

Hon Todd McClay

Minister of Agriculture
Minister of Forestry
Minister for Hunting and Fishing
Minister for Trade
Associate Minister of Foreign Affairs



25 October 2024

Dan Moskovitz

By email: fyi-request-28577-3ee125f8@requests.fyi.org.nz

OIA0102

Dear Dan Moskovitz,

Official Information Act request

Thank you for your email of 29 September 2024 in which you requested the following under the Official Information Act 1982 (the Act):

I am aware the Department of Conservation have sent you some 'status updates' on avian influenza. As such, I request these status updates, alongside any further advice or information your office has received regarding avian influenza.

I would also like to know what implications avian influenza could/is having on Aotearoa's trade.

There are trade implications if any form of Avian Influenza is detected in New Zealand. A number of our export health certificates state that New Zealand is free of Highly Pathogenic Avian Influenza (HPAI) and/or Avian Influenza. The poultry industry, including day old chicks, hatching eggs, table eggs and poultry meat, has around \$180 million of trade exposed each year if an avian influenza outbreak occurs. I am advised that the Ministry for Primary Industries (MPI) is working with the poultry industry on options to mitigate these risks as much as possible.

I receive a weekly update from MPI. In accordance with section 16(1)(e) of the Act, excerpts from these weekly updates relating to HPAI are released to you as **Appendix One**.

Some information has been withheld pursuant to the following sections of the Act:

- Section 6(a) – *the making available of that information would be likely to prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand.*
- Section 9(2)(d) – *to avoid prejudice to the substantial economic interests of New Zealand.*

The briefing *High Pathogenicity Avian Influenza* (B24-0014), dated 9 April 2024, is within the scope of your request. I understand it has previously been provided to you by MPI. The briefing *Preparing for High Pathogenicity Avian Influenza* (B24-0348), dated 15 May 2024, is also within the scope of your request. I understand this is soon to be provided to you by the Minister for Biosecurity, Hon Andrew Hoggard. As these documents have already been provided to you, I have not included copies of these documents in Appendix One.

The briefing *Cabinet Paper Cover Brief: One Health Response Approach to Highly Pathogenic Avian Influenza* (B24-0602), dated 20 September 2024, is withheld in full pursuant to section 9(2)(f)(iv) of the Act – *to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.*

I have not received status updates from the Department of Conservation on HPAI or Avian Influenza. As such, this part of your request is declined pursuant to section 18(e) – *that the document alleged to contain the information requested does not exist.*

Where the information has been withheld under section 9 of the Act, no public interest in releasing the information has been identified that would override the reasons for withholding it.

You have the right to seek an investigation and review by the Ombudsman of this decision, in accordance with section 28(3) of the Act. The relevant details can be found www.ombudsman.parliament.nz or freephone 0800 802 602.

Warm regards,

A handwritten signature in blue ink, appearing to read 'Todd McClay', written in a cursive style.

Hon Todd McClay
Minister of Agriculture
Minister for Hunting and Fishing