

17 DEC 2018

Mr Miles Stratford  
fyi-request-8956-1e0d0096@requests.fyi.org.nz

Ref: H201807891

Dear Mr Stratford

**Response to your request for official information**

I refer to your email of 23 November 2018 to the Ministry of Health (the Ministry) requesting information under the Official Information Act 1982. A copy of your original request is attached as Appendix One.

On 13 December 2018, we sought your clarification and asked you to refine your request and identify documents in scope of your request. The Ministry also offered to provide available documents which may be able to satisfy your information request.

You have since clarified your request to mean communications with the Tenancy Tribunal, the Real Estate Authority and Auckland Council. You also informed the Ministry that you wish to receive the documents that we prepared.

The information in response to your request is itemised in Appendix Two, with copies of documents attached.

In respect to your request for communications with the Tenancy Tribunal, Real Estate Authority and Auckland Council, the Ministry will grant this request. A response will be provided no later than **20 February 2019**.

You have the right, under section 28 of the Act, to ask the Ombudsman to review any decisions made under this request.

Please note that the Ministry intends to publish this response and any attachments on the Ministry's website, with your personal details removed.

Yours sincerely

  
Dr William Rainger  
**Acting Deputy Director-General  
Population Health and Prevention**

## Appendix One

From: Miles Stratford <fyi-request-8956-1e0d0096@requests.fyi.org.nz>  
To: OIA/LGOIMA requests at Ministry of Health <oiagr@moh.govt.nz>,  
Date: 23/11/2018 09:27 a.m.  
Subject: Re: Response to your official information request - H201807260

Dear Margee

many thanks for those links. I am very familiar with the PMCSA Report. Under the Official Information Act, I'd like to receive some additional information regarding the response of the Ministry of Health to the PMCSA Meth Report.

The recommendations contained in the PMCSA report vary dramatically from those which the Ministry of Health promoted on the back of the report supplied to the Ministry by ESR in 2016. Please provide copies of the communications (emails, letters, meeting minutes etc) the Ministry has entered into with ESR and the parties ESR commissioned to produce its report regarding the PMCSA Report, their views as to the efficacy of the advice contained into the PMCSA Report and the implications it has for the advice the Ministry received from ESR.

I have been advised by an internationally recognised toxicologist that the numbers included in the PMCSA Meth Report in respect of acceptable meth residues in property cannot be arrived at using standard risk assessment methodologies. Please provide copies of the communications (emails, letters, meeting minutes, reports etc) the Ministry has entered into and/or received since the May 29th release of the PMCSA Meth Report, that give the Ministry confidence regarding the efficacy of the advice the office of the PMCSA has supplied.

The numbers regarding acceptable levels of meth residues in property proposed in the report are supported and promoted by the Minister for Housing and have been acted on and incorporated into policy by the Real Estate Authority, Housing New Zealand, the Tenancy Tribunal and various Councils around the country, Auckland Council being one example. Please provide copies of the communications (emails, letters, meeting minutes etc) the Ministry has entered into with and received from the Minister for Housing, the Real Estate Authority, Housing New Zealand, the Tenancy Tribunal and Auckland Council, prior to and after their decisions to adopt the recommendations of the PMCSA Report into their Policy.

In establishing acceptable levels of meth residues in property, the PMCSA Report relies on the expert opinion of Dr. Nick Kim. Through the Standards Development process, the views of Dr. Nick Kim were shared with the Standards Committee. Dr. Kim was suggesting a limit of 12.5 micrograms per 100cm<sup>2</sup> would be sufficiently health protective. Dr. Kim indicated that for the purposes of a standard he anticipated that this level would be reduced to around 3 micrograms per 100cm<sup>2</sup>. Given the divergence of Dr. Kim's views with that of ESR and others, the opinions of Jeff Fowles, Peter Cressy and Jackie Wright were sought by the Ministry of Health. None of these scientists agreed with Dr. Kim's views regarding acceptable levels of meth residues. These opinions, combined with the recommendations of the Ministry of Health which were based on the ESR Report, were pivotal in the decision of the Standards Committee to recommend the levels now incorporated into NZS8510. Levels which have been overtly criticised in the PMCSA Report and lambasted in subsequent media attention. Please provide copies of the communications (emails, letters, meeting minutes etc) the Ministry has entered into with these scientists seeking clarification of the advice that was provided to the Ministry.

The acceptable levels of meth residues recommended in the PMCSA Report regarding meth residues from use alone are 10 to 30 times greater than other jurisdictions. I understand best

practice where a departure of this magnitude from what is generally considered appropriate, is to undertake a study/research, to confirm the assumptions that underpin such a change are correct. Please provide details of the research the Ministry of Health proposes to undertake to confirm that the proposed increase to 15 micrograms per 100cm<sup>2</sup> will not result in adverse health outcomes for occupants of properties where meth residues are greater than those levels recommended by the Ministry of Health in its 2016 advice and the levels proposed by the PMCSA Report and acted upon by the Real Estate Authority, Housing New Zealand, the Tenancy Tribunals and various Councils around New Zealand, Auckland Council being one such example..

Yours faithfully,

Miles Stratford

## Appendix Two

No.	Title	Information Withheld
1	All communications relating to methamphetamine (meth) testing, meth policy development and the Gluckman report including communications with the Chief Science Advisor and Standards New Zealand.	Some information withheld pursuant to section 9(2)(a) of the Act to protect the privacy of natural persons.
2	All Ministry communication in which Sir Peter Gluckman's report regarding methamphetamine is discussed.	Some information withheld pursuant to section 9(2)(a) of the Act to protect the privacy of natural persons.
3	All guidance and or correspondence the Ministry issued in respect to the PMCSA report on methamphetamine contamination to any and all business/government agencies/councils.	Some information withheld pursuant to section 9(2)(a) of the Act to protect the privacy of natural persons.