

POLICY ON EDUCATIONAL GANJA TOURS

BACKGROUND

The Cannabis Licensing Authority (the Authority) was established in 2015 under the Dangerous Drugs (Amendment) Act (“the DDA”) with a specific role to establish and regulate Jamaica’s legal hemp and ganja industry. “Ganja” includes all parts of the plant cannabis sativa from which the resin has not been extracted and includes any resin obtained from that plant.

In 2016, the Dangerous Drugs (Cannabis Licensing) (Interim) Regulations were promulgated. These Interim Regulations provided for an interim licensing regime pursuant to the power conferred on the CLA under section 9A(2)(a) of the Dangerous Drugs (Amendment) Act, 2015 and have been drafted to mirror the obligations required under the International Drug Control Conventions, which were ratified by Jamaica.

MISSION

The Mission Statement of the Cannabis Licensing Authority is to, *“effectively regulate the legal handling of ganja and hemp, and issue licences, permits and authorizations to enable the development of a sustainable Medicinal Cannabis Industry in Jamaica.”*

The Authority, through several initiatives to enable the industry continues to review and implement, where necessary, policies and strategies instrumental to the continued development of the industry. The provision of accurate information to the public remains a key element in developing a sustainable medicinal cannabis industry. Therefore, the opportunity for licensees to deliver critical industry knowledge whilst creating an additional income stream, is beneficial to the cannabis industry on several fronts as consumers can get first-hand knowledge and visual confirmation that medical cannabis products are handled in controlled environments demonstrating Good Agricultural Practices (GAP) and Good Manufacturing Practices (GMP) which renders cannabis safe and fit for consumption.

LEGAL FRAMEWORK

“Handling” as defined by section 7D of the Act “includes use, cultivation, processing, importation, exportation, transit, manufacture, sale, possession and distribution” of ganja and hemp.

Whilst the regulatory framework speaks to the handling of ganja and the requirement for persons to be authorized by the CLA, prior to being employed, there is no explicit reference to the treatment of visitors to a licensed site. Notwithstanding, the Authority has developed procedures to treat with persons visiting the licensed site.

Such procedures involve the establishment and maintenance of an accurate and properly kept log, among other things. In light of the above, participants in an educational ganja tour may be regarded as visitors under the current regulatory framework and could be legally permitted to tour licensed sites once they are not allowed to handle or consume the ganja.

It is against this background that the Authority has developed a policy framework to govern the parameters to be observed during the conduct of educational ganja by licensees and/or their authorized agents on licensed sites.

DEFINITION OF KEY TERMS

Access Log	Any physical or electronic system approved by the CLA that is used to capture the date, time and name of all individuals entering or exiting all areas of a licensed site, to include areas where ganja is handled.
Compliance	A state of conformity to relevant legislation, regulations, terms and conditions, policies and directives issued by the CLA under the Dangerous Drugs (Amendment) Act, 2015 and Interim Regulations.
Declaration Form	The form developed by the CLA for the collation of relevant information for potential participants of ganja tours.
Handling	As defined by the Interim Regulations. The said definition is adopted in this policy.
Personal Protective Equipment (PPE)	This includes all items/equipment used by the licensee to protect visitors and to prevent contamination of ganja plants/ganja by-products by pollen and other matter which may compromise crop health and integrity, and the safety of ganja (so exposed) for consumption.
Protocols	This is a structured set of guidelines to be followed by the licensee and visitors to the licensed site for the educational ganja tours, among other reasons.

LICENSEES DESIROUS OF OFFERING GANJA TOURS

Request for Authorization

All licensees desirous of offering ganja tours must seek authorization from the Authority prior to the commencement of any tour by **submitting a written request together with their proposed tour protocols**. Such requests should be sent to compliance@cla.org.jm. It is to be noted that only tours for educational purposes are allowed and as such, the licensee should submit to the Authority, an outline of the information to be shared with visitors about ganja. Additionally, if said information will mention the CLA, such information must be approved by the CLA to ensure proper representation.

Protocols

The tour protocols must include the following: -

- the operating hours for tours.
- the intended duration of each tour.
- the number of persons per tour.
- the number of tour guides.
- an outline of the information to be shared with visitors about ganja.
- step by step procedure of how each tour will be conducted from start to finish.
- the measures to be implemented to ensure that ganja will not be handled by tour participants.
- the respective areas of the site that visitors will be allowed to have access to as well as prohibited areas.

CRITERIA

In order for approval to be granted for a licensee to offer educational tours to the public, the following criteria must be taken into consideration:

1. The licensee's history of compliance for a minimum period of three (3) months to include but not limited to: -
 - a) physical security measures (access control and fencing).
 - b) adequate surveillance systems.
 - c) inventory management procedures.
 - d) timely reporting of INCB figures.

2. The licensee's surveillance system: -
 - a) is capable of storing footage for a minimum of thirty (30) days.
 - b) must cover all areas subjected to the educational tour as well as where ganja will be handled and stored.
 - c) has 24-hour continuous recording.

REQUIREMENTS WHEN CONDUCTING EDUCATIONAL TOURS

Tour Guide Eligibility

The employee(s) who will be conducting the tour must be authorized by the CLA and be clearly identified as the tour guide.

Visitor Passes

There must be adequate visitors' passes issued to each visitor prior to commencement of the tour and must remain on the visitor's person for the duration of the tour.

Declaration form

The prescribed CLA declaration form must be completed by visitors before commencing the tour.

Demarcation

The licensee must have clear lines of demarcation to restrict the handling of ganja by visitors during the tour.

Personal Protective Equipment

The licensee should ensure that appropriate personal protective equipment is used/worn by visitors during the tour. These should include:

- Hygienic coats
- Shoe Covering
- Head covering
- Sanitization system

Access Log

The licensee must have effective access logs in place to properly account for all visitors entering the site. These access logs must encompass the following specifications:

- Date of visit
- Name of visitor
- Time of visitor's entry
- Time of visitor's exit
- Signature of visitor

Agricultural Practices

Licensees should adhere to good agricultural practices at all times to include when conducting educational ganja tours.

REPORTING REQUIREMENTS

The licensee should collate and provide the CLA with a report of all tours conducted by the licensee on a monthly basis. The report should include the following information:

- The number of tours conducted per day.
- The number of persons that participated in each tour.
- The nationality of each visitor who participated in the tour.

(This information can be captured on the declaration form as well).

- Instances of breaches of protocols.

PROHIBITED ACTIVITIES

1. Persons under 18 years old are prohibited from engaging in educational ganja tours.
2. Visitors are not allowed to use, touch, have in their possession or remove any ganja from the site.
3. Visitors are prohibited from removing their personal protective equipment during the tour except as instructed by the tour guide.
4. Visitors are prohibited from going into the drying room and storage room. Licensees may however construct simulations of activities conducted in these areas.

NOTE: *The Authority has the power to withdraw any authorization to conduct tours at any time.*

Any change in tour protocols must be communicated to the Authority and approved prior to conducting any tour.

Visitors are prohibited from going into the drying room and storage. Licensees may however construct simulations of activities conducted in these areas.