

POLICY MANUAL



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Substance Abuse Prevention Policy	December 12, 2018	C13-049

PURPOSE:

To ensure employees are equipped to operate vehicles and equipment owned by Starland County.

1.0 – Introduction

As a responsible employer, Starland County has a compelling interest in establishing programs to promote and enhance health and safety in the workplace combined with a supportive environment. Starland County Substance Abuse Prevention Policy is directed at protecting the health and safety of employees, co-workers, general public and the environment. The Substance Abuse Prevention Policy combines drug and alcohol testing with education, training and access to assistance.

2.0 – Scope

This policy applies to all employees and management of Starland County. Testing provisions of this policy only apply to individuals in identified safety sensitive positions. While this policy refers specifically to alcohol and drugs, it is intended to apply to all other forms of substance abuse.

Starland County shall comply with all applicable Federal and Provincial related laws and or regulations.

The term “County” in this policy will refer to Starland County.

In order for this policy to be effective in ensuring that County employees will perform their duties unimpaired by alcohol or drugs, the provisions of this policy must be enforced. Accordingly, where an employee violates any provision(s) of this policy, the employee may be subject to corrective disciplinary action, as appropriate, up to and including discharge.

3.0 – Roles and Responsibilities

Employees will:

- Arrive fit for duty and remain fit for duty during their period of work
- Consult with their licensed medical practitioner or pharmacist regarding the proper use of medication they are using to determine if the medication may have a negative effect on their performance
- Advise their direct supervisor or Chief Administration Officer (CAO) if they are using a prescribed drug that their licensed medical practitioner or pharmacist has advised would interfere with their ability to work in their position



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- Advise their direct supervisor or the CAO if they are using or are going to be using prescribed medical cannabis and are in an identified safety sensitive position
- Disclose and seek advice on appropriate counseling or treatment if they suspect they have a dependency or an emerging substance abuse issue
- Take appropriate actions to ensure a co-worker does not remain in an unfit condition at work that may endanger the employee, co-workers or others. This may include contacting your supervisor, manager or CAO.
- Employees receiving standby pay for on-call situations are expected to be fit for duty and in compliance with this policy. If unexpected circumstances arise where an employee is requested to perform unscheduled services while under the influence of alcohol, drugs, cannabis or medications, it is the responsibility of the employee to decline the call

Managers and Supervisors will:

- Monitor and evaluate work performance with an objective of early identification and handling of all performance issues
- Ensure that investigations of work-related incidents are carried out in accordance with the County incident investigation procedures
- Advise the CAO when an employee discloses use of a prescribed drug that their licensed medical practitioner or pharmacist has advised would interfere with their ability to work in a safety sensitive position
- Advise the CAO when an employee has disclosed the use or intended use of prescribed medical cannabis
- Refer an employee for a drug and or alcohol test when required to do so under this policy
- Monitor policy compliance and take appropriate action as required under this policy
- Confer with the CAO on substance abuse issues as appropriate
- Arrange for safe transportation of an employee to their residence or nearest public transportation when appropriate under this policy
- Act as a confidential and objective recourse within the County on matters related the Substance Abuse Prevention Policy

Chief Administrative Officer (CAO) will:

- Act as a confidential and objective resource within the County on matters related to the Substance Abuse Prevention Policy
- Communicate with the licensed medical practitioner, Medical Review Officer (MRO) and Substance Abuse Professionals (SAP) as required
- Advise the employee's supervisor, where appropriate of work limitations, suspension or termination considerations



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- Provide confidential service to all employees regarding drug and alcohol information, referral to a SAP but not to provide any counseling
- Undertake periodic reviews and revisions of the Substance Abuse Prevention Policy
- Maintain confidential records of all test results, including refusals to test, correspondence from the Medical Practitioner, MRO and or SAP
- Maintain records of all training /education of managers, supervisors and employees

4.0 – Prohibitions

Alcohol Use

- Alcohol concentration: No employee shall report for duty or remain on duty while having a confirmed alcohol concentration of 0.02 or greater
- On duty use: No employee shall use alcohol while on duty
- Pre-duty use: No employee shall perform safety sensitive functions within four hours after using alcohol
- Use following an incident: No employee required to take a post-incident alcohol test shall use alcohol for eight hours following the incident, or until he/she undergoes a post-incident alcohol test, whichever occurs first

Drug Use

- No employee shall report for duty or remain on duty when the employee uses any drug, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the drug will not adversely affect the employee's ability to work safely at the job site. If a licensed medical practitioner advises the employee that the drug will affect the employee's ability to work safely, the employee will notify his / her supervisor, manager or CAO.
- No employee shall report for duty or remain on duty when the employee uses medical cannabis, except when the use is pursuant to the instructions of a licensed medical practitioner who has provided the County (CAO) with an acceptable Clearance Letter that the prescribed medical cannabis will not adversely affect the employee's ability to work in their safely sensitive position
- Management shall ensure that the employee is removed from duty and accommodated to meet safety concerns. Accommodation may include work restrictions, modified duties, sick or disability leave
- No employee will intentionally misuse prescription or over the counter medications in such a manner as to render themselves unfit to safely perform their duties
- An employee in a non-safety sensitive position must be capable of performing work related duties in a safe, efficient, productive manner



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Cannabis Use

- An employee in a safety sensitive position must be fit for duty
- An employee in a non-safety sensitive position must be capable of performing work related duties in a safe, efficient, productive manner

Possession

- Possession, use or offering for sale of alcohol, cannabis, drugs or drug paraphernalia on County sites or County vehicles is prohibited
- Possession of devices or products designed to compromise drug and or alcohol testing are prohibited
- Employees who violate this provision may be subject to immediate termination and referral to law enforcement agencies when applicable
- Use of alcohol for social functions or when it relates to County business is permitted when approved by senior management who will ensure that the use does not contravene the intent of our policy and any applicable laws or regulations
- Medical cannabis can only be possessed and used on County property with prior written approval from the CAO

5.0 – Testing Options

Pre-employment

- Successful applicants of safety sensitive positions will be drug tested after a conditional offer of employment. Employment is conditional to the successful completion of the pre-employment drug test

Post-Incident

- An employee will be drug and alcohol tested after an incident that involves a fatality, disabling injury, property damage or significant near miss that could have had potential serious consequences
- Supervisor is required to conduct immediate preliminary investigation
- Testing will never delay necessary medical attention for injured worker following an incident
- Testing is not required when the act or omission of the employee was not a contributing factor
- Testing is required when the actions or inactions of a worker were the contributing factor leading to the incident and it is not frivolous.



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- Drug testing should occur within 2 hours of incident with attempts to test for up to 32 hours of incident. Alcohol testing should occur within 2 hours of incident with attempts to test for up to 8 hours of incident
- Reasons are documented if testing is required, not required or unable to conduct required tests

Reasonable Cause Testing

- An employee will be tested for alcohol and or drug use where a County supervisor or other official, who is trained to identify drug and alcohol use by an employee, makes observations which form a reasonable basis for suspecting that the employee is in breach of this policy. Such observations must be documented, specific, clearly stated observations concerning the appearance, speech or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of drug and alcohol use
- Observations which may lead to reasonable cause testing are not limited to, but include: odor of alcoholic beverage or marihuana on breath, slurred speech, glassy eyes, unsteadiness in walking, standing, flushed face, disoriented and or drowsy, incidents or injuries, repeated errors in job performance, excessive absenteeism or lateness, credible complaints of drug and or alcohol use at work

Return to duty

- Drug and or alcohol testing of an employee who has engaged in prohibited conduct and is returning to work after an assessment by a Substance Abuse Professional and compliance with recommendations

Follow up

- Drug and or alcohol testing on an unannounced basis for at least one year on return to duty. Frequency and duration of testing is determined by the Substance Abuse Professional in consultation with the CAO

6.0 – Training

The County recognizes that employee education on substance abuse and on our Substance Abuse Prevention Policy is a critical step in achieving the objectives of the program.



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Employee training

- Employees will receive awareness education in regards to how this policy applies to everyone including: the risks of drug and alcohol use and their potential impact on safety in the workplace, consequences for policy violation, available resources for employee assistance services, explanation of the testing procedures and situations when testing will occur

Supervisor/ Manager Training

- Supervisors / Managers will be given the above training as well as more specific training on how to recognize signs and symptoms of drug and alcohol use in the workplace and appropriate responses

7.0 – Maintaining a Valid Operator’s Licence

All employees that operate a motor vehicle on behalf of the County are required to maintain a valid operator’s licence. Any loss of driving privileges (licence) must be reported to your supervisor. The employee will no longer be allowed to drive on behalf of the County. Loss of driving privileges includes temporary suspensions.

8.0 – Collection of Specimens and Analysis

A designated drug testing company will collect and process specimens for drug testing as required. Drug testing will be conducted according to US Dept. of Health & Human Services (HHS) standards in laboratories accredited by the Substance Abuse and Mental Health Services Administration (SAMHSA). SAMHSA is the certifying agency for forensic drug testing laboratories in Canada and the United States. The accredited laboratory will perform required testing with test results forwarded to a Medical Review Officer.

Alcohol screen testing will be with an approved saliva tester or breath test. All alcohol screening tests at .020 or higher will be confirmed with an Evidential Breath Alcohol Testing Device on the Conforming Products List (CPL).

9.0 – Positive Test Procedures

Positive Pre-Employment Test

- Potential employees who are positive on pre-employment drug tests will have their offer of employment rescinded
- Potential employees who are positive on the pre-employment drug test will be encouraged to seek assistance from a SAP and to reapply for available positions when they can meet the Company standards



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- When a pre-employment test results in an MRO issued Safety Advisory the offer of employment will be rescinded and potential employee will be encouraged to reapply for available positions when the prescribed drug / medical cannabis is no longer required

Positive alcohol test procedures

- Employees with a confirmed alcohol concentration of .020 to .039 will be removed from duty immediately and will not be allowed to return to work until the following shift. The employee may be subject to corrective disciplinary action
- Employees having a confirmed alcohol concentration of .040 or greater will be removed from duty/suspended

Positive drug test procedures

- Employees who are positive on drug tests as verified by the MRO will be removed from duty / suspended

Refusal to test

- No employee shall refuse to submit to a drug and or alcohol test required under this policy
- No manager or supervisor shall permit an employee who refuses to submit for required testing to remain on duty
- An employee who refuses to submit to a required test, tampers or attempts to tamper with a test sample or obstructs the testing process will be considered to have violated this policy. Positive test procedures will apply.

Removal from duty

- Employees removed from duty / suspended having a positive drug test verified by an MRO and or a confirmed alcohol concentration of .040 or greater will be required to attend a meeting with management who will review each case and provide written correspondence of the resources available in evaluating and resolving problems associated with the misuse of alcohol and or drugs, including the names, addresses and telephone numbers of SAP's. Where practical management will endeavor to meet or contact the employee the next working day and direction will be provided regarding the suspension and return to work choices
- Any employee removed / suspended from duty having a positive drug test result verified by an MRO and or a confirmed alcohol concentration of .040 or greater shall be evaluated by a SAP who shall determine what assistance, if any, the employee needs in resolving substance abuse issues



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Self-Disclosure

- The County understands that an alcohol or drug dependency is a preventable and treatable condition and recognizes that an individual may want assistance. Employees are encouraged and required to voluntarily come forward or seek assistance on their own, without fear of reprisal. The Company will do its utmost to assist the employee. An employee who comes forward seeking assistance will be treated as if they had a positive drug and or alcohol test. Once an assessment has been completed a return to work plan can be formulated

Use of Medical Cannabis

- An employee in a safety sensitive position who is using or will be using Medical Cannabis will be removed and or suspended from safety sensitive duties pending the receipt of a clearance letter from the prescribing physician
- The CAO will provide the employee with a letter of direction, copy of their job description, copy of their Physical Demands Analysis and a copy of the Provincial College of Physicians and Surgeons Guidelines for Prescribing Medical Cannabis
- Return to safety sensitive duties is conditional on receiving a clearance letter from the prescribing physician who will indicate that they are aware of the employee's job description, physical demands analysis and that the Provincial College of Physicians and Surgeons Guidelines for Prescribing Medical Cannabis were followed, expected duration of the prescription requirement, frequency of use and that the prescribed medical cannabis will not interfere with the employee's ability to work in their safety sensitive position
- Referral and or review may be considered at the discretion of the CAO
- The employee will be accommodated where ever feasible

Medical Review Officer Issued Safety Advisory

- In the event of a reported positive drug test the MRO may determine that the employee has a legitimate drug / medical cannabis prescription; the positive result may be changed to a negative. If the MRO determines that the use of that particular prescribed drug / medical cannabis may compromise safety in the performance of a safety sensitive function the MRO will issue a Safety Advisory
- The employee will be removed from safety sensitive duties and the use or pending use of Medical Cannabis guidelines will be followed when applicable
- When a Safety Advisory is issued for a prescription drug other than cannabis the same procedure will apply



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10.0 – Return to work after a positive test

An employee cannot be returned to duties until he / she has been evaluated by a SAP, complied with recommendations, and has a negative result on a return to duty test and or a breath alcohol concentration less than .020. The employee must provide a written report from the SAP verifying the evaluation and any required treatment or provide a release document for the required information. The SAP will only release relevant information which will assist in returning the worker to their duties.

Follow up testing will be conducted to monitor the returning employee for no less than one year. The frequency of testing will be determined by the SAP in consultation with the CAO and will be designed to assist the employee in remaining alcohol and or drug free at the work place.

11.0 – Confidentiality and Record Keeping

All drug test results are confidential and are released by the MRO or designate to the Designated Employer Representative (DER) or alternate. Alcohol test results are confidential and released by the testing company to the DER or alternate. The DER or alternate may release relevant information to company decision makers as required. Confidential information from a SAP will be handled in a similar manner.

All records will be maintained in a locked and secure manner. Records will be kept separate from personnel files. Negative test results will be maintained for no less than one year with positive test results and SAP assessments maintained for a five-year period. A third-party administrator can maintain records on behalf of the company.

12.0 – Search Provisions

As a condition of gaining or maintaining entry and or access to Company or client work sites, searches may be conducted by the Company, the client or the client on behalf of the Company, including without limitation, searches of any room or vehicle located in the worksite. Refusal to submit to such searches will result in the employee being denied access to the work site.

When reasonable grounds exist to conduct searches of personal property located at a client or Company work site or within a personal vehicle located on the said site, consent for the search will be obtained from the employee. If the employee does not consent to the search, the employee will be denied access to the work site.

Searches may be conducted with the use of a Drug Recognition Dog.



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13.0 – Definitions

Accredited Laboratory – Meets guidelines and standards of the Substance Abuse and Mental Health Services Administration which is the certifying agency for forensic urine drug testing laboratories in Canada and the United States. Collection and testing processes follow the U.S. Department of Health and Human Services guidelines.

Alcohol – The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.

Alcohol Concentration – The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 litres of breath.

Breath Alcohol Technician – An individual trained and certified to conduct breath alcohol testing utilizing an Evidential Breath Tester.

Chain of Custody – The process of documenting the handling of a specimen from the time a donor gives the specimen to the collector, during the testing at the laboratory, and until the results are reported by the laboratory.

Collector – Non-medical and medical personnel contracted by an agency who have received training in collecting urine samples in accordance with guidelines that would be acceptable to the regulatory agencies.

Drug – Any substance other than food which is taken to change the way the body or mind functions. Drug testing refers to marijuana, cocaine, opiates, phencyclidine and amphetamines with cutoff levels as per the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services which is the certifying agency for forensic urine drug testing laboratories in Canada and the United States.

Evidential Breath Testing Device – Capable of measuring the alcohol content of deep lung breath samples with sufficient accuracy for evidential purposes. The Evidential Breath Tester must be on the conforming products list as per the U.S. National Highway Traffic Safety Administration.

Fit for Duty / Fit for Work – Being capable of performing work related duties in a safe, efficient, productive manner with no drugs and or alcohol present in the body at or above established standards.

Medical Review Officer (MRO) – The MRO is a licensed physician responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant bio medical information.



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Safety Sensitive Position/Function – A position or function where an individual has a key and direct role in an operation where safety is a bona fide occupational requirement at the job, in that safety is necessary to assure the efficient and economical performance at the job without endangering the employee, their fellow employees, general public or the environment. Includes employees where there is no direct or limited supervision available to provide frequent operational checks.

Significant Incident – Incidents involving a fatality, disabling injury, significant property damage, spill or abnormal discharge that may cause long term health effects to employees and or the public, public evacuation or serious environmental damage or an event or near miss that could have had potential serious consequences.

Substance – Medical marihuana is not recognized by Health Canada as a therapeutic drug therefore may be referred to as a substance

Substance Abuse Professional (SAP) – A licensed Physician or a licensed or certified psychologist, social worker, employee assistance professional or an addictions counselor. All must have knowledge of and clinical experience in the diagnosis and treatment of alcohol, drugs and related disorders.

Supervisor Training – Shall include the physical, behavioral, speech and performance indicators of probable alcohol or drug misuse and appropriate intervention strategies

14.0 – Standards

Designated Drug Testing Company

ECS Safety Services Ltd.

P.O. Box 2109, 350 Aquaduct Drive

Brooks, Alberta T1R 1C8

Toll Free 1-877-784-3784 Fax 403-793-8171

Testing Standards

- Specimens are collected by trained staff using chain of custody procedures. Our collectors are trained in procedures by a Certified Professional Collector Trainer (CPCT) who has been certified by the Drug and Alcohol Testing Industry Association (DATIA). ECS Safety Services Ltd. utilizes a 5-part chain of custody form with a split specimen collection for Non-DOT collections and a single specimen for Point of Collection Testing (POCT).
- ECS Safety Services Ltd. utilizes Evidential Breath Testing instruments when testing for the presence of alcohol. E.C.S follows the Manufacturer Factory Quality Assurance Program and all of our Breath Alcohol Technicians are trained by a certified instructor.



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Laboratory

- ECS Safety Services Ltd. utilizes the services of Dynacare Medical Laboratories:
245 Pall Mall Street
London, ON N6A 1P4
Toll Free 1-800-265-5946
- Certified by the Substance Abuse and Mental Health Services Administration

Medical Review Officer

- The role of the MRO requires a physician who is not only knowledgeable about substance abuse problems, but one who also has skills in understanding medico-legal issues, policy development issues, clinical medicine and occupational medicine. They must also possess investigation and problem-solving skills and must have the ability to communicate effectively with specimen donors, senior officers in management, community-based physicians, unions, government representatives and any other interest groups
- The MRO's single most important function is the review of laboratory positive test results and the determination of an alternate medical explanation for the positive result. The ECS Safety Services MRO is a licensed physician certified by the American Association of Medical Review Officers or Medical Review Officer Certification Council

Amendments History:

April 9, 2013 - Adopted

December 12, 2018 (C18-216) – Added Cannabis Legalization



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APPENDIX A

ANALYTES AND CUT-OFF LEVELS (URINE)

Effective Date: January 1, 2018

Initial Test Analyte	Initial Test Cut-off Concentration	Confirmatory Test Analyte	Confirmatory Test Cut-off Concentration
Marijuana Metabolites	50 ng/mL	THCA	15 ng/mL
Cocaine Metabolites	150 ng/mL	Benzoylcegonine	100 ng/mL
Codeine/Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL 2000 ng/mL
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL 100 ng/mL
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL 100 ng/mL
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL 250 ng/mL
MDMA/MDA	500 ng/mL	MDMA ¹ MDA ²	250 ng/mL 250 ng/mL

¹ Methylenedioxymethamphetamine (MDMA)

² Methylenedioxyamphetamine (MDA)

The laboratory will use the cut-off concentration levels of the above chart for initial and confirmation drug tests. All cut-off concentrations are expressed in nanograms per milliliter (ng/mL)



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APPENDIX B – RESOURCES

Alberta Health Services Mental Health and Addiction Services

www.albertahealthservices.ca

• Important Numbers

- Health Link

- 811 (24/7)

- Addiction Helpline

- 1-866-332-2322 (24/7)

- Mental Health Helpline

- 1-877-303-2642 (24/7)

The following agencies provide resources and educational material

Canadian Centre on Substance Abuse and Addiction

CCSA | CCLT

<http://www.cclt.ca> The Canadian Centre on Substance Abuse and Addiction changes lives by bringing people and knowledge together to reduce the harm of alcohol and other drugs on society.

www.Canada.ca

Access the Health Canada web site for information on prescription drugs and or substances