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### **DRUG AND HEALTH PRODUCTS LAW IN CANADA**

**Mathieu Gagné**

**Release No. 1, December 2025**

This book provides a comprehensive guide to the legal and regulatory regimes—provincial and federal—governing the manufacture and sale of drugs and health products in Canada. It is a must-have resource for anyone involved in any aspect of the development, manufacture and distribution of drugs in Canada, and for lawyers who represent both those in the industry and those wishing to challenge industry practice or procedure. Written by one of Canada's experts in the field.

This release features updates to Chapter 5—Civil Law, Common Law, Law of Professions and Research Ethics, Chapter 30—Ontario, Appendix WP—Words and Phrases and Appendix SLL—Selected Legal Literature.

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**Highlights:****§ WP:64.50—Mental Disorder**

- A mental disorder is a disease of the mind. It includes any illness, disorder or abnormal condition that impairs a person’s mind and its functioning. Excluded from the definition of a disease of the mind and mental disorder are self-induced states caused by alcohol or drugs. It does not include temporary mental states such as hysteria or concussion. Schizophrenia is a disease of the mind.

(*R. v. Balan* (2025), 2025 CarswellOnt 11990, 2025 ONSC 3651 (Ont. S.C.J.) at para. 29 Kelly J.).

**§ WP:82—Opioids**

- . . . Opioids are a powerful class of painkillers. While some opioids have become associated with the illicit drug trade, most have legitimate medical uses when properly administered. When used improperly, however, opioids can cause addiction.

(*Sanis Health Inc. v. British Columbia* (2024), 2024 CSC 40, 2024 SCC 40, 2024 CarswellBC 3485, 2024 CarswellBC 3484, [2025] 1 W.W.R. 175, 96 B.C.L.R. (6th) 1, 497 D.L.R. (4th) 571 (S.C.C.) at para. 18 Karakatsanis J. (Wagner C.J.C., Martin, Kasirer, O’Bonsawin, Moreau JJ. concurring)).

**Selected Legal Literature****§ SLL:2—Cannabis Regulation**

- Amendments to cannabis regulations proposed by Health Canada by Jaclyne Reive and Jacqueline Rintjema (Aug. 2024) 45 Health L. Can. 6-9.

**§ SLL:7—Generic Drugs Regulation**

- Arbitrator rejects “lowest-cost generic” policy for generic substitutes in collective bargaining agreement by Guy-Étienne Richard (July 2025) 35 E.L.L.R. 30-31.