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Health Products
and Food Branch

Direction générale des produits
de santé et des aliments

Natural Health Products Directorate
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Victoria Grant
Noojimawin Health Authority
101 - 25 Wood Street
Toronto, Ontario
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Dear Ms. Grant:

This letter is further to our meeting of April 16, 2004, regarding the impact of the *Natural Health Products Regulations* (the Regulations) on the practices of traditional Aboriginal medicines.

At the outset, I would like to say that it was a pleasure to meet with you and we appreciate your taking the time to come to Ottawa to discuss the impact of the Regulations on traditional Aboriginal medicines, healers and their associated practices. I also want to thank you for bringing these important issues to our attention.

The Natural Health Products Directorate (NHPD) understands that the Noojimawin Health Authority does not wish to have the practice of traditional Aboriginal medicine captured within the Regulations. I would like to reconfirm that it was never the intent of the Regulations to infringe upon the practices of traditional Aboriginal medicine. This intent is expressed within the Regulatory Impact Analysis Statement (RIAS):

The NHP Regulations are not aimed at regulating the practice of complementary and alternative health care practitioners or the practice of traditional Aboriginal medicine. The NHPD intends to adopt a guidance document regarding the distinction between manufacture and sale of NHPs and compounding and distribution of compounded products by complementary and alternative health care practitioners and Aboriginal healers.

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At the meeting you expressed concern that by not specifically exempting the practices associated with traditional Aboriginal medicine in the Regulations, there is the potential for an interpretation that would capture some of these practices. NHPD understands this concern and wants to explore this issue and its implications further.

NHPD agrees with the Noojimawin Health Authority that if it is found that the Regulations are imposing on traditional Aboriginal practices, and are therefore outside of what was intended, it will be necessary to work with interested stakeholders to ensure that a mutually agreeable solution is reached. Also, even if the Regulations do not impinge on Aboriginal practices, various options may be explored to add clarity and ensure that this continues to be the case.

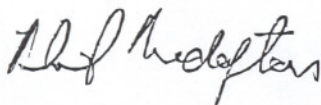
As discussed at the meeting, the practice of medicine falls within provincial jurisdiction. However, as you have pointed out, within traditional Aboriginal medicine there is often no clear distinction between the practices and the medicines. Furthermore, given certain definitional interpretations, there is the potential that some traditional Aboriginal practices could inadvertently be captured under the Regulations. NHPD agrees that there is a need for further clarity on these issues and would like to work toward a solution that will not infringe upon provincial jurisdiction but that will be agreeable to all involved.

As a first step to resolving this issue, the NHPD will develop a discussion paper outlining our policy intent in regards to traditional Aboriginal medicine and its associated practices. As you have suggested as part of this process, the NHPD will consult other federal and provincial regulations addressing similar issues.

This draft document would be used as a starting point for discussion with interested stakeholders, namely Aboriginal organizations and the provinces. We endeavour to have this draft ready by July 2004. Work on this issue will expand from this point and if deemed necessary, a regulatory amendment that specifically exempts the practices of traditional Aboriginal medicine may be pursued.

Again I would like to thank you for an informative and productive meeting. The NHPD appreciates your interest in the *Natural Health Products Regulations* and we look forward to working with you to resolve this issue.

Sincerely,



Philip Waddington
Director General