

British Columbia

## B.C. non-profit challenges Health Canada to end 50-year prohibition on magic mushrooms

Proposal outlines licensing growers and sellers, quality control, security and packaging

[Curt Petrovich](#) · CBC News · Posted: Aug 03, 2021 1:06 PM PT | Last Updated: August 4



A man holds psilocybin mushrooms, commonly known as magic mushrooms. The psychedelic compound psilocybin is being studied as a potential treatment for depression. (Chris Corday )

A B.C.-based non-profit organization is challenging Health Canada to end a nearly 50-year prohibition against possessing so-called magic mushrooms and the potent psychedelics they produce.

TheraPsil, which advocates for the therapeutic use of the psychedelic compound psilocybin, spent months drafting proposed regulations for so-called magic mushrooms based on the same ones the federal government first created 20 years ago for medicinal cannabis.

TheraPsil CEO Spencer Hawkswell said his organization sent a 165-page proposal to Health Canada's director general Jennifer Saxe.

"This is taking all of the bureaucratic processes, all of the hard work that people put into cannabis, such as how to apply for a license if you want to grow it ... and just making it the exact same for psilocybin," Hawkswell said.

- [Health Canada dragging feet on approving magic mushrooms for therapeutic use, patients and advocates say](#)

The document deals with managing every aspect of licensing growers and sellers, from who can be involved, where they can be located, quality control, security and packaging. There are also provisions in the draft for patients to register to grow their own, as well as a formula for calculating how much an individual can grow, based on the amount of mycelium, the branch-like organism that produces the mushroom as fruit.

## Some exemptions issued

Psilocybin is prohibited in Canada by the Controlled Drugs and Substances Act (CDSA). The drug has been illegal since 1975. But just last year, the health minister started using her authority under a section of the act to grant legal exemptions, mainly to people with terminal illness and treatment-resistant depression.

To date, 64 patients and therapists have received legal exemptions from Health Canada, which are valid for one year. But the department acknowledges more than 150 applications it has received have gone unanswered.

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Hawkswell said Health Canada's director general was open to receiving his organization's attempt at drafting a legal framework.

"I mean, they're giving exemptions to patients who have to find a substance on the street and who are unable to get help from a doctor and a therapist," he said.

Hawkswell said it is a safety issue that is entirely within Health Canada's mandate to consider.

Paul Manly, Green Party MP for Nanaimo-Ladysmith in B.C., hasn't seen the draft regulations, but he suggests regulating psilocybin is inevitable.

"The government initially, with medical cannabis regulation, had to be pushed through the courts," Manly said. "Now, I think that they're starting to look at the research ... that psilocybin can be used for a range of mental health issues, including PTSD and depression."

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Nathan Erskine-Smith, Liberal MP for Beaches-East York in Ontario, a self-described decriminalization advocate, welcomes psilocybin regulation. He's hesitant to gauge how much backing the idea has, even in his own party, especially ahead of a rumoured election, but he said there is support across party lines.

"Post-election, I think there is room to continue to move the conversation forward and to see progress."

## **'Health Canada is in a difficult position'**

TheraPsil isn't the only group eyeing regulations to make possession and use of psilocybin and the mushrooms which produce it, a matter between a doctor and patient. The Multidisciplinary Association of Psychedelic Studies and the Canadian Psychedelic Association (CPA) are also drafting their own regulatory blueprints for Health Canada to consider.

Dr. Pamela Kryskow is a founding board member of the CPA.

"I think Health Canada is in a difficult position," she said. "And we think that because we've really gone through this, really thoroughly and really thoughtfully, that this will hopefully be a gift to them to have done their work for them."

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Jim Doswell is a former federal treaty negotiator with First Nations in B.C. who has himself applied for a ministerial exemption to use psilocybin to aid in his therapy for PTSD. He has offered TheraPsil his insights into the regulatory process as the group was drafting its proposals. Doswell is under no illusion that Health Canada will act quickly, or at all, on any suggestions for regulation, no matter how complete or comprehensive they may be.

"All they have to do is agree, but of course, it's never that simple. The bureaucrats will have to go over it with a fine tooth comb. And then you have the political side of it," Doswell said, referring to the perceived political consequences of legalizing a psychedelic that's been banned since 1974.

Neither Health Canada nor its director general were available to comment. The department's official stance is to endorse clinical trials as a means to further study psilocybin's potential benefits and risks. Advocates, however, say enough scientific studies have been done to warrant regulation now.

### Clarifications

- An earlier version of this story included quoted material comparing the legalization of recreational cannabis to the legalization of the medicinal use of psilocybin. Due to the differences between recreational and medicinal uses of chemicals, this information has been removed.  
*Aug 03, 2021 6:34 PM PT*

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