

WAIKATO DISTRICT HEALTH BOARD: PSYCHOACTIVE SUBSTANCES POSITION STATEMENT

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The following is a position statement on psychoactive substancesⁱ prepared by Population Health, Waikato District Health Board (DHB).

The Waikato District Health Board's position

The Waikato DHB recognises the use of psychoactive substances as a risk factor in a wide range of adverse health conditions. Psychoactive substances have the potential to harm individuals both acutely and through long term use. Psychoactive substance use can often affect those who are not even consumers, but third parties affected by decisions of others.

The Waikato DHB does not support the availability of psychoactive substances in New Zealand. In the event that these substances are available, Waikato DHB seeks to minimise harm arising from them and will:

- Support a regulatory approach to harm minimisation from psychoactive substances, as provided by the Psychoactive Substances Act 2013
- Support the police, Territorial Authorities, and the Ministry of Health in their efforts to reduce harm associated with psychoactive substances, through information provision and regulatory activities
- Provide health related assistance and advice to users of psychoactive substances, as appropriate
- Continue to advocate for measures to reduce harm caused by psychoactive substances.

Background

The health impacts of psychoactive substance use are still relatively unknown, but there is growing evidence that use may have several adverse health effects. These include cardiovascular problems, psychological disorders including psychosis, seizures and severe withdrawal symptoms upon ceasing use¹ The long term health effects are unclear², and difficult to determine given to the nature of products, which can vary in ingredients from packet to packet.

Governments internationally have banned ingredients of these products as they were found to cause harm, only for new ingredients to replace them³. Prior to regulation in New Zealand there were between 200 and 300 unregulated psychoactive substances³. There were no controls on their manufacture or strength. They could be sold anywhere, and were marketed

ⁱ As defined by the Psychoactive Substances Act 2013, S9. Substances capable of inducing a psychoactive effect in an individual who uses the substance. Does not include controlled substances described in the Misuse of Drugs Act 1975, medicines within the meaning of the Medicines Act 1981, dietary supplements, food, alcohol or tobacco.

as safe alternatives to marijuana.⁴ This resulted in increases in the number of patients attending emergency departments following their use⁴.

The Psychoactive Substances Act 2013 (the Act) sets a regulatory framework for the manufacture and sale of psychoactive substances. The Act's purpose is to protect the health of, and minimise the harm to, individuals who use psychoactive substances⁵. A large number of measures have been introduced in order to achieve this purpose.

- Restrictions on retailers, including a ban on sales from all dairies, petrol stations, and alcohol outlets. A licence will be required to sell psychoactive substances.
- Products must be tested and proven to pose no more than a low risk of harm to the user before they can be sold.
- Purchase age of 18.
- Labelling and packaging requirements and restrictions on advertising. All products must have health warnings.
- Territorial Authorities may develop policies, which can specify the broad location of retail outlets, as well as their location in relation to each other and to sensitive sites.

The Act reverses the onus of proof onto manufacturers, who must prove their products are "low risk" before they can be sold.

The Act initially granted interim approvals to 42 products considered safe for use³. The Psychoactive Substances Amendment Act 2014 came into effect on 8 May 2014, revoking all interim product approvals together with retail and wholesale licences⁶. Population Health in partnership with New Zealand Police was involved in overseeing a full industry recall of these products across the Waikato DHB region.

The amendment did not change the intent of the Psychoactive Substances Act 2013, to allow the sale of low risk psychoactive substances. With the future development of regulations products will be able to be licenced for sale, if they are able to be shown to be "low risk".

References

1. Seely K, Lapoint J, Moran J, et al. Spice drugs are more than harmless herbal blends: a review of the pharmacology and toxicology of synthetic cannabinoids. *Progress in Neuro-psychopharmacology and biological psychiatry*. 2012;39:234-43.
2. United Nations Office on Drugs and Crime. *The challenge of new psychoactive substances*. Vienna: United Nations Office on Drugs and Crime; 2013.
3. Wilkins C. The interim regulated legal market for NPS ('legal high') products in New Zealand: The impact of new retail restrictions and product licensing. *Drug Testing Analysis*. 2014;6:868-75.
4. Shep L. Synthetic cannabinoids: the lows that follow legal highs. *New Zealand Doctor*. 2013;November.
5. Psychoactive Substances Act 2013, S3. Retrieved from <http://www.legislation.govt.nz/act/public/2013/0053/20.0/DLM5042928.html>.
6. New Zealand Parliament. Psychoactive Substances Amendment Act 2014. Retrieved from <http://www.legislation.govt.nz/act/public/2014/0024/latest/whole.html>.