *Food and Drug Regulations*.

Please note that all waste cannabis material from cultivation or production is considered to be a controlled substance with the exception of mature cannabis stalks that do not include leaves, flowers, branches or seeds; and fibers derived from the stalks as well as any non-viable cannabis seeds as per Schedule II of the CDSA. Waste cannabis material that is a controlled substance must be secured in accordance with the CDSA and as outlined in Health Canada's *Directive on Physical Security Requirements for Controlled Substances* (Security Directive) until destroyed.

4. Procedures

As part of the application to become a LP, you must provide a detailed description of the security measures at the proposed site, in accordance with Division 3 of the MMPR and the Security Directive, published by Health Canada, as amended from time to time. It is up to you to determine potential security risks at your site and to design and implement appropriate security systems and protocols to meet the regulatory requirements outlined above. Health Canada officials will review your security proposal as part of their consideration of your application. It is important that you seek appropriate professional advice before undertaking any construction work.

The security of your site and of the areas within your site where cannabis is present does not end with the design and construction. Security requirements detailed in the regulations require your attention on a continual basis. It is the ongoing responsibility of the LP to ensure that all requirements for securing their site, areas within their site where cannabis is present and the storage of cannabis and any activities relating to the production of marihuana for medical purposes (as per their licence) are met.

In addition, it is the responsibility of the LP to ensure that provincial, municipal and federal legislation including building and fire codes are complied with.

5. Specific Regulatory Provisions in Division 3 of the MMPR

In this section, specific regulatory provisions from the MMPR are reproduced in bold and italicized text, followed by guidance on how these regulatory provisions can be met.

5.1 Regulatory Provisions Relating to Securing Your Site

MMPR s41 ***A licensed producer must ensure that the security measures set out in Division 3 are carried out.***

MMPR s42 ***The licensed producer's site must be designed in a manner that prevents unauthorized access.***

MMPR s47 ***Those areas [within a site where cannabis is present] must include physical barriers that prevent unauthorized access.***

Guidance: Signage and Physical Barriers

If your site is a stand-alone building, or a space within a building that shares walls, then physical barriers and signage posted at the perimeter and entrance to your building/space can assist in ensuring that your site is secure. The main purpose is to prevent unauthorized access and to act as a definite demarcation. Physical barriers are required for securing all areas within a site where cannabis is present. Physical barriers should provide sufficient resistance to impede unauthorized access to the premises where cannabis is present.

For example, a physical barrier of some kind (e.g. a fence surrounding the site) and a sign stating that it is private property or a restricted area and that unauthorized access is prohibited are appropriate.

Guidance: Entrances, Doors and Frames

Minimizing the number of entranceways to the site and areas within a site where cannabis is present will assist in securing and monitoring the space; however, it should remain consistent with fire and building safety codes. Securing all entrances to the building, site or areas within a site where cannabis is present would prevent unauthorized access.

For example, entranceways to areas within a site where cannabis is present could be equipped with commercial steel doors and frames. Doors may be specified as fire rated where required. The doors could also be equipped with the appropriate locking hardware, door closers, contact switches, and electronic access control mechanisms, to assist in providing appropriate security against unauthorized access.

Keeping your entranceways closed and locked to the extent possible given your business operations can assist in ensuring that your site and areas within a site where cannabis is present are secure.

Keeping doors and entrances to the areas within your site where cannabis is present closed at all times with an operational intrusion detection system on (alarm system that operates at all times) would further prevent unauthorized access.

Guidance: Openings, Ducts and Mechanical/Electrical Pass-Throughs

Minimizing the number of openings, ducts and pass-throughs in your site and areas within your site where cannabis is present will assist in preventing unauthorized access.

Protecting all other openings with security screens, steel bars or equivalent material, welded to steel frames will assist in preventing unauthorized access to your site. The screens and bars are most effective in preventing unauthorized access including quick entry, grab and exit type intrusions.

Where appropriate to accommodate pipe or conduit movement or expansion, pipes and conduits can be enclosed in a close-fitting sheet metal sleeve and fastened to a frame to provide appropriate security.

Guidance: Wall Construction

The walls of your site should be constructed to assist in ensuring that unauthorized access to your site and areas within your site where cannabis is present is prevented.

For example, slab-to-slab construction and steel mesh sheets attached to the underside of structural joists can assist in ensuring wall security.

Guidance: Glazing Panel Security

Appropriate use of glazing panels can assist in ensuring that unauthorized access to your site is prevented.

For example, any glazing panels used in roofing (in a greenhouse for example) should be attached directly to the roof structure in such a manner as to preventing removal from the outside.

Building security can be further ensured by using appropriate electronic equipment to monitor glazing elements, including sensors that can detect breakage of glazing panels.

Mechanisms that can provide secure monitoring of glazing elements include at least one of the following:

- Glass-break sensors of sufficient number may be appropriately installed to provide 100% coverage of the glazing area.
- Electrically conductive foil or wire can be incorporated in the glazing elements to provide detection of breaks.
- Volumetric or beam-break detection systems can be employed to provide 100% coverage of the interior surface area of the glazing.

5.2 Regulatory Provisions Relating to Monitoring and Detection

Perimeter of the Site

MMPR s43. (1)	***The perimeter of the licensed producer's site must be visually monitored at all times by visual recording devices to detect any attempted or actual unauthorized access.***
MMPR s43. (2)	***The [visual recording] devices must, in the conditions under which they are used, be capable of recording in a visible manner any attempted or actual unauthorized access.***
MMPR s44.	***The perimeter of the licenced producer's site must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in the site or tampering with the system.***
MMPR s45.(1)	***The system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence [of attempted or actual unauthorized access].***
MMPR s45.(2)	***If any such occurrence is detected, the personnel must make a record of: the date, time of the occurrence; and the***

measures taken in response to it and the date and time when they were taken.

Areas Within a Site Where Cannabis is Present

MMPR s48.(1) ***Those areas [within a site where cannabis is present] must be visually monitored at all times by visual recording devices to detect illicit conduct.***

MMPR s48.(2) ***The devices must, in the conditions under which they are used, be capable of recording in a visible manner illicit conduct.***

MMPR s51.(1) ***The intrusion detection system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence [of illicit conduct, any attempted or actual unauthorized access to or movement in those areas or tampering with the system].***

MMPR s51.(2) ***If any such occurrence is detected, the personnel must make a record of: the date, time of the occurrence; and the measures taken in response to it and the date and time when they were taken.***

Guidance: Video Coverage

Visual monitoring of the perimeter of your site, as well as the areas areas within your site where cannabis is present can be achieved using closed circuit video equipment (CCVE). Appropriate lighting equipment in conjunction with CCVE can assist in the detection, classification, assessment, and recognition of the images recorded.

Camera should be in sufficient number and appropriately located to cover the area to be monitored.

Guidance: Redundancy and Back-Ups

Keeping all cameras recording 24/7, and having appropriate back-up mechanisms in place can achieve the appropriate coverage to detect illegal activity, unauthorized access and any attempts to breach the security of your site and of the areas within your site where cannabis is present.

Back-up mechanisms must ensure that all visual recordings and records of a detected occurrence be retained for two years. These back-up mechanisms may include storing the visual recordings on multiple media devices.

5.3 Regulatory Provisions Relating to Access Control

MMPR s42.	***The licensed producer's site must be designed in a manner that prevents unauthorized access.***
MMPR s46. (1)	***Access to each area within a site where cannabis is present must be restricted to persons whose presence in the area is required by their work responsibilities.***
MMPRP s46.(2)	***The responsible person in charge or, if applicable, the alternate responsible person in charge must be physically present while other persons are in those areas.***
MMPR s46.(3)	***A record must be made of the identity of every person entering or exiting those areas.***

Guidance: Securing access to the site perimeter and areas within a site where cannabis is present

There is a wide range of appropriate electronic access control systems, including intrusion detection mechanisms and CCVE that may be employed to ensure that access to the site, and areas within the site where cannabis is present, is restricted to the appropriate personnel and that a record is kept of each person entering or exiting those areas.

The system that you install must be capable of identifying each individual who enters or leaves restricted areas to comply with regulatory requirements. A personal identification number (PIN) credential system alone is not sufficient for access control because PINs can be purposefully or inadvertently disclosed.

For example, a security system that requires a PIN and an identification card, or biometrics and visual monitoring are examples of ways to prevent both unauthorized access to those areas within a site where cannabis is present, and keep track of the movements of personnel that enter and leave those areas.

Guidance: Security System Control Mechanisms

Steps should be taken to ensure the appropriate control of codes, keys, combinations and other elements of your security system.

For example, to ensure appropriate security, only senior personnel including the senior person in charge, the responsible person in charge and any alternate responsible persons in charge should have access to alarm codes, vault combinations and other security elements for the site. Changing combinations and codes on a regular basis and when there are any changes with any senior personnel will assist in ensuring appropriate control of the security system.

5.4 Regulatory Provisions Relating to Intrusion Detection

Perimeter of the Site

MMPR s44.	***The perimeter of the licenced producer's site must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in the site or tampering with the system.***
MMPR s45.(1)	***The system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to any occurrence of an attempted or actual unauthorized access to or movement in the site or tampering with the system.***
MMPR s45.(2)	***If any such occurrence is detected, the personnel must make a record of: the date, time of the occurrence as well as all measures taken in response to it and the date and time when they were taken.***

Areas within a site where cannabis is present

MMPR s49.	***Those areas [within a site where cannabis is present] must be secured by an intrusion detection system that operates at all times and that allows for the detection of any attempted or actual unauthorized access to or movement in those areas or tampering with the system.***
MMPR s51.	***The intrusion detection system must be monitored at all times by personnel who must determine the appropriate steps to be taken in response to the detection of any occurrence [of illicit conduct, any attempted or actual unauthorized access to or movement in those areas or tampering with the system].***

A robust intrusion detection system can assist in securing both your site and areas within your site where cannabis is present.

Guidance: Monitoring

Monitoring your site's perimeter and areas within your site where cannabis is present via an intrusion detection system with personnel in a central location will

allow your personnel to detect any unauthorized attempts to enter those areas; or to tamper with security equipment. Appropriately trained personnel will assist in responding to any incident involving detected unauthorized activity.

When there are no responsible personnel present, a link to a monitoring station will enable notification to the appropriate personnel and law enforcement.

A response plan should be designed to ensure quick action when detection has occurred.

Guidance: Records of Detected Matters

Keeping all cameras recording 24/7, and having appropriate back-up mechanisms in place can achieve the appropriate coverage to detect illegal activity, unauthorized access and any attempts to breach the security of your site and areas within your site where cannabis is present.

Back-up mechanisms must ensure that all visual recordings and records of a detected occurrence be retained for two years. These back-up mechanisms may include storing the visual recordings on multiple media devices.

Guidance: Tampering

The effectiveness of any system is dependent on the signal reaching the individuals responsible for the monitoring of the signal and the response to its warning. Depending on how the signal is carried, tampering with the line carrying the signal may result in the signal not reaching its intended destination. An acceptable system should be able to identify, record, and notify if the lines are tampered with or if an attempt has been made.

A response plan should be designed to ensure quick action when tampering occurs.

Guidance: Power Supply

In order to comply with regulations, your security system must include visual recording devices, access control and an intrusion detection system which must operate on a continuous basis.

For example, supporting your security system and all components (e.g., sensors, control units and communicators/enunciators, volumetric sensors, glass-break detectors, beam-break sensors) with an uninterruptible power supply sufficient for 24/7 continuous operation would effectively maintain the integrity of your security system.

5.5 Regulatory Provision Relating to Air Filtration

MMPR s50. ***Those areas [within a site where cannabis is present] must be equipped with a system that filters air to prevent the escape of odours and, if present, pollen.***

Guidance: Air Filtration

To assist in the prevention of the escape of pollen, odours, and other particles, all exhaust air from your cultivation area and other areas within your site where cannabis is present can be filtered through appropriate air filtration systems.

For example, a high-efficiency particle air filter such as a H13 HEPA filter can ensure appropriate ventilation and filtration of exhaust air.