

06 MAR 2017



OIA17-0068

Gary Stephenson
Care of FYI website

Dear Gary Stephenson

OFFICIAL INFORMATION ACT REQUEST

I refer to your official information request on 10 February 2017 relating to *the testing that has been done in Australia to test the efficacy of the Cylap vaccine against the Rabbit Haemorrhagic Disease Virus (RHDV), known as K5*. You specifically requested information on:

- *The number of rabbits groups and number of rabbits in each group.*
- *Numbers of vaccinated and unvaccinated rabbits.*
- *The different levels of Cylap dose used.*
- *The number of days following vaccination at which they were challenged with the virus.*
- *How the virus was conducted.*
- *Number of days monitored since challenge.*
- *How 6 monthly protocol of vaccination was developed and tested to prove efficacy.*
- *How long-term efficacy (6 to 12 month) was tested.*
- *How safety of 6 month vaccination regime was tested.*
- *The level at which the Cylap vaccine manufacturer was involved.*
- *How this testing meets the Agricultural Compounds & Veterinary Medicines Act 1997 (AVCM) regulations.*

For the Official Information Act 1982 (OIA) to apply, the information must already be held by the agency concerned. With the exception of providing a response to a request for a statement of reasons about the request decision itself, there is no obligation on an agency to form an opinion or create information to answer a request in the form of questions or interrogatory (c/f Office of the Ombudsman). In accordance with this advice from the office of the Ombudsman, the Ministry for Primary Industries (MPI) is not required to answer your questions, as they do not specifically qualify as requests for official information. On this basis, your correspondence does not amount to an Official Information Act request for information held by MPI.

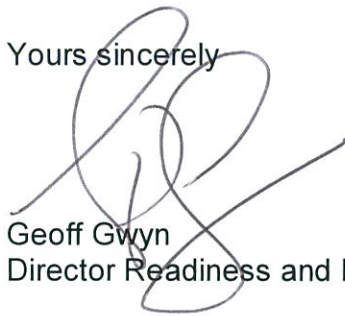
Please note for your information, that in reference to this particular correspondence, even if the OIA did apply, MPI does not hold this information, and consequently your questions would be refused under section 18(g) of the OIA, as the information requested is not held by the department or Minister of the Crown.

With reference to the previous OIA response from MPI (OIA17-0040) dated 27 February 2017, MPI advised that we would consider not providing a response if the requests were of a frivolous or vexatious nature, or that the information requested is trivial (section 18(h) of the OIA). MPI will also no longer be responding to repeat requests for information that has already been released to you previously under the OIA.

In accordance with the OIA, MPI will process any genuine requests for information that is held by the Ministry.

You have the right under section 28(3) of the OIA to seek an investigation and review by the Ombudsman of our decision to refuse your request.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Geoff Gwyn', written over the typed name and title.

Geoff Gwyn
Director Readiness and Response Services