Te Whatu Ora
Health New Zealand

30 August 2022

Chris McCashin
fyi-request-19978-e79c3d89@requests.fyi.org.nz

Tēnā koe Chris,

Your Official Information Act request, reference H2022008164:

Thank you for your email of 20 July 2022 requesting information relating to advertisements for the COVID-19 vaccine since it was approved.

As part of the transformation of the health and disability system, as of 1 July 2022 the functions previously under the Manatū Hauora (Ministry of Health) National Immunisation Programme have now transferred to Te Whatu Ora - Health New Zealand (Te Whatu Ora). As the matters you have raised now fall under the functions of Te Whatu Ora, our agency will respond to your request which has been considered under the Official Information Act 1982 (the Act). You requested:

> *"Dates advertisements were run eg 15 January 2021 - 20 January 2022*
> *Advertising Medium - Radio and/or TV, flyer, newspaper etc etc*
> *Advertising Text - eg "The Pfizer vaccine provides is 85% etc etc". For example verbatim what the advertisement stated*
> *Data and reports relied on to support the advertising text - for example what reports were relied on to ensure Ministry of Health was not in breach of advertising standards - if this was not done then why not?*
> *Legal Advice / Warnings - Please also provide the legal advice provided to the Ministry of Health to show that the advertisement broadcast met the requirements of the Medicines Act 1981*
> *Please provide all of this information from the start of the vaccine roll-out up to and including all of the advertisements currently being run on TV, radio, in-print etc etc"*

On 26 July 2022, you were contacted to refine your request. On 2 August 2022, you agreed to refine your request to:

> *Process documents that an advertisement went through to ensure it was not in breach of advertising standards*
> *Legal Advice Memos provided to the Ministry of Health to show that the advertisement broadcast met the requirements of the Medicines Act 1981*

Te Whatu Ora does not hold any process documents relating to advertising standards and therefore, your request is refused under section 18(e) of the Act, as the documents in question do not exist.

All medicines and vaccines, including the Comirnaty Pfizer COVID-19 vaccine, are assessed through a detailed approval process. In this, Medsafe, New Zealand's own medicines safety authority, assesses medicine and vaccine applications against internationally established criteria. This includes clinical trials to help demonstrate the efficacy and safety of the vaccine.

Specific legal approval to ensure advertisements meet the requirements of the Medicines Act 1981 is not required as the vaccine has been granted provisional approval by Medsafe and Cabinet had approved its use. Clinical information which features in advertisements is reviewed and approved prior to its inclusion in any advertisement. The public is entitled to contact the Advertising Standards Authority (ASA) should they object to any advertising in New Zealand.

It is important to note that there have been no steps skipped in the approval process of COVID-19 vaccines. More information about the vaccine evaluation and approval process can be found here: https://www.medsafe.govt.nz/COVID-19/vaccine-approval-process.asp

You are advised of your right to also raise any concerns with the Office of the Ombudsman. Information about how to do this is available at: www.ombudsman.parliament.nz or by phoning 0800 802 602.

Nāku iti noa, nā

Rachel Mackay
Acting Director
National Immunisation Programme