

Safety concerns surrounding cannabis need more attention: Daya

By AdvocateDaily.com Staff



Safety concerns risk being lost in the excitement over cannabis legalization, Toronto personal injury lawyer **Jasmine Daya** tells **AdvocateDaily.com**.

Daya, managing principal with **Jasmine Daya & Co**, says cases of adverse drug reactions and product mislabelling have already been reported across the country, just months into the new regime, and she doesn't expect them to stop any time soon.

"I'm concerned that the government is not taking these concerns seriously enough," she says. "Everyone is excited about legalization on a social level, and the stimulation to the economy, but there are real risks, not only on the personal injury front."

The CBC **reported** on problems at the Ontario Cannabis Store with the mislabelling of a product's amount of THC, the psychoactive ingredient in marijuana, which could potentially lead to unintended higher levels in a driver's blood.

Although the CBC story indicates the error appeared to be the manufacturer's, Daya says both makers and sellers of these products could face legal exposure if a customer experiences an adverse reaction as a result of mislabelling.

"Like with any medical product, if someone suffers negative consequences as a result of something being wrongly described, they could sue," she says. "There could potentially be serious safety concerns, for example, if people caring for young children or an elderly family member consume a product with a higher content of the psychoactive material than advertised."

"I see injuries every day, and while I'm not opposed to legalization, I think we should be considering the foreseeable harm and risk of injury that could occur," Daya adds.

She says the cautious approach taken by National Bank CEO Louis Vachon resonates with her. Last year, the *National Post* **reported** on an address to shareholders in which Vachon said the nation's sixth largest bank would steer clear of investments in the cannabis industry in part over concerns about "significant risks of class-action lawsuits."

"The tobacco industry operated for 50 years without a class action. I think it's only going to take maybe 50 months or 50 weeks before a significant class action is launched against cannabis producers and contributors," Vachon told the meeting.

"For me, it's another reason our government should not be our drug dealer," Daya says. "We have regulated growers, but what happens if they use pesticides or other chemicals that cause health hazards? This is something that might not be a current issue, but it could come back to haunt us years from now."