

Psilocybin Laws in Canada - History and Present Situation

What is psilocybin, legalization both history and present situation in Canada

VANCOUVER, BRITISH COLUMBIA, CANADA, September 30, 2022 /EINPresswire.com/ -- What is psilocybin?

The hallucinogenic compound psilocybin is present in a number of fungi that are sometimes referred to as "magic mushrooms," "psilocybin mushrooms," or "shrooms."

Psilocybin is often taken orally, where it induces a psychedelic experience that can last for many hours and cause hallucinations, drastic changes in perception, and improved pattern recognition.

Is psilocybin legal in Canada?

Technically, no. Although psilocybin is readily marketed online and even in some Canadian cities, including Vancouver and the whole of British Columbia, it is still banned everywhere in Canada. As was the case with cannabis not too long ago, it is now legal everywhere in Canada.

A Little Bit of History on Psilocybin Laws in Canada

In the case of [R. v. Parnell](#), the British Columbia Court of Appeal determined that the Act, which expressly forbade the chemical psilocybin, did not violate the law simply by allowing the simple possession of mushrooms containing the substance. It came to this conclusion, in part, by contrasting the wording of the Food and Drugs Act's controlled substance prohibitions with the Narcotic Control Act's prohibitions, noting that the latter specifically forbade "anything that contains [the] substance." Contrarily, the wording of the Food and Drugs Act just forbade the substance. In *R. v. Cartier*, the Court of Appeal for Alberta shared this opinion (1980). As long as they were kept in their "natural state," this basically made it lawful to possess psilocybin mushrooms in Canada.

In 1982, the Supreme Court of Canada in [R.V. Dunn](#) overturned this stance, re-classifying psilocybin as a drug in both its natural and synthetic forms.



Present Situation

Even though it is illegal to possess, grow, and sell psilocybin throughout Canada (with the exception of when it is used in accordance with an exemption), inconsistent enforcement of the law, particularly in Vancouver and the rest of British Columbia, causes many people to believe that psilocybin is legal in Canada or in some Canadian provinces.

Although psilocybin spores are readily sold in stores across Canada and widely believed to be legal, this could simply be a case of non-enforcement rather than a real legal loophole. The truth of the matter is, that when it comes to how a nation views a substance, it's always a very grey area. As time passes and more and more studies and research are conducted on these natural substances, more and more of their benefits are discovered, and eventually, they become decriminalized, just like what happened recently with cannabis. It's more of a matter of our governments playing catchup with what science and the people already know.

Therapeutic or Medical Use?

[According to scientific research](#), using psilocybin under the right circumstances may help people deal with psychological problems like addiction, anxiety, despair, and obsessive-compulsive disorder.

Through the use of s.56 exemptions from the Controlled Drugs and Substances Act, Health Canada started allowing a select group of people to legally access psilocybin for therapeutic purposes in 2020. For the first time since psilocybin was made illegal in Canada in the 1970s, non-study volunteers had legal access to the drug.

Health Canada changed the rules governing the Special Access Program in January 2022 (SAP). In cases where existing treatments are ineffective, inappropriate, or not available in Canada for individuals with serious or life-threatening diseases, the new regulations permit medical providers to order psilocybin.

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