



BARBADOS MEDICINAL CANNABIS LICENSING AUTHORITY

Frequently Asked Questions (FAQs) Handbook



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BARBADOS MEDICINAL CANNABIS LICENSING AUTHORITY

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We are here to help 25

About the Barbados Medicinal Cannabis Licensing Authority (BMCLA) & the supporting Legislation

1. What is the Barbados Medicinal Cannabis Licensing Authority (BMCLA)?

The BMCLA is a state owned enterprise (SOE) that falls under the ambit of the Ministry of Agriculture and was established to regulate the local industry. It administers the Barbados Medicinal Cannabis Industry Act 2019 (the Act) and the Medicinal Cannabis Industry Regulations, 2020.

For more about the BMCLA and its mandate visit www.bmcla.bb.

Legislation

2. Why has Barbados legislation changed to allow for cannabis for medicinal use?

The legislation and the Regulations were introduced due to a growing awareness of the potential health benefits of medicinal cannabis within the medical community as well as the benefits to the local economy.

The legislation provides for the sale, cultivation, manufacturing, transporting, dispensing, research and development, testing, importing and exporting of medicinal cannabis and Barbadian produced medicinal cannabis products, via a licensing system.

Learn more about the Barbados Medicinal Cannabis Industry Act, 2019 on www.bmcla.bb.

About Medicinal Cannabis

3. What is Cannabis?

Cannabis is any plant of the genus Cannabis from which the resin has not been separated and includes any part of that plant by whatever name it may be designated.

4. What are Cannabinoids?

Cannabinoids are chemicals which interact with the endocannabinoid system in mammals. These can be found in the Cannabis plant (Phyto cannabinoids), endogenously derived (endocannabinoids) or synthesized chemically. Research has found that the cannabis plant produces approximately 120 cannabinoids and about 300 non-cannabinoid chemicals. The two main clinically relevant cannabinoids are delta-9-tetrahydrocannabinol (THC) and cannabidiol (CBD).

5. What is Tetrahydrocannabinol (THC)?

Tetrahydrocannabinol (THC) is one of the active ingredients and naturally occurring cannabinoids in cannabis. It is the cannabinoid with the greatest psychoactive effect. It is considered to be the most active form, producing characteristic mood and associated perceptual changes.

6. What is Cannabidiol (CBD)?

Cannabidiol (CBD) is one of the bioactive compounds and naturally occurring cannabinoids in the cannabis plant which reacts with specific receptors in the human body to give a therapeutic effect. It is one of the most medically relevant chemical compounds found in the cannabis plant. It is also not as psychoactive as THC and is noted more for its medicinal effects.

7. What is Medicinal Cannabis?

Medicinal Cannabis is cannabis, the seeds, immature plants as well as all parts of the plant, along with resin extracted from any part of the plant; every compound, manufacture, salt, derivative, mixture or preparation from cannabis; or cannabis concentrate; that is cultivated, processed, manufactured, distributed, sold, tested or analysed under a license from the BMCLA, pursuant to the Barbados Medicinal Cannabis Industry Act, 2019. As a medicine, it is prescribed by physicians to provide a therapeutic effect.

8. What is recreational cannabis?

Recreational cannabis primarily uses higher doses of tetrahydrocannabinol (THC), a psychoactive agent that is responsible for the “high” feeling, for its products. Instead of a medical purpose, the recreational cannabis is used for enjoyment.

I’m a Patient: How do I access Medicinal Cannabis?

9. How do you get medicinal cannabis?

A patient can only access medicinal cannabis with a prescription from a medical practitioner.

That prescription can only be filled out by a pharmacist.

A pharmacist shall only dispense or supply medicinal cannabis on the submission by a patient or where applicable, a caregiver, of a prescription and a valid form of identification.

10. It is illegal to consume medicinal cannabis if I am not a patient?

A person who consumes medicinal cannabis without being authorised to use medicinal cannabis by a prescription from a medical practitioner is guilty of an offence and is liable on conviction on indictment to a fine of \$100 000 or to imprisonment for a term of 10 years or to both.

11. How is medicinal cannabis administered?

Medical cannabis can be administered by a variety of formulations which may include oral medicinal cannabis product or topical medicinal cannabis product.

Oral medicinal cannabis product means a tablet, capsule, liquid, gas, oil paste, gelatin, spray or other similar substance made from cannabis administered by mouth and be may be swallowed, chewed, inhaled or dissolved in the mouth.

Topical medicinal cannabis product means a product made from cannabis which is in a form to be applied to the skin, eyes, ears, or other parts of the body other than the mouth or by parenteral injection.

12. Will there be rigorous testing of medicinal cannabis?

The BMCLA may require a licensee to test any cannabis or medicinal cannabis product and submit the results to the BMCLA, and where required dispose of such cannabis or medicinal cannabis product where the test indicates that disposal of cannabis or medicinal cannabis product is required.

13. Will there be clear guidelines for dispensing medicinal cannabis for patients?

The Barbados Medicinal Cannabis Industry Act, 2019, states both the usage and dosage of medicinal cannabis.

[Please see Barbados Medicinal Cannabis Industry Act, PART III Section 25 and 26.](#)

14. Are there dose limitations?

A pharmacist shall not dispense to a patient (or where applicable, a caregiver) a quantity of medicinal cannabis greater than that which the patient or caregiver is permitted to obtain under a prescription; or any form of cannabis prohibited under Medicinal Cannabis Industry Act, 2019 or any other enactment.

In circumstances where a prescription by a medical practitioner requires repeated usage over a period of three (3) months, a pharmacy shall not dispense to that patient more than a 30-day supply of individual doses at a time.

15. How do I know if I am eligible to receive medicinal cannabis for my illness?

Questions about suitability and availability of medicinal cannabis products should begin with your medical practitioner.

16. Is cannabis for non-medicinal use still illegal in Barbados?

Cannabis for any other use besides medicinal or sacramental remains prohibited.

17. Is there a list of medicinal conditions for which medicinal cannabis can be prescribed?

Currently no specific conditions have been established. Questions about qualifying conditions and treatment options should be discussed with your medical practitioner.

18. Have you issued guidelines on dispensing through pharmacists or otherwise to patients?

The Ministry of Health has general responsibility under existing legislation regulating the supply of narcotics.

19. Where can I use medicinal cannabis?

You may use medicinal cannabis that is prescribed on the retail distribution licensed premises of a therapeutic facility. You may also consume prescribed medicinal cannabis on your private property (in your home).

However, you may not use medicinal cannabis in public places. Additionally, you cannot use cannabis within 600 metres of a school. (*See definition of school in the Medicinal Cannabis Industry Regulations, 2020*).

20. If I have a prescription from doctor X can I visit the therapeutic facility to have it dispensed?

Yes, once it is dispensed by a pharmacist within the therapeutic facility.

Minors and Medicinal cannabis

21. How will sale of medicinal cannabis to minors be addressed?

There will be no sale of medicinal cannabis to minors.

The parent or guardian of a patient who is minor shall obtain a certificate in writing from a medical practitioner certifying that the use of medicinal cannabis is necessary in the case of that minor, and the parent or guardian shall consent in writing to the use of medicinal cannabis for the treatment of the minor.

Additionally, possession of cannabis on or near school premises, the inclusion of a child or young person in the drug trade and the purchase of cannabis from a child or young person is illegal and on indictment could result in imprisonment for life. (*See Drug Abuse (Prevention and Control) Act Chapter 131*).

A parent or guardian of a patient who is a minor or young person can access medicinal cannabis via mechanisms described above. However, a person who is under the age of 18 years shall not be designated as a caregiver of minor or young person. (*See definition of caregiver in the Barbados Medicinal Cannabis Industry Act, 2019*)

22. What is the BMCLA doing to ensure public safety and prevent access by minors?

The BMCLA has established a comprehensive regulatory structure that prevents unregulated use to minors and ensures public health and safety. The regulations contain numerous public safety provisions, including:

- A licensee shall not employ a person under the age of 18 at any premises granted a license under the Act.
- A licensee shall not permit any minor on the premises or allow a minor to perform any task or do any act which requires dealing with any aspect of the medicinal cannabis industry or cannabis.

- A licensee shall not operate a cannabis business within 600 metres of a school.
- The requirement for child-resistant packaging on cannabis goods.
- Prohibitions on packaging that imitates any package used for goods that are typically marketed to children.
- Prohibitions on advertising that contains the use of objects, or includes any other display, depiction, or image designed in any manner likely to be appealing to anyone under 18 years of age.
- Video surveillance and security personnel requirements.
- Requirements for the secure transportation and delivery of cannabis goods.
- Record-keeping and mandatory reporting requirements.

For more information see the [Medicinal Cannabis Industry Regulations, 2020](http://www.bmcla.bb) on www.bmcla.bb.

The Medicinal Cannabis Industry: What do I need to know to get involved?

23. What does cultivation mean?

Cultivation includes the growing, harvesting, curing, and drying of plant material.

24. What does cultivation site mean?

Cultivation site is the premises specified in a cultivator license as premises on which cannabis plants are authorised to be cultivated.

25. What is a therapeutic facility?

Therapeutic facility is the premises operated by a person granted a **Retail Distributor License**:

- to sell, dispense or provide medicinal cannabis prescribed or recommended by a medical practitioner; and
- to provide facilities and other medicinal or therapeutic requirements to allow a patient who has purchased prescribed or recommended medicinal cannabis to use or consume that medicinal cannabis there for therapeutic purposes.

Both circumstances (consumption and dispensing) must be taking place to be considered for this license; and the premises must have a registered pharmacy on site.

26. Given that differences in cannabis plants lead to differing strengths of derivatives, how will this be controlled so that persons electing to use medicinal cannabis can obtain a consistent product or will this be a free-for-all?

The Authority will undertake ongoing testing and enforce quality assurance standards for all licensees. The Ministry of Health is responsible for approving all medicinal products including cannabis on the Barbados market.

27. How will the legal framework address who grows/imports medicinal cannabis?

The legal framework has been established by the *Barbados Medicinal Cannabis Industry Act, 2019* and its *Medicinal Cannabis Industry Regulations, 2020*. The regime is based on licenses all persons involved in the medicinal cannabis industry must meet the criteria outlined in the legislative framework and can only operate on approval of a license from the BMCLA.

For more information, please visit www.bmcla.bb.

70/30 Rule

28. What are the rules governing the 70/30 rule? Will the shares be restricted to only selling to Barbadians?

A Barbadian, permanent resident or person with immigrant status in Barbados or a citizen of a CARICOM member state must own 30 percent and it must be real direct ownership of the corporation.

Real direct ownership means ownership of an equity interest in the corporation or enterprise where such equity interest comprises the right to participate in the voting rights in that corporation or enterprise; the right to receive unencumbered economic interest (such as dividends) flowing to the shareholders of that corporation or enterprise.

Applications & Licenses

29. Where do I find information on the application process and licensing?

Persons who are seeking information on the application process and licensing are asked to review the Application Guide as well as the Barbados Medicinal Cannabis Industry Regulations, 2020. These documents can be found on www.bmcla.bb.

30. How long is the application process going to take?

The BMCLA will assess all applications as efficiently and as effectively as possible. These assessments will require significant time and resources and will involve inquiries to third parties and physical site inspections.

Hence while there are no statutory requirements regarding processing times, the BMCLA endeavors to process applications within **four (4) months** whereby the Barbados Medicinal Cannabis Licensing Board will make the decision.

The complete application process can be found in the Application Guide on www.bmcla.bb.

31. On what grounds are you not eligible to apply for a license?

The regulator may grant a license when they consider it appropriate to do so in all the circumstances. There are particular circumstances where the BMCLA must refuse an application - see sections 32 (3) and 32 (4) of *the Barbados Medicinal Cannabis Act, 2019*.

32. On what grounds will a license application be rejected?

Applications may be rejected for various reasons, some of which include:

1. The background check reveals that the applicant does not conform to expected circumstances for the granting of a license;
2. Failure in meeting the eligibility criteria;
3. Failure to submit a satisfactory and complete application; and
4. Failure to submit additional information as requested within the timeframe expected.

Where an application has been denied any applicant will be automatically advised and will then receive a letter from the Authority, advising the reason for the denial and, if applicable, what changes the applicant should make before reapplying.

33. Is there anything that a local person or business can do to support their quest for a license?

All medicinal cannabis applications will be assessed on their suitability to meet the legislated requirements under the *Barbados Medicinal Cannabis Act, 2019*, and the *Barbados Medicinal Cannabis Regulations, 2020*.

34. Does the Barbados Medicinal Cannabis Act, 2019 cover any other applications for license (sacramental, recreational, etc.) outside of medicinal cannabis?

No – the *Barbados Medicinal Cannabis Act, 2019* only provides for the cultivation, production, manufacture, sale, research and development, transport and testing of medicinal cannabis.

35. Can an individual or business acquire multiple Tier 1 Cultivator licenses for separate premises, instead of a single Cultivator license under another Tier?

An applicant would have to submit separate applications for each separate premise.

36. Are there any checks on the suitability of applicants and employees?

The Act and Regulations point to board areas of suitability of applicants see section 32 of the *Barbados Medicinal Cannabis Act, 2019*. The Medicinal Cannabis Industry regulations 10 (a) allows the Board to consider all documents and undertake any checks which it deems necessary to determine the suitability of an applicant. Conversely the BMCLA leaves the suitability of employees at the total discretion of the licensee.

37. Can multiple licensed businesses be located within the same building or on the same parcel of land?

If those licenses are owned by the same entity, then multiple licensed premises may be located within the same building or on the same parcel of land. However, licensed premises may not overlap except for the following areas, entryways, lobbies, bathrooms, hallways, and breakrooms.

Additionally, any licensed premises that is housed on the same parcel of land and not owned by the same entity must be separated by walls and connecting doors must remain closed and locked. Licensed premises may not overlap in any area including the following, entryways, lobbies, bathrooms, hallways, and breakrooms.

38. Can you have multiple businesses on the same property that you are doing medicinal cannabis?

If you have other businesses (non-cannabis related) on the same property that you are conducting medicinal cannabis business, there can be no shared facilities. Your cannabis business must be distinct meaning there must be no shared operational space, but businesses services can be shared example secretarial, accounting etc.

39. Am I required to own the land I am using my license, or can I rent?

Licensees are not required to own the property that is being used for the license. However, applicants need to provide evidence that they have the legal right to occupy and use the proposed premises.

This includes a document from the landowner or landowner's agent that states that the applicant has the right to occupy the property and acknowledging the applicant may use the property for the commercial activity for which the applicant is applying for licensure.

40. Can a license be transferred to a new location?

No. Licenses are not transferable from one premises to another. If you wish to engage in commercial cannabis activity at a new premise's location, you will need to apply for and obtain a new license at the new location.

41. Can a licensee modify their existing premises?

Yes, if approved by the BMCLA.

A licensee who wishes to make a physical change, alteration, or modification of their licensed premises must first obtain approval from the BMCLA. The request must include the new premises diagram and any additional documentation as requested by the BMCLA.

42. Are there restrictions on where cannabis business can be located?

A licensed premise may not be located within a 600-metres radius of a school that is in existence at the time the license is issued.

43. Can I operate my business out of multiple locations under a single license?

No. Under *Barbados Medicinal Cannabis Act, 2019*, a separate license is required for each premises where a person will be engaging in commercial cannabis activity.

44. I have questions about my applications or license. Who should I contact for assistance?

Questions about applications or licenses may be directed to the Customer Liaison Officer either in person at the BMCLA offices or via email at clo@bmcla.bb.

Any time you contact the BMCLA with questions about your application or license, it is helpful for you to provide your application or license record number.

For issues regarding a particular application or license, the BMCLA will only discuss such matters with an individual who is identified as an "owner" or the primary contact on the application.

45. Am I required to notify the BMCLA of changes to my business?

Yes. Business modifications, including changes to corporate structure must be submitted to the BMCLA in accordance with the *Medicinal Cannabis Industry Regulations, 2020*.

46. Can license be transferred to a new person?

No. Licenses are non-transferable.

Licenses issued by the BMCLA are issued to a specific business entity or individual. Licenses may not be transferred to a new entity or individual. A licensee that changes their business entity type is required to submit a new application and obtain a new license issued to the new entity.

47. How can I renew my license?

Licenses are not renewable!

A license is valid for 5 years. A person who holds a license may, not later than three (3) months before expiration of the license, **re-apply for the issue of a new license**.

48. Is there a limit on how many licenses a person can apply for?

No, there is no limit. An applicant can apply for up to all eight licenses available through the BMCLA once they meet the requirements as set out by the **Barbados Medicinal Cannabis Industry Act, 2019** and its Regulations.

49. Who can I speak to if I am unhappy with the decisions of the BMCLA or its Board?

The Barbados Medicinal Cannabis Industry Act, 2019 allow for the establishment of the Barbados Medicinal Cannabis Appeals Tribunal which shall hear appeals.

If still dissatisfied with the decision of the Tribunal, the licensee can take their case to the High Court.

See full details in the Barbados Medicinal Cannabis Industry Act, 2019, PART V, Section 38, 39, 40, 41 on our website: www.bmcla.bb

Cancellation of Application

50. I have changed my mind about applying for licensure. How can I withdraw an application that I have already submitted to the BMCLA?

At any point during the process after the submission of the application an applicant may choose to withdraw their application. This process must be initiated by the applicant by an email to the [Customer Liaison Officer](#).

The subject line of your email must include:

- the application number;
- applicant name; and
- the word Withdrawn.

This email must include a formal letter from the applicant, signed and dated, advising of the withdrawal of the application.

Fees

Please be aware that all fees are nonrefundable

51. Can I pay my application or license fees in installments?

Licensees are allowed to pay licensee fees in three installments over the five year period.

52. Are the fees for one year licenses?

All license fees are for a five (5) year period and are inclusive of compliance inspections, ongoing seed to sale software fees, due diligence checks except for foreign investors and other costs including monitoring of GPS for transport licensees.

53. Are the application fees refundable if I don't get my license?

Application fees are non-refundable.

Acquiring Seeds

54. How do we source seeds? Are licenses required for seed importers?

A person granted an Import License, in addition to the general conditions and any condition specified in the license or in the Regulations, can import seeds, plants and tissue culture.

Additionally, persons with an Import license can only import from a country or place where the sale of cannabis or medicinal cannabis products does not contravene any laws of that country.

[For more on import license please see the Regulations on \[www.bmcla.bb\]\(http://www.bmcla.bb\).](#)

Cultivation

55. Can I apply to cultivate medicinal cannabis for personal use?

The cultivation of cannabis for medicinal purposes is only permitted in Barbados under the *Barbados Medicinal Cannabis Act, 2019*. The Act does not support the cultivation of medicinal cannabis for personal use.

See [General terms and conditions of a license in the Medicinal Cannabis Industry Regulation, 2020 Part IV, Section 16 on our website: \[www.bmcla.bb\]\(http://www.bmcla.bb\)](#)

56. Can I use the remainder of the cannabis plant for industrial purposes?

This can be facilitated upon the approval of the BMCLA via a clearly defined proposal included in your operational plan.

57. How will the BMCLA know if I am compliant?

The BMCLA will undertake regular and random property inspections to assess compliance with regulations. All licensees are required to notify the BMCLA of material changes that are relevant to ongoing compliance with the Act and the conditions of the license as set out in the Regulations & Guidelines.

58. Is there a limit on the number of cultivation licenses granted?

No. The number of cultivators required is demand driven.

59. Can the location of a facility that cultivates medicinal cannabis products be advertised?

No person shall advertise or market cannabis or a medicinal cannabis product by broadcast, cable, radio, print, digital communications, website or print publications where such marketing or advertising would:

- Communicate information on the price or distribution of cannabis or medicinal cannabis products;
- Be appealing to minors;
- Include a personal testimonial or endorsement of the benefits or cures associated with cannabis or medicinal cannabis products, however displayed or communicated;
- Depict a person, character or animal, whether real or fictional in such a manner that the person, character or animal is readily associated with the cannabis business or a medicinal cannabis product;
- Or include false, misleading or deceptive information.

For more information, please visit www.bmcla.bb

60. What processes are in place to prevent proliferation of bugs and pathogens?

This is controlled by the Pesticides Department and the Plant Quarantine Unit under the Ministry of Agriculture along with other relevant departments and agencies. Conditions on the importation of cannabis seeds have been developed to ensure seeds are not carrying pests or diseases with them.

BMCLA is also working with the Plant Quarantine Unit to ensure a smooth transition on an import protocol for all other forms of planting materials including tissue culture, plants, cuttings etc.

61. To whom will I be able to supply my product?

The industry is a closed loop system. This means that a licensee can only sell to another licensee except where there is an export license where the licensee can sell overseas.

Please note the following:

Licensee	Who they can sell to:
<ul style="list-style-type: none">• Cultivator	<ul style="list-style-type: none">• Any Licensee• Internationally (with an export license)
<ul style="list-style-type: none">• Processor	<ul style="list-style-type: none">• Any Licensee• Pharmacies*• Pharmaceutical Distributors* Internationally (with an export license)
<ul style="list-style-type: none">• Import	<ul style="list-style-type: none">• Any Licensee
<ul style="list-style-type: none">• Export	<ul style="list-style-type: none">• Any Licensee• Internationally
<ul style="list-style-type: none">• Research & Development	<ul style="list-style-type: none">• Any Licensee• Internationally
<ul style="list-style-type: none">• Laboratory	<ul style="list-style-type: none">• Any Licensee• Internationally
<ul style="list-style-type: none">• Retail Distributor	<ul style="list-style-type: none">• Any Licensee• Clients at the Therapeutic Facility
<ul style="list-style-type: none">• Transport	<ul style="list-style-type: none">• Services to any licensee

*(*Pharmacies and Distributors must have a license for narcotics from the Ministry of Health)*

Important: All medicinal cannabis products (ready for market) must be approved by the Ministry of Health via the Barbados Drug Service before being sold on the local market.

62. Is outdoor growing allowed?

Yes. The growing environment is not mandated; however, there are a range of security and other conditions that you will have to be able to comply with.

63. Do you need to have a growing facility available for inspection before applying for a license?

No. At the pre-approval stage licensees must submit an agreement for their planned premises, and that premises (property can be in any state at this point) must be inspected prior to a license being issued.

Licenses can be granted while facilities are at the design stage, however the facility must be built and meet all terms & conditions required prior to the licensee being allowed to become operational.

Manufacturers/Processors

64. How do I obtain a license to manufacture (process) medicinal cannabis products?

Applicants may apply for a processor license on our website at www.bmcla.bb.

Individuals wishing to apply for a Processor license to manufacture medicinal cannabis products will need to adhere to Regulations and Guidelines developed by the BMCLA.

65. Is there a limit on the number of licenses granted to manufacturers/processors?

No. This is demand driven.

66. What do manufacturers/processors need to do to be compliant?

Manufacturing of medicinal cannabis products is subject to provisions under the *Regulations (See Section 19)* and Guidelines.

The conditions aim to protect patient safety by ensuring the production of high quality products.

67. Can a manufacturer/processor also be a licensed cultivator?

Yes, a manufacturer is able to apply and hold a processor license and a cultivation license and/or any other license (separate fee for each) and develop a vertically integrated supply chain.

68. Are manufacturers able to source cannabis internationally?

Yes, it is possible but the necessary approvals under customs legislation would be required and to import cannabis for processing, all importers require an import license issued by BMCLA as well as an import permit from Plant Quarantine.

69. Does the BMCLA regulate the manufacturing/processing standards for medicinal cannabis?

The BMCLA requires all manufacturing licensees meet Good Manufacturing Practice (GMP) standards. These standards include guidelines for activities such as; production, processing, assembling, packaging, labelling, storage, sterilization, testing and product control/approval. Licensees will also be required to follow the standards as dictated by their export market.

70. Can I wholesale medicinal cannabis?

A licensee may wholesale within the loop of licensees. That licensee may also export wholesale with an export license as well as sell wholesale to pharmacies.

Compliance

71. Do you use your own inspectors?

Yes. The BMCLA have employed compliance inspectors to ensure compliance of the Act, its Regulations, and accompanying Guides.

See more on the powers of Compliance Inspectors **in the Regulations, Section 9.**

72. Do you expect individual industry participants to have their own compliance systems in place?

We expect industry to have systems in place to undertake internal auditing and ensure compliance with the license conditions and the legislation.

73. Is advertising of medicinal cannabis products allowed?

No person shall advertise or market cannabis or a medicinal cannabis product by broadcast, cable, radio, print, digital communications, website or print publications where such marketing or advertising would communicate information on the price or distribution of cannabis or medicinal cannabis products; be appealing to minors; or include a personal testimonial or endorsement or include false, misleading or deceptive information.

For the full list please see Regulations, Section 44 on our website: www.bmcla.bb

Export

74. Can I export cannabis to other countries once I have obtained a license to cultivate or process?

No, you will need an export license or have an arrangement with an export licensee. A person granted an export license, in addition to the general conditions and any condition specified in the license or in the Regulations, shall only export cannabis or medicinal cannabis products once granted an authorization certificate by the Authority and can only export to a country or place where the import by that country of the cannabis or the medicinal cannabis products does not contravene the laws of that country.

For full details please see the Regulations, Section 22 on our website: www.bmcla.bb

75. The 30% rule excludes research & development license and laboratory license but does this rule apply to import & export licenses?

A company, partnership or co-operative society shall not be eligible for a license unless 30 % of the company, partnership, or co-operative society is owned by a citizen, permanent resident, person with immigration status or a citizen of a CARICOM member state.

Only a person(s) who apply for a research and development license or a laboratory license is exempted. All other applicants must comply.

Import

76. Is it possible to import raw cannabis for manufacture? What are the limitations on importing?

All imports of raw cannabis will be done on a case-by-case approval subject to a request for import authorisation to the Authority

For full details please see the Regulations, Section 21 on our website: www.bmcla.bb

77. Can I import CBD products with an import license?

No! With your import license you can only import seeds, tissue culture, and planting material.

All importation of finished pharmaceuticals remains the responsibility of the Ministry of Health via the Barbados Drug Service.

Retail Distributor

78. What can I do with a retail distribution license?

A Retail Distributor License allows for the operation of a therapeutic facility.

A person granted a Retail Distributor License, in addition to the general conditions and any condition specified in the license or in the Regulations, shall purchase cannabis or medicinal cannabis products only from a person with a cultivator, processor or import license.

(See our website: www.bmcla.bb to review the *Barbados Medicinal Cannabis Industry Act, 2019*, for the definition of a therapeutic facility).

79. How do I know if a therapeutic facility is licensed by the BMCLA?

A therapeutic facility is required to display their license in an area within plain sight of the public.

80. Can therapeutic facility licensees provide free promotional samples of cannabis goods to other licensee or customers?

No. In accordance with the Barbados Medicinal Cannabis Licensing Act, 2019 and its Regulations, samples of cannabis goods is not allowed. All consumption of medicinal cannabis must be via a prescription from a pharmacist, prescribed by a medical practitioner.

Transportation

81. Are vehicles used to transport cannabis or medicinal cannabis products required to be owned by the licensee?

A person granted a Transport License, in addition to the general conditions specified in the license or in the Regulations shall be able to show proof of ownership of the vehicle(s) or a lease for the vehicle(s).

82. Are there rules for how I can transport cannabis in a vehicle?

To transport cannabis, one must be a holder of a valid Transport license and understand and follow the requirements under the Barbados Medicinal Cannabis Act, 2019, and its Regulations

For full details on the Terms and Conditions of a Transport License please see Regulations, Section 25 and 29 on our website: www.bmcla.bb

Research & Development

83. Do we require a research and development license to undertake propagation as well as cultivation?

No. A cultivation license will allow for propagation as part of the cultivation process. New strain development would need a research and development license.

84. Regarding the research license, will the regulator be making any judgement about the worth of the proposed research?

The regulator will not be considering the value (monetary) or likelihood of success of the proposed research.

85. As a holder or owner of a research and development license, can I obtain an import or export license to facilitate my work?

Yes, a holder of a research and development license from the BMCLA will also receive an import AND an export license and should comply with the respective requirements.

Laboratory

86. As a holder or owner of a laboratory license, can I obtain other license types?

Yes, a holder of a laboratory license from the BMCLA is able to apply for any of the other licenses available through the BMCLA once they meet the requirements as set out by the Barbados Medicinal Cannabis Industry Act, 2019 and its Regulations.

Please note that a person that holds a laboratory license from the BMCLA is also given an import and export license and should comply with the respective requirements.

Conducting the Business of Cannabis:

Employment Concerns

87. Can an employer fire me for using medicinal cannabis? Can they drug test me during the application process?

Please refer to your employee handbook or your Human Resources Department.

For more information, please contact the Ministry of Labour

Private Company Education and Corporate Social Responsibility (CSR)

88. Can my company engage in corporate social responsibility or educational campaigns/seminars within the medicinal cannabis industry?

We want companies to engage in CSR and educational seminars are also welcome. You are also welcome to sponsor events, sports teams, etc. paying attention to the rules governing advertisement.

However, we at the BMCLA expect and urge that CSR efforts as well as educational campaigns must be done responsibly so as to ensure that there is clear messaging and that everyone (minors especially) understand the proper usage.

For more information, please see the Regulations via our website: www.bmcla.bb where it relates to advertising and signage.

Signage

89. I understand that I cannot have signage, or my logo displayed to the public?

A licensee may have a sign with the name or logo of the cannabis business on the premises or at the entrance of the building and that sign shall be legible and visible from the roadside. However, the sign shall not include the word cannabis or any related terminology or any images or pictures readily associated with cannabis.

This also applies to a Transport Licensee.

This is to ensure the safety of the industry and to act as a deterrent and prevent persons from being able to easily identify places and vehicles.

90. The logo for the company, which includes the word cannabis and the cannabis image is shown on my letterhead. Will that LOGO be illegal?

No, your logo on your letterhead is not illegal.

As per the Regulations 43.1 and 43.2 there are some restrictions on the use of the logo in that one's **signage** should not include the word cannabis in the name or the cannabis image on the premises for security reasons.

What is restricted is the use of that logo for signage on your licensed property if that sign includes the word cannabis or cannabis image.

You can continue to use your letterhead and logo as you see fit on internal and/or Business to Business correspondence. Additionally, a licensee may be able to use any other variations of their branding on the outside as signage on the licensed property.

91. With regards to the manufacturers label, there are at least seven universal symbols for cannabis. If any of those are used, are they considered illegal?

The BMCLA recognises any clear depiction of a cannabis leaf regardless of strain as a universal symbol of cannabis.

Health & Wellness Products

92. Can I sell health products without a license?

Please contact the Ministry of Health for more information and permission on the sale of "health and wellness products".

93. With no marketing allowed, how will individuals know what product to use or is it only by doctor prescription? How will the doctors know what to prescribe?

Please note that persons can only consume medicinal cannabis by prescription from their medical practitioner and dispense from a pharmacist. A licensee is able to market to medical practitioners.

For full details, please see Regulations, Section 44 on our website: www.bmcla.bb

94. We plan to produce creams and oils for sale as well as offer professional masseuse services, will these things be allowed? If so, what are the criteria for using creams or oils in therapeutic massages?

Medicinal cannabis products, such as creams and oils, are to be prescribed only by a medical practitioner and dispensed by a pharmacist. The service can only be done in the context of a therapeutic facility in which there must be a licensed pharmacist.

95. Can we operate a therapeutic facility within an Airbnb/hotel?

You would need a registered pharmacy and a retail distribution license to establish a Therapeutic Facility. In that Therapeutic Facility and not in the confines of the Airbnb/hotel you will be able to facilitate the consumption of medicinal cannabis administered by a pharmacist. However, please note that you can take your prescribed medication in your private residence.

Travelers

96. Can I leave Barbados with medicinal cannabis?

Medicinal Cannabis is legal in Barbados however you could be charged with a criminal offence if you try to travel to other countries with any amount of cannabis in your possession. This includes cannabis topicals and cannabis extracts. This applies to all countries, whether cannabis is legal there or not.

Cannabis is illegal in most countries. If you try to travel internationally with any amount of cannabis, in your possession, you could face serious criminal penalties abroad. You could be denied entry at your destination country.

It is your responsibility to inform yourself about the laws of the country you intend to travel to or visit. This includes the legal status of cannabis use and possession in any country you may travel to.

97. Can people from outside of Barbados be prescribed medicinal cannabis?

Travelers to Barbados must visit a local medical practitioner to receive a prescription for medicinal cannabis which they can then take to a pharmacist or a therapeutic facility to have the prescription filled.

Track and Trace

98. Where can I learn more about the BMCLA Trace and Trace System?

If you have questions or need additional information regarding the Track & Trace system, please see below:

- Email: <mailto:infosysadmin@bmcla.bb> or <mailto:clo@bmcla.bb>
- Phone: +1(246) 421-4141

99. I lost connectivity to the Track & Trace System, what am I required to do?

Licensees are required to notify the BMCLA immediately for any loss of connectivity.

A licensee who loses connectivity to the Track-and-Trace system for any reason is required to prepare and maintain comprehensive records detailing all commercial cannabis activities that were conducted during the loss of connectivity.

Guides

- 100. Besides the Barbados Medicinal Cannabis Industry Act, 2019 and its Regulations, are there any guidelines that can specifically help me participate in the industry?**

There are a number of Guides available for the Barbados Medicinal Cannabis Industry, they include:

1. Application Guide
2. General Guide
3. Import Guide
4. Export Guide
5. Security Guide
6. Transport Guide
7. Research and Development Guide
8. Retail Distributor/Therapeutic Facility Guide

Please be sure to read your respective guide along with the Regulations and the Act for full information on operating in the medicinal cannabis industry. These Guides, along with the Regulations and the Act can be found at www.bmcla.bb

- 101. In addition to the Barbados Medicinal Cannabis Act, 2019 and the Regulations established by the BMCLA, are there any other standards or requirements that cannabis business must follow?**

All licensees must comply with all applicable laws, rules and regulations, including but not limited to, those relating to health and safety, environmental protection, testing, security, food safety, worker protections, and consumer protection.

Commercial cannabis licensees must also comply with the Guidelines provided by the BMCLA.

For more information on the Guidelines, please visit us at www.bmcla.bb.

Handling Waste

- 102. How can I dispose of medicinal cannabis waste?**

There are four acceptable methods of disposal for cannabis materials based on the Regulations of the industry, namely:

- Burial – Onsite
- Compost Pits - Onsite
- Burning - Onsite
- Incineration - Contracted

All applicants must submit a disposal plan which details the methods chosen by the licensee and the way they plan to abide by the regulations concerning disposal and all the restrictions.

All licensees (except research and development & laboratory) must request from the BMCLA the presence of the BMCLA at all disposals. The requests must include the date and time of all planned disposals, including what is being disposed of and why. This notification must be done seven (7) days prior to the proposed date of disposal.

No licensee shall dispose of cannabis materials without the presence of the BMCLA per Regulation 42 (3), further to this, each planned disposal must be entered into the Track and Trace System.

All cannabis material meant for disposal must be rendered unrecognizable and unusable by grinding and incorporating the cannabis waste with the following no-consumable, solid waste such that the resulting mixture is at least 50% non-cannabis:

- Paper waste
- Cardboard waste
- Food waste
- Grease or other compostable oil waste
- Compost activators
- Other waste approved by the authority

Please refer to the Regulations, Section 42 for complete details.

**Please see the Regulations, Part VIII, Section 42
on the Disposal of Medicinal Cannabis Waste on our website: www.bmcla.bb.**

103. If we are eliminating waste material daily does this mean that an officer from the Authority must be present at all times?

Waste can only be disposed of at prearranged intervals in the presence of an officer of the Authority hence the BMCLA advises licensees to store their waste until such an interval is scheduled.

Illegal activity

104. How do I report illegal/unlicensed cannabis activities in my area?

The public may report illegal activity to the Royal Barbados Police Force.



BARBADOS MEDICINAL CANNABIS LICENSING AUTHORITY

We are here to help

For further information on the Barbados Medicinal Cannabis Licensing Authority or the Barbados Medicinal Cannabis Industry, please contact us:



clo@bmcla.bb



246-421-4141 or 246-832-0975 (call or WhatsApp)



Concierge Desk
Barbados Medicinal Cannabis Licensing Authority (BMCLA)
Warrens House, Warrens, St Michael.



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