

From: SPL-Office of the DDG - Friday June 23rd 2023.

Thank you for your further email of 7 June 2023 with follow up questions. You have asked for the Ministry of Health's views on the use of non-medically approved dry herb vaporisers for taking medicinal cannabis.

A person who possesses a non-medically approved dry herb vaporiser for the purpose of taking their prescribed medicinal cannabis would not breach the Misuse of Drugs Act 1975 because they are not using it "for the purpose of the commission of an offence against this Act" [\(s13\(1\)\(a\)\)](#).

With regard to the law on how medicinal cannabis may be taken, while smoking medicinal cannabis is not permitted ([regulation 20\(1\) of the Misuse of Drugs \(Medicinal Cannabis\) Regulations 2019](#)), there is no law against a person inhaling their prescribed medicinal cannabis using an un-approved vaporiser. However, it is advisable that they use an approved vaporiser if the product has been prescribed for the purpose of inhalation. Medicinal cannabis products that are verified as meeting the minimum quality standard must state the route of administration on their labelling - see this link for a list of products: <https://www.health.govt.nz/our-work/regulation-health-and-disability-system/medicinal-cannabis-agency/medicinal-cannabis-agency-information-health-professionals/medicinal-cannabis-products-meet-minimum-quality-standard>.

Consequently the Medicinal Cannabis Agency's guidance to health professionals is: "The administration of some medicinal cannabis products requires a vaporiser. Vaporisers can be purchased from the NZ supplier, or imported directly. The [Misuse of Drugs \(Prohibition of Utensils\) Notice 2020](#) sets out that a vaporiser can be imported and sold, only if it has been approved as a medical device by an overseas regulator. This ensures the vaporiser will provide a safe method for administering medicinal cannabis." [Medicinal Cannabis Agency - Information for health professionals | Ministry of Health NZ](#).

We appreciate the cost of these devices can be a concern.

We trust this answers your questions.

Ngā mihi

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MINISTRY OF HEALTH

The above information is shared from the community organisers of [MCANZ.org.nz](https://www.mcanz.org.nz). Who have reached out to the NZ Ministry of Health, for clarifications on the issues surrounding the use of legally prescribed Medicinal Cannabis from a Doctor. This is different to patients who require Palliation. Information for Palliative patients can be found here: [NZ Police Part 14 Medicinal Cannabis](#).