

Memo

To: Deans and Executive Directors
From: Anthony Vannelli, Provost and Vice-President Academic
Date: October 22, 2018
Subject: Cannabis Research Related Travel

I write to you regarding a significant concern about travel to the United States for those faculty members, post-doctoral fellows, graduate students and other campus community members involved in cannabis research. In consultation with university legal counsel, I provide the following FAQ information.

1. What appears to be the current situation regarding cannabis-related travel to the United States?

At this time, travel to the United States for cannabis-related research or work matters poses a serious risk to the traveler. The best interpretation of the current United States policy is that personal travel to the United States is allowed for those in the cannabis industry, but not for reason related to the cannabis industry. To date, there is no clarification as to how cannabis researchers will be treated against this policy.

Information from the United States and Canadian governments has been used in identifying the known risks of travel. These known risks are presented below. The university encourages you to read and consider these risks carefully against your planned travel and activities in the United States. This is an ever-evolving situation that should be monitored carefully at the time of travel. Should you have any questions or concerns, please contact Katharine Fahlman-Smith, Manager, Recruitment and Global Mobility, at katharine.fahlman-smith@usask.ca.

2. What is the United States government's position on cannabis-related travel outside of Canada?

Excerpts from current [United States Customs and Border Protection policy](#):

A Canadian citizen working in or facilitating the proliferation of the legal marijuana industry in Canada, coming to the U.S. for reasons unrelated to the marijuana industry will generally be admissible to the U.S. however, if a traveller is found to be coming to the U.S. for reason related to the marijuana industry, they may be deemed inadmissible.

U.S. laws will not change following Canada's legalization of marijuana. Requirements for international travelers wishing to enter the United States are governed by and conducted in accordance with U.S. Federal Law, which supersedes state laws. Although medical and recreational marijuana may be legal in some U.S. States and Canada, the sale, possession, production and distribution of marijuana or the facilitation of the aforementioned remain illegal under U.S. Federal Law. Consequently, crossing the border or arriving at a U.S. port of entry in violation of this law may result in denied admission, seizure, fines, and apprehension.

University comment: There is currently no guidance as to how "working in or facilitating the proliferation of the legal marijuana industry in Canada" or "coming to the U.S. for reason related to the marijuana industry" is defined or will be interpreted by processing U.S. border protection officers. Further, being denied entry to the United States at this time may have lasting consequences on an individual's ability to travel there in the future.

3. What is the Canadian government's position on cannabis-related travel outside of Canada?

a. [The Cannabis Act: The Facts](#) [Government of Canada]:

"Involvement in the legal cannabis industry in Canada could also result in a decision of inadmissibility."

b. [Cannabis and International Travel](#) [Government of Canada] excerpts:

Leaving Canada

The legalization of cannabis in Canada did not change Canada's border rules. Taking cannabis or any product containing cannabis across Canada's international borders is illegal and can result in serious criminal penalties both at home and abroad.

This is the case even if you are travelling to places that have legalized or decriminalized cannabis. Transporting cannabis used for medical purposes is also illegal.

Cannabis is illegal in most countries. Previous use of cannabis, or any other substance prohibited by local law, could result in a traveler being denied entry to his or her destination country.

Each country or territory decides who can enter or exit through its borders. The Government of Canada cannot intervene on your behalf if you do not meet your destination's entry or exit requirements.

Travelers are responsible for learning about the laws of the countries they intend to visit. See our [Travel Advice and Advisories](#) for information on your destination.

c. Additional Information:

- i. [Cannabis and the Border](#) [Government of Canada]
- ii. [Cannabis \(marijuana\) Legalization](#) [Canada Border Services Agency]

I appreciate the complexity and uncertainty of international travel in these early stages of cannabis legalization. While the university cannot change federal or international laws, we recognize the importance and impact it may have on work and research currently being conducted and will remain diligent in providing updates as they become available.

Given that the United States government's approach to legalization and border issues is still evolving, it would be prudent for those involved in cannabis research to carefully consider their individual circumstances to assess whether travel is advisable at this time and be prepared for questions that may be asked at the border. For those who have plans to travel, please contact Katharine Fahlman-Smith at katharine.fahlman-smith@usask.ca.

Regards,



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Provost and Vice-President Academic