

Robert Harrison

13 FEB 2017

By email: fyi-request-5007-24b823d2@requests.fyi.org.nz

Ref: H201700019

Dear Mr Harrison

Request for official information - personal importation of medicines

I am responding to the request you made on 28 December 2016 for information pursuant to the Official Information Act 1982 (the 'Act') about the personal importation of medicines.

You have asked for the following information:

- i. *the statistics on the number of medications being personally imported into NZ for the year ending August 2016 (stopped at the border)*
- ii. *the number of medications 1 August to 31 July for the years ending 2015, 2014, 2013, 2012 (stopped at the border)*
- iii. *the top 30 medications being imported into NZ, listed by class for items i) & ii) above*
- iv. *the number of medications being released by MOH due to becoming compliant with the requirements of a prescription in relation to i) & ii)*
- v. *the number of staff who work at the MOH involved in duties of dealing with personal importations, their status at the MOH & their location.*

Medsafe's operations at the border

Medsafe has one Senior Advisor, a pharmacist, who works alongside the NZ Customs Service at the International Mail Centre ("IMC") in Auckland. If Customs has reasonable grounds to believe that a parcel contains a prescription medicine, it will be referred to Medsafe for further examination. Medsafe determines whether the importation of the medicine complies with the Medicines Act 1981 and the Medicines Regulations 1984.

Prior to the establishment of the Medsafe Investigation and Enforcement Team in May 2007, this border function was less comprehensive.

Response to your questions

You requested that information be provided from 1 August to 31 July for each year. We collate information by calendar year. To provide information in the year breakdown you requested would require substantial collation or research, therefore I refuse to provide this in the format requested pursuant to section 18(f) of the Act. However, I have

provided you with information based on calendar years for 2011-2015. The 2016 information is not yet available.

You asked for information on the top 30 medications. Information for individual medicines cannot be made available without substantial collation or research therefore I refuse to provide this pursuant to section 18(f) of the Act. The information I have provided is for groups of medicines that have been categorised based on their indicated use as this is the way we record this information.

The information provided is for imports through the IMC in Auckland. All international mail entering New Zealand passes through this facility. While the majority of the imports through the IMC are personal, some are commercial. We do not differentiate between personal and commercial imports in recording our information and therefore I have provided you information for all imports through the IMC.

There are other much smaller flows of imports, both personal and commercial that Medsafe is also involved with. However, information about these is not readily available so I have refused to supply this, pursuant to section 18(f) of the Act, as the information requested cannot be made available without substantial collation or research.

Questions 1 - 4

The information requested in response to questions one to four has been collated into nine tables, which are attached.

Table 1 provides information on the number of parcels referred by the NZ Customs Service to Medsafe at the IMC. This is by month and year. Note that one parcel may contain more than one medicine; all other statistics are kept by number of medicines referred.

Table 2 provides information on the initial action taken by Medsafe on examination of a parcel. This table indicates that some products were returned to NZ Customs Service or the Ministry for Primary Industry for action under other legislation, some were detained (usually because they were believed to contain a prescription medicine), some were returned to sender (usually because they contained more than three months' supply of a prescription medicine) and some were seized and destroyed (usually because they contained products known to be counterfeit or adulterated). We ceased returning parcels to sender as an initial action in 2014 and parcels containing more than three months' supply are now detained.

Table 3 describes the final action for detained medicines. This shows that some were released (usually because an authorised New Zealand prescriber provided an authority to release the medicines). However, many were never claimed through this mechanism so were subsequently seized and destroyed.

Table 4 contains information about the number of medicines detained by category for each calendar year. The categories of medicines listed in this document are those used by Medsafe to record the likely therapeutic group the imported medicines belonged to. The rows marked 'Foreign Med' and 'Suspected Medicine' contain medicines that were not able to be identified and further information would have been requested from the importer.

Tables 5 – 9 provide the number of medicines detained and released by medicine category. Each calendar year has its own table. While the majority of medicines were released on authority of a New Zealand authorised prescriber, a small number will have been released once Medsafe was satisfied that the requirements of the Medicines Act were met. Distinguishing between these would take substantial collation or research therefore I refuse to provide this information pursuant to section 18(f) of the Act.

Question 5

In addition to the Senior Advisor at the IMC, Medsafe has an Advisor, also currently a pharmacist, who is based in Auckland. The Advisor supports the border program and performs other tasks not directly related to personal imports or the border program.

I trust this information fulfils your request. You have the right, under section 28 of the Act, to ask the Ombudsman to review my decision to withhold information under this request.

Yours sincerely



Chris James
Group Manager
Medsafe