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KINGSTON, JAMAICA



No Hindrance to Commercial Exports while Import/Export Regulations are Impending

The Cannabis Licensing Authority (CLA) is aware of the circulation of a May 30, 2020, Forbes article entitled “Aphria, Aurora And Other Big Ag Cannabis Companies Pull Out Of Jamaica”. The Authority wishes to take this opportunity to clarify some matters and inaccuracies mentioned in the said article, specifically those regarding the CLA.

Firstly, the article cited frustration due to “lack of action” on the part of the CLA and the Jamaican Government as well as “stalled governmental decisions on export licenses” as reasons for the named companies pulling their investments from Jamaica.

While the Authority cannot speak to nor does it have control over the internal business decisions of a licensee, licence holders are not hindered in their ability to export product from Jamaica due to the non-passage of import/export legislation.

Since November 2018, licence holders have had the opportunity to export cannabis inflorescence/buds and extracts from Jamaica to jurisdictions across the world, notwithstanding the absence of import/export regulations. This has been facilitated by the CLA through the establishment of Interim Measures for the Export and Import of Cannabis, which are published on the Authority’s official website.

For licensees to be granted Export Authorizations they must satisfy specific requirements. One such requirement is that requests submitted to the CLA by a licensee must include a copy of a valid Import Permit, issued by the appropriate regulatory authority, from the importing country. Additionally, the receiving country must also be a signatory to the United Nations (UN) International Drug Control Conventions, in particular, the 1961 Single Convention on Narcotics Drugs, as amended by the 1971 Protocol.

Consistent with these requirements, since November 2018, the CLA has processed several requests from its licensees and has granted fifteen (15) Export Authorizations. To date, all licensees who have sought Export Authorizations have received same from the CLA.

These Interim Measures were primarily established to enable the timely growth and development of the legal medical cannabis industry in the absence of the import/export regulations. As such these Interim Measures will cease to exist upon promulgation of the regulations.

Meanwhile, the Government of Jamaica continues to work assiduously on the Dangerous Drugs (Cannabis Import and Export Licensing) Regulations, 2020 to ensure that they are comprehensive and comply with all the requirements of the UN International Drug Control Conventions, while adequately addressing the needs of the industry, primarily the licensees.

Secondly, we note the comment which states that a “slight amount of export... was only permitted for medical research and development.” It is to be noted that the quantity of cannabis and its extracts stated on the import

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permit is determined by the country issuing the import permit and the licensee, not the Authority. The established Interim Measures do not specify or limit the quantities of cannabis to be exported. As a result, commercial quantities are not excluded from export. Further, the purpose of the export is not limited to medical research and development. In fact, exports facilitated since 2018 have been for various purposes including research, medical purposes, cultivation and manufacturing of medical products.

It is within this context, that the CLA finds the comments in the Forbes article to be inaccurate and misleading as it gives the impression that there is a limit imposed by the CLA on both the quantity and purpose of exported cannabis inflorescence/buds and extracts. ###END###

Notes to Editors:

About the Cannabis Licensing Authority: The CLA, which was created by the Dangerous Drug Act, has powers to make and enforce regulations for licences, permits and- authorisations for the cultivation, processing, distribution, sale and transportation of ganja, for medical scientific and therapeutic purposes.

About Jamaica's UN Drug Treaty Obligation: Parties to the 1961 Single Convention undertake to limit the production, manufacture, export, import, distribution and stocks of, trade-in and use and possession of the controlled drugs so that they are used exclusively for medical and scientific purposes. The production and distribution of controlled substances must be licensed and supervised.

About the Dangerous Drugs (Cannabis Import and Export Licensing) Regulations 2020: On promulgation of these Regulations, the CLA the regulatory remit over the import, export, transit and transshipment of cannabis and its extracts.

Interviews: Available on request

Images: n/a

Website: www.cla.org.jm

Social Media: Facebook: facebook.com/TheCannabisLicensingAuthority

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