



Sent by: Sally Gilbert/MOH

22/06/2018 05:22 p.m.

To:

cc: Sarah Reader/MOH@MOH, Caroline McElnay/MOH@MOH, Stewart Jessamine/MOH@MOH,

bcc:

Subject: Re: General web enquiry

Hi

You are correct that under the Health Act 1956, the Ministry of Health has the "function of improving, promoting, and protecting public health". However a territorial authority has a "duty ... to improve, promote, and protect public health within its district".

In any event, as I noted, contaminated dwellings are managed as dangerous buildings under sub-part 6 of the Building Act, not under the Health Act.

The ESR report was commissioned by the Ministry to inform the development of the Standard and was provided to the Standards Committee. The Standards Committee included a representative from the Ministry of Health, as you know, as well as representatives from laboratories, industry, insurers, LGNZ, MfE and Housing NZ. The Standards process works by consensus and voting and deliberations are confidential to the Committee members. The Ministry of Health supported the outcome of the Standards process.

However, the Standard was obviously prepared prior to Sir Peter Gluckman's report being available. ESR's scientists were consulted on Sir Peter's draft report and are acknowledged as peer reviewers in the report. Health officials are not scientists and would anticipate that Sir Peter would respond to any scientific discussion on appropriate methodology and interpretation of scientific evidence associated with is report.

Regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health

Hi Sally, Thanks for that, however wit...

22/06/2018 04:20:55 p.m.

From:
To: sally.gilbert@mhon.govt.nz,
Date: 22/06/2018 04:20 p.m.
Subject: Re: General web enquiry

Hi Sally,

Thanks for that, however with being the Ministry entrusted as outlined in Part 1 (3a) of the Health Act 1956 it is the function of the Ministry (Not Council) ... to improve, promote, and protect public health in all of the public. Surely there is a duty to table a report prepared for the Ministry of Health, Prepared by J Fowles, PHD, J Deyo DVM, PhD, DABT and J Kester Phd DABT from ESR and peer reviews by 3 toxicologists. Concluding that a level of 2.0ug/100cm2 would be considered not conservative enough protect the most vulnerable.

However one report from a retiring chief science advisor can reference *Cleaning up Former Methamphetamine Labs*

(Missouri Department of Health And Senior Services) Attached as a comparison to NZS8510:2017 which has been compiled in accordance with the Standards and Accreditation Act 2015. This Document (Missouri Guideline) has 6 pages of content and quite simply looks like a 11 year olds Childs science project.

With that being said, can the following question be answered by the Ministry Of Health:

Does the Ministry of Health stand by the recommendations within the ESR report dated 07 October 2016, or have ESR scientists been found to be that incompetent by the Chief science advisor?

On 22/06/2018, at 3:45 PM, sally_gilbert@moh.govt.nz wrote:

Hi

FYI the Ministry of Health is not the regulatory agency that deals with contaminated land or buildings. Whilst a territorial authority has "the duty ... to improve, promote, and protect public health within its district" under the Health Act, it is my understanding that contaminated dwellings are managed under the Building Act, as dangerous buildings under subpart 6 of that Act.

Your questions are probably best answered by Stds NZ, as any change to the Standard would be managed by Stds NZ. Health officials have asked Standards New Zealand whether it will be reviewing NZ8510:2017 and were advised that "NZS 8510:2017 is a voluntary standard as it is not cited in legislation or regulations - users can choose which decontamination level to adhere to until such time as levels are cited in legislation or regulations. Standards NZ is open to discussing the option of amending NZS 8510 with organisations who might wish to talk to us about a potential review and what a review would involve."

You can contact Stds NZ as follows:

Freephone: 0800 782 632 (New Zealand)
Phone: +64 3 943 4259
Email: enquiries@standards.govt.nz

I trust this is helpful.

Regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health

From:
To: sally_gilbert@moh.govt.nz,
Date: 22/06/2018 03:29 p.m.
Subject: Re: General web enquiry

Hi Sally,

I would like to get some clarification from the MOH, for what process is required for changes to the levels within NZS8510:2017 and do changes that do not follow due process (Standards and Accreditation Act 2015) meet the Ministry of Health's obligations under the Health Act 1956? Any assistance you could give would be greatly appreciated, there seems to be a lot of confusion around this issue.

On 22/06/2018, at 3:15 PM, sally_gilbert@moh.govt.nz wrote:

Hi

The Ministry replaced Mr Prendergast on the Standards Committee but the Committee disbanded when its work was completed. If you can let me know why you wish to contact our representative, I can check whether he agrees to having his contact details provided to a third party.

Regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health

----- Forwarded on 22/06/2018 02:25 p.m. -----

From:
To: info@health.govt.nz,
Date: 22/06/2018 01:58 p.m.
Subject: General web enquiry

Hi,

Can someone please put me in contact with the person who has taken over from Paul Prendergast who represented the MOH on the Standards committee for the development of NZS8510:2017?

Kind Regards



Sent by: Sally Gilbert/MOH
22/06/2018 08:36 a.m.

To: f
cc: keith.gardner@mh.govt.nz, Keith Gardner/MOH@MOH, Caroline
McEinay/MOH@MOH,
bcc:

Subject: Re: FW: Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards

Hi

Thanks for your comments. You may share this with your Housing Coalition but please remind them that the Ministry is not the regulatory agency and it is MBIE and local government which would set policy and implement the identification and remediation of contaminated properties (whether meth or other contaminants).

I think there has been some confusion about Housing NZ's approach to remediation. The evictions were because the presence of meth indicated unlawful activity and Housing NZ had a zero tolerance for unlawful activity on its properties. Remediation of contaminated dwellings was a separate policy and also included remediation of properties with contaminated soil (eg lead paint, and asbestos-containing materials, PCP-contaminated timber waste had been used in compost and gardens).

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile:

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Thanks for this Sally Can I share this...

13/06/2018 11:55:39 a.m.

From:
To: "sally.gilbert@moh.govt.nz" <sally.gilbert@moh.govt.nz>
Cc: L
Date: 13/06/2018 11:55 a.m.
Subject: FW: Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards

Thanks for this Sally

Can I share this email with our regional housing coalition? These very same issues came up at our meeting on Monday. Most concerning was a report from one of the coalition members that Tenancy Services are not planning to change their approach to cases that come before the tribunal.

FYI I have attached two of our recent relevant submissions. As you can see we did oppose eviction because of methamphetamine in our submission to the RTA amendment last year. We also advocated for a higher level and testing at floor level in our submission to the standard.

I think it might be useful for PHUs around the country to work with ESR and the Ministry on an approach for the RTA regs. Do you know whether the Ministry (or ESR) is working on a NOAEL? This would provide a good argument for revising the standard.

From: .

Sent: Wednesday, 13 June 2018 09:51

To:

Subject: FW: Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards

FYI

From: sally_gilbert@moh.govt.nz [mailto:sally_gilbert@moh.govt.nz]

Sent: Wednesday, 13 June 2018 09:36

To: PHU_managers@moh.govt.nz

Cc: PHU_managers_copy_to@moh.govt.nz

Subject: Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards

Dear colleagues

Some of you may be receiving queries about the Ministry's approach to methamphetamine decontamination.

As you will be aware, Sir Peter Gluckman has released a report on *Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards*. Sir Peter's report concluded that:

- *There is currently no evidence that methamphetamine levels typically resulting from third-hand exposure to smoking residues on household surfaces can elicit an adverse health effect.*
- *Toxicity assessments and exposure dose models have deliberately adopted very conservative assumptions, with large safety margins built in.*
- *Taken together, these factors indicate that methamphetamine levels that exceed the NZS 8510:2017 clean-up standard of 1.5 µg/100 cm² should not be regarded as signalling a health risk. Indeed, exposure to methamphetamine levels below 15 µg/100 cm² would be highly unlikely*

- to give rise to any adverse effects.*
- *This means that, because the risk of encountering methamphetamine on residential surfaces at levels that might cause harm is extremely low, testing is not warranted in most cases. Remediation according to the NZS 8510:2017 standard is appropriate only for identified former meth labs and properties where excessive methamphetamine use, as indicated by high levels of methamphetamine contamination, has been determined*

By way of background, prior to 2000 clandestine methamphetamine labs were not a significant concern in New Zealand. However by 2009 they had become a issue with police reporting 135 labs detected in that year. It was considered that the number of undetected labs was far greater as manufacturers disguise their illegal activities. One method to avoid detection was to use domestic premises, typically rental homes.

The Ministry of Health does not set the guideline levels for methamphetamine decontamination but, in 2010, in response to growing concerns regarding the risk posed to subsequent tenants, the Ministry published '*Guidelines for the Remediation of Clandestine Methamphetamine Laboratory Sites*'. The guidelines established a recommended level of 0.5 micrograms/100 cm² methamphetamine as an indicator of adequate cleaning of the more hazardous chemicals used at that time in methamphetamine manufacture.

It is important to note that the risk identified with methamphetamine labs is not solely related to the presence of the drug. The manufacture of methamphetamine requires a complex chemical process, typically requiring the extraction of the precursor using hot, organic solvents (methanol, chloroform, toluene or ethanol), conversion to methamphetamine using chemicals such as ammonia, hydriodic acid and/or phosphorous compounds, and then purification of the drug using hydrochloric acid, sodium hydroxide and more organic solvents. There is no standard manufacturing method and manufacturing ingredients were based on whatever could be procured. This also posed an additional risk as lower grade chemicals may be used which are contaminated with additional hazardous substances. A domestic setting is not intended for the handling of hazardous substances. The use of hot solvents results in vaporisation of hazardous compounds which are present in the materials being used but also arise from the interaction of chemicals during the manufacturing process. New Zealand homes are largely comprised of absorbent materials (timber, plaster board, soft furnishings and wall paper). The solvent vapour is therefore easily absorbed long with other substances carried in the vapour. Also, disposal of used chemicals is difficult if detection is to be avoided. Therefore many used chemicals were disposed into the domestic waste water pipes or tipped onto the soil surrounding (or under) the home. This also allows solvent vapour and chemicals to leach back into living areas.

As methamphetamine is the common chemical in all manufacture it was decided that this should serve as an indicator of the potential presence of other, more hazardous chemicals. It must also be noted that testing for a variety of potential chemicals is expensive and takes time.

In 2010 a precautionary approach was taken because there was a lack of information regarding the health effects arising through living, long term, in a home that has been contaminated with methamphetamine and the chemicals used in its manufacture.

In March 2015, Standards New Zealand commenced development of a New Zealand Standard (NZS 8510:2017) for the testing and remediation of properties used for the manufacture or use of methamphetamine. Standards New Zealand consulted on two options in the draft New Zealand standard for testing and decontaminating properties where methamphetamine was manufactured or used (smoked). Following consultation, the Standard was finalised and published in 2017. This Standard superseded the Ministry's 2010 guidelines.

If you receive queries from people about the Standard, and whether it will be revised to incorporate Sir

Peter Gluckman's advice, you may suggest these people contact MBIE and/or Standards New Zealand.

Health officials have asked Standards New Zealand whether it will be reviewing NZ8510:2017. Standards NZ replied that

NZS 8510:2017 is a voluntary standard as it is not cited in legislation or regulations - users can choose which decontamination level to adhere to until such time as levels are cited in legislation or regulations.

Standards NZ is open to discussing the option of amending NZS 8510 with organisations who might wish to talk to us about a potential review and what a review would involve.

Along with NZS 8510, Sir Peter Gluckman's report will be a matter to be considered when developing regulations under the Residential Tenancies Act, as amended by the Residential Tenancies Amendment Bill (No. 2). The Bill is shortly to have its Second Reading in Parliament. Once passed, the Residential Tenancies Act Amendment Bill (No 2) will allow methamphetamine regulations to be made under the Residential Tenancies Act 1986 (RTA) which will be legally binding. The RTA covers tenancies over residential premises. Regulations will be made prescribing maximum acceptable levels of contaminants, methods for carrying out tests – which could include the testing of premises, taking samples for testing, testing samples, establishing levels of contaminants present in a premises, and deciding who is authorised to carry out the tests or parts of the tests. Regulations will be made for methamphetamine but also for any other potential contaminants in tenanted residential premises that are found to be harmful to people's health.

If you receive queries about specific properties, these should be referred to your local council (which is the regulatory agency) to see what they may require.

I trust this is helpful.

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
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<http://www.health.govt.nz>

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Sent by: Sally Gilbert/MOH
17/06/2018 02:50 p.m.

To: Suz Halligan/MOH@MOH,
cc:
bcc:

Subject: Re: Fw: HealthProtect: FW: Methamphetamine NZS 8510:2017 vs Sir
Gluckman's Report - Clarity for TAs

Thanks Suz

We'll see if anything comes from this... I had talked with
to talk again with MBIE and Stds NZ.

last week and I think LGNZ was going

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile:

<http://www.health.govt.nz>

Suz Halligan Hi Sally, Just an FYI, I think, I have no... 17/06/2018 10:35:03 a.m.

From: Suz Halligan/MOH
To: Sally Gilbert/MOH@MOH,
Date: 17/06/2018 10:35 a.m.
Subject: Fw: HealthProtect: FW: Methamphetamine NZS 8510:2017 vs Sir Gluckman's Report - Clarity for TAs

Hi Sally,
Just an FYI, I think, I have not read the detail but I am assuming that statement to the NZIEH which I am sure is fine. has just put forward the MoH
Cheers
Suz

Suz Halligan
Senior Advisor
Environmental and Border Health
Public Health
Protection, Regulation and Assurance
Ministry of Health
DDI 04 819 6886
Cell 0
<http://www.health.govt.nz>
[mailto: Suz_Halligan@moh.govt.nz](mailto:Suz_Halligan@moh.govt.nz)

----- Forwarded by Suz Halligan/MOH on 17/06/2018 10:33 a.m. -----

From:
To:

Cc: <>
Date: 15/06/2018 02:33 p.m.
Subject: HealthProtect: FW: Methamphetamine NZS 8510:2017 vs Sir Gluckman's Report - Clarity for TAs
Sent by: healthprotect@yahoo.com

Hi and

I write this email to the both of you as President of the New Zealand Institute of Environmental Health (NZIEH) whose members are Environmental Health Officers in TAs across NZ. We are requesting some assistance from LGNZ in seeking clarity and a suggested way forward from the Ministry of Health on the above mentioned.

Following on from our discussion last week on the above mentioned, please find below an email from [redacted] communicating to a colleague at Auckland Council on behalf of the Ministry of Health.

The NZS 8510:2017 - Although voluntary, the Standard served its purpose by giving TAs across the country, including real estate companies, methamphetamine samplers and decontaminators with a set of guidelines to follow.

With the release of the Sir Peter Gluckman's report, there is now a state of uncertainty amongst the TAs and the methamphetamine sampling and decontamination industry and the real estate industry in terms of which advice is to be followed.

The email below is advice from the Ministry of Health on this matter. Please note the parts highlighted in YELLOW which clearly adds to the confusion as to which advice - NZS 8510:2017 or Sir Peter Gluckman's Report.

The Institute has advised its member TAs across the country to seek legal advice as to how they would like to proceed until we have something more concrete in the way of a direction from the Ministry of Health. The email below does not provide that clarity.

On behalf of the TAs across the country, the NZIEH seeks assistance with the following:

- 1) Which advice are TAs to follow - without leaving TAs to make their individual decisions thus creating inconsistency and confusion. This is at present already an issue within TAs across the country.
- 2) Is the Ministry of Health planning to commission a review of the NZS 8510:2017, or parts of it pertaining to Sir Peter Gluckman's report - in particular some scientific and or medical rigour on the health effects associated with living in a property that has been potentially had methamphetamine smoked in it? Stating from Sir Gluckman's report

“.....highly unlikely to give rise to any adverse effects.....” indicates further research in this area is vital.

3) One of the major debates that took place during the development of the NZS 8510:2017 was the ability to identify properties that had been used as a LAB vs smoked in scientifically in the absence of a police raid. This was due to the advanced cooking techniques employed which yielded lower levels of contamination as opposed to a property that has been smoked in. This was the reason the lower limit of 1.5 µg/100 cm² was set by the Standards group.

If the Ministry of Health are set on following Sir Peter Gluckman's report, then some guidelines on how TAs, landlords and the industry can readily differentiate between a property having been used as a Lab vs being smoked in will be of assistance.

Please feel free to contact me to discuss this matter further. LGNZs assistance on this matter will be greatly appreciated.

Thank you.

[nzieh-logo-name]

Subject: RE: Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards

‘As you will be aware, Sir Peter Gluckman has released a report on Methamphetamine contamination in residential properties: Exposures, risk levels, and interpretation of standards. Sir Peter's report concluded that:

- * There is currently no evidence that methamphetamine levels typically resulting from third-hand exposure to smoking residues on household surfaces can elicit an adverse health effect.
- * Toxicity assessments and exposure dose models have deliberately adopted very conservative assumptions, with large safety margins built in.
- * Taken together, these factors indicate that methamphetamine levels that exceed the NZS 8510:2017 clean-up standard of 1.5 µg/100 cm² should not be regarded as signalling a health risk. Indeed, exposure to methamphetamine levels below 15 µg/100 cm² would be highly unlikely to give rise to any adverse effects.
- * This means that, because the risk of encountering methamphetamine on residential surfaces at levels that might cause harm is extremely low, testing is not warranted in most cases. Remediation according to the NZS 8510:2017 standard is appropriate only for identified former meth labs and properties where excessive methamphetamine use, as indicated by high levels of methamphetamine contamination, has been determined

By way of background, prior to 2000 clandestine methamphetamine labs were not a significant concern in New Zealand. However by 2009 they had become a issue with police reporting 135 labs detected in that year. It was considered that the number of undetected labs was far greater as manufacturers disguise their illegal activities. One method to avoid detection was to use domestic premises, typically rental homes.

The Ministry of Health does not set the guideline levels for methamphetamine decontamination but, in 2010, in response to growing concerns regarding the risk posed to subsequent tenants, the Ministry published 'Guidelines for the Remediation of Clandestine Methamphetamine Laboratory Sites'. The guidelines established a recommended level of 0.5 micrograms/100 cm² methamphetamine as an indicator of adequate cleaning of the more hazardous chemicals used at that time in methamphetamine manufacture.

It is important to note that the risk identified with methamphetamine labs is not solely related to the presence of the drug. The manufacture of methamphetamine requires a complex chemical process, typically requiring the extraction of the precursor using hot, organic solvents (methanol, chloroform, toluene or ethanol), conversion to methamphetamine using chemicals such as ammonia, hydriodic acid and/or phosphorous compounds, and then purification of the drug using hydrochloric acid, sodium hydroxide and more organic solvents. There is no standard manufacturing method and manufacturing ingredients were based on whatever could be procured. This also posed an additional risk as lower grade chemicals may be used which are contaminated with additional hazardous substances. A domestic setting is not intended for the handling of hazardous substances. The use of hot solvents results in vaporisation of hazardous compounds which are present in the materials being used but also arise from the interaction of chemicals during the manufacturing process. New Zealand homes are largely comprised of absorbent materials (timber, plaster board, soft furnishings and wall paper). The solvent vapour is therefore easily absorbed along with other substances carried in the vapour. Also, disposal of used chemicals is difficult if detection is to be avoided. Therefore many used chemicals were disposed into the domestic waste water pipes or tipped onto the soil surrounding (or under) the home. This also allows solvent vapour and chemicals to leach back into living areas.

As methamphetamine is the common chemical in all manufacture it was decided that this should serve as an indicator of the potential presence of other, more hazardous chemicals. It must also be noted that testing for a variety of potential chemicals is expensive and takes time.

In 2010 a precautionary approach was taken because there was a lack of information regarding the health effects arising through living, long term, in a home that has been contaminated with methamphetamine and the chemicals used in its manufacture.

In March 2015, Standards New Zealand commenced development of a New Zealand Standard (NZS 8510:2017) for the testing and remediation of properties used for the manufacture or use of methamphetamine. Standards New Zealand consulted on two options in the draft New Zealand standard for testing and decontaminating properties

where methamphetamine was manufactured or used (smoked). Following consultation, the Standard was finalised and published in 2017. This Standard superseded the Ministry's 2010 guidelines.

If you receive queries from people about the Standard, and whether it will be revised to incorporate Sir Peter Gluckman's advice, you may suggest these people contact MBIE and/or Standards New Zealand.

Health officials have asked Standards New Zealand whether it will be reviewing NZ8510:2017. Standards NZ replied that 'NZS 8510:2017 is a voluntary standard as it is not cited in legislation or regulations - users can choose which decontamination level to adhere to until such time as levels are cited in legislation or regulations.'

Standards NZ is open to discussing the option of amending NZS 8510 with organisations who might wish to talk to us about a potential review and what a review would involve.'

'Along with NZS 8510, Sir Peter Gluckman's report will be a matter to be considered when developing regulations under the Residential Tenancies Act, as amended by the Residential Tenancies Amendment Bill (No. 2). The Bill is shortly to have its Second Reading in Parliament. Once passed, the Residential Tenancies Act Amendment Bill (No 2) will allow methamphetamine regulations to be made under the Residential Tenancies Act 1986 (RTA) which will be legally binding. The RTA covers tenancies over residential premises. Regulations will be made prescribing maximum acceptable levels of contaminants, methods for carrying out tests - which could include the testing of premises, taking samples for testing, testing samples, establishing levels of contaminants present in a premises, and deciding who is authorised to carry out the tests or parts of the tests. Regulations will be made for methamphetamine but also for any other potential contaminants in tenanted residential premises that are found to be harmful to people's health.'

If you receive queries about specific properties, these should be referred to your local council (which is the regulatory agency) to see what they may require.'

Kind regards

Welcome Haere Mai | Respect iwi/taaki | Together | unono | Aim High Angamua
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Sent by: [redacted]
15/06/2018 12:56 p.m.

To: sally_gilbert@moh.govt.nz,
cc:
bcc:

Subject: Re: Urgent information required please

Thank you,

This is helpful.

Thank you also for taking the time to answer my questions.

I do appreciate your time.

Kind regards

On 15 June 2018 at 12:52 sally_gilbert@moh.govt.nz wrote:

Hi

Information about hazardous substances injuries surveillance and copies of reports are here:
<http://www.ehinz.ac.nz/our-projects/hazardous-substances/hazardous-substances-surveillance-system/>

This shows you the data over several years.

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345

Mobile:

<http://www.health.govt.nz>

From: [redacted]
To: sally_gilbert@moh.govt.nz,
Date: 15/06/2018 12:48 p.m.
Subject: Re: Urgent information required please

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Thank you,

Please can you tell me how many , off any type, of reports have been recorded to this data base.

Kind regards

On 15 June 2018 at 12:30 sally_gilbert@moh.govt.nz wrote:

Hi ,

No, we have not received any notifications of poisoning from meth manufacture or third hand exposure.

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345

Mobile:

<http://www.health.govt.nz>

From:
To: sally_gilbert@moh.govt.nz
Date: 15/06/2018 11:52 a.m.
Subject: Re: Urgent information required please

Thank you Sally for this information,

Are there any cases on record that a chemical associated with the making of Methamphetamine, or from third hand exposure to methamphetamine use, no matter how minor, been reported.

Kind regards

On 12 June 2018 at 12:31 sally_gilbert@moh.govt.nz wrote:

Hi ,

Under the Hazardous Substances and New Organisms Act medical practitioners are required to report any hazardous substances injury to their local Medical Officer of Health. In addition, under the Health Act, medical practitioners are also required to report cases of poisoning arising from chemical contamination of the environment. The Ministry has provided guidelines on this: <https://www.health.govt.nz/publication/investigation-and-surveillance-poisoning-and-hazardous-substance-injuries-2016>

Regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345

Mobile:

<http://www.health.govt.nz>

From: .
To: sally_gilbert@moh.govt.nz
Date: 12/06/2018 10:38 a.m.
Subject: Urgent information required please

Good morning,

Please can you explain to me the process a doctor/hospital would go through to report a case that a person/child was unwell from living in a contaminated property from Methamphetamine use/manufacture that has been under taken inside the property..

Where is the data base held to be able to report cases?

What is the process to report cases to the MOH?

Is it a requirement that doctors/hospitals report such cases?

Are the Police informed of any known cases?

Kind regards

On 01 June 2018 at 07:38 sally_gilbert@moh.govt.nz wrote:

Dear ,

Thank you for your query.

The Ministry of Health does not set the guideline levels for methamphetamine decontamination.

Our 2010 guidelines (which provided advice on properties used as meth labs, not where meth had been used) were superseded by Standards New Zealand's Standard on testing and decontamination of methamphetamine-contaminated properties (NZ8510:2017). I recommend you contact the Ministry of Business, Innovation and Employment regarding the Standard and whether it will be revised to incorporate Sir Peter Gluckman's advice. You can email them at enquiries@standards.govt.nz or phone on 0800 782 632.

For rental properties you may be wanting tested or decontaminated, you should contact your local council (which is the regulatory agency) to see what they may require.

I hope this is helpful.

Your sincerely

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345

Mobile: 1

----- Forwarded on 01/06/2018 07:18 a.m. -----

From: [redacted]
To: info@health.govt.nz
Date: 31/05/2018 02:30 p.m.
Subject: Rental properties

Good afternoon,

I contacted the Tenancy Tribunal in regards to the acceptable level of Methamphetamine can be in a rental property.

They informed me to contact the Ministry of Health to find out what the level was that complies to the Health Act.

Please can you tell me what level of Methamphetamine a tenant can live in a rental property is?

Also, is this nation wide level or do any other authorities have permission to change this level from what the Ministry of Health has set.

Kind regards

1

-

Phone: (

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Sent by: Sally Gilbert/MOH
15/06/2018 06:53 a.m.

To: [redacted]
cc: [redacted], Sarah Reader/MOH@MOH, Caroline McElnay/MOH@MOH,
bcc:

Subject: Methamphetamine - further query

Hi, and,

I note that, under the Health Act 1956, while the Ministry of Health has the "function of improving, promoting, and protecting public health", a territorial authority has "the duty ... to improve, promote, and protect public health within its district". However, my understanding is that contaminated dwellings are managed under the Building Act, not the Health Act, as dangerous buildings under subpart 6 of that Act.

For your background information, the ESR report was commissioned by the Ministry to inform the development of the Standard and was provided to the Standards Committee. The Standards Committee included a representative from the Ministry of Health and representatives from laboratories, industry, insurers, LGNZ, MfE and Housing NZ. the Standards process works by consensus and voting. Deliberations are confidential to the Committee members. The Ministry of Health supported the outcome of the Standards process.

However, the Standard was obviously prepared prior to Sir Peter Gluckman's report being available. - you may wish to ask LGNZ their position on the Standard and Sir Peter's report.

Regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile:

<http://www.health.govt.nz>

Hi Sally, Here is a further email from...

12/06/2018 03:39:17 p.m.

From: [redacted]
To: "Sally Gilbert (MoH)" <sally.gilbert@moh.govt.nz>
Cc: [redacted]
Date: 12/06/2018 03:39 p.m.
Subject: FW: Methamphetamine

Hi Sally,

Here is a further email from [redacted] for your response please. I suggest the two of you communicate directly on this one. Thank you.

Kind regard,

From: [REDACTED]
Sent: Tuesday, 12 June 2018 3:35 p.m.
To: [REDACTED]
Subject: Re:Methamphetamine

Hi [REDACTED] and I have had a discussion on this and we'd like to seek further clarification with the Ministry of Health through you.

We are really hoping for guidance from the Ministry of Health who obviously under the Health Act, have the function or improving, promoting and protecting Public Health.

Local Authorities duties under this Act include: If satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition. A local authority may issue a repair notice were the dwellinghouse situation or insanitary condition is likely to cause injury to health, or cleansing order for preventing danger to health or rendering the premises fit for occupation. In 2016, the Ministry of Health contracted ESR to undertake an independent review of the current guidelines to provide updated advice on the values for remediating methamphetamine contaminated buildings. The scope included seeking advice on both remediation of properties used as clandestine labs and solely for recreational use.

The analysis includes a review of evidence and comparison of the risk assessment approaches used in New Zealand, Australia, Colorado and particularly California (which is based on a comprehensive review of the toxicological literature, using human data, and noted as the preferred comparison value for a safe daily exposure)."

The Ministry for Business Innovation and Employment, would not appear to be the appropriate Ministry to comment on matters of Health and exposure risk.

NZS 8510:2017 currently has no legal status, but it has provided a guidance for Local authorities on exposure risk and levels that are likely to be injurious to health. The purpose of the standard was to provide guidance on reducing peoples risk of exposure to harm caused by the presence of unacceptable levels of methamphetamine contamination in properties. The Ministry of Health was a member of the committee to develop NZS 8510:2017 and expert advice on exposure risk from the Ministry of Health was sought in the development of the standard.

In light of Sir Peter Gluckman's publication can the Ministry advise their position on the level of methamphetamine contamination which is likely to be injurious to health?

Kind regards

[REDACTED]

k

t.nz

From: [redacted]
Sent: Tuesday, 12 June 2018 12:47 p.m.
To: [redacted]
Subject: FW: Re:Methamphetamine

Hi

I received the response below from the Ministry of Health in response to your query from me. I hope this is helpful.

Kind regards,

From: sally_gilbert@moh.govt.nz [mailto:sally_gilbert@moh.govt.nz]
Sent: Monday, 11 June 2018 3:25 p.m.
To: [redacted]
Cc: Sarah_Reader@moh.govt.nz; Caroline_McElnay@moh.govt.nz
Subject: Re:Methamphetamine

Hi.

We are also receiving a number of queries about what the appropriate levels for meth decontamination. Our responses are along the lines that the Ministry of Health does not set the guideline levels for methamphetamine decontamination, that our 2010 guidelines (which only covered labs) were superseded by NZ8510:2017, and suggesting people contact MBIE regarding the Standard and whether it will be revised to incorporate Sir Peter Gluckman's advice. We also suggest that queries about specific properties should be referred to the local council (which is the regulatory agency) to see what they may require.

We have asked Standards NZ whether they will be reviewing NZ8510:2017. Standards NZ replied that it is advising people that NZS 8510:2017 is a voluntary standard as it is not cited in legislation or regulations - users can choose which decontamination level to adhere to until such time as levels are cited in legislation or regulations. Standards NZ advised it is open to engaging with organisations who wish to amend the standard to have a discussion about what might be an appropriate scope for such a review.

I will provide this advice to public health units in case others are also receiving queries.

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile: 1

<http://www.health.govt.nz>

From: _____
To: "Sally Gilbert (MoH)" <sally_gilbert@moh.govt.nz>,
Date: 11/06/2018 01:23 p.m.
Subject: FW: Methamphetamine

Hi Sally,

Are you able to advise on the query below please. I am not aware of whether councils or PHUs have been notified on what new or different actions are required following Sir Peter Gluckmans announcement. Thank you.

Kind regards,

From: _____
Sent: Monday, 11 June 2018 9:38 AM
To: _____
Subject: Methamphetamine

Hi _____ – are you able to advise us on the position to take in regard to unsuitable methamphetamine levels in a dwelling in response to the Sir Peter Gluckman report? We have the New Zealand Standard which puts the level at 1.5 µg/100cm² however the mentioned report suggests we should not be using the Standard level as a level for regulatory action.

I'd appreciate your comments.

Kind regards

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



Sent by:

To: "sally_gilbert@moh.govt.nz" <sally_gilbert@moh.govt.nz>,
cc: "Sarah_Reader@moh.govt.nz" <Sarah_Reader@moh.govt.nz>,
"Caroline_McElnay@moh.govt.nz" <Caroline_McElnay@moh.govt.nz>,
bcc:

11/06/2018 02:46 p.m.

Subject: RE: Methamphetamine in residential properties

Thanks Sally. That's helpful. It's largely what I expected, but it's good to know that I will be giving the right advice to council.

Kind regards

From: sally_gilbert@moh.govt.nz [mailto:sally_gilbert@moh.govt.nz]
Sent: Monday 11 June 2018 14:36
To:
Cc: Sarah_Reader@moh.govt.nz; Caroline_McElnay@moh.govt.nz
Subject: Re: Methamphetamine in residential properties

Hi

We haven't changed our position because our guidelines were always for labs and not for use...

We are also receiving a number of queries about what the appropriate levels for meth decontamination. Our responses are along the lines that the Ministry of Health does not set the guideline levels for methamphetamine decontamination, that our 2010 guidelines were superseded by NZ8510:2017, and suggesting people contact MBIE regarding the Standard and whether it will be revised to incorporate Sir Peter Gluckman's advice. We also suggest that queries about specific properties should be referred to the local council (which is the regulatory agency) to see what they may require.

We have asked Standards NZ whether they will be reviewing NZ8510:2017. Standards NZ replied that it is advising people that NZS 8510:2017 is a voluntary standard as it is not cited in legislation or regulations - users can choose which decontamination level to adhere to until such time as levels are cited in legislation or regulations. Standards NZ advised it is open to engaging with organisations who wish to amend the standard to have a discussion about what might be an appropriate scope for such a review.

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile: C

<http://www.health.govt.nz>

From: [redacted]
To: "sally_gilbert@moh.govt.nz" <sally_gilbert@moh.govt.nz>,
Date: 11/06/2018 11:37 a.m.
Subject: Methamphetamine in residential properties

Hi Sally,

We've had some queries from councils about whether the Ministry of Health has changed its position on methamphetamine in residential properties following Peter Gluckman's report on this. They are trying to make decisions about whether to remove contaminated labels placed on LIMs for houses.

I think that the report would provide guidance on advice given by our Public Health Unit to individual queries about health or methamphetamine exposure. I assume that Standards New Zealand will review the current standard on this at some stage given Gluckman's report. But I would be grateful if you could let me know what the MoH's position is on methamphetamine in residential properties given Gluckman's report.

Thanks for your help

Kind regards

| Usual

days of work are Monday to Thursday.

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Sent by: Sally Gilbert/MOH
01/06/2018 10:00 a.m.

To: Carmen Mak <Carmen.Mak@mbie.govt.nz>,
cc: "Caroline_McElnay@moh.govt.nz" <Caroline_McElnay@moh.govt.nz>, Danielle
Sieu Ou <Danielle.SieuOu@mbie.govt.nz>, Janaya Soma
<Janaya.Soma@mbie.govt.nz>, Michael Docherty
bcc:

Subject: RE: Meth Standard [IN-CONFIDENCE]

Hi Carmen

Thank you for your fast and helpful response.

We will include your key messages in responses we will be sending out, thank you!

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile:

<http://www.health.govt.nz>

Carmen Mak

Hi Sally Thank you for your email. We...

01/06/2018 09:56:54 a.m.

From: Carmen Mak <Carmen.Mak@mbie.govt.nz>
To: "sally_gilbert@moh.govt.nz" <sally_gilbert@moh.govt.nz>, Danielle Sieu Ou
<Danielle.SieuOu@mbie.govt.nz>,
Cc: "Caroline_McElnay@moh.govt.nz" <Caroline_McElnay@moh.govt.nz>,
"Sarah_Reader@moh.govt.nz" <Sarah_Reader@moh.govt.nz>, Janaya Soma
<Janaya.Soma@mbie.govt.nz>, Michael Docherty <Michael.Docherty@mbie.govt.nz>
Date: 01/06/2018 09:56 a.m.
Subject: RE: Meth Standard [IN-CONFIDENCE]

Hi Sally

Thank you for your email. We are monitoring enquiries that are coming directly to the SNZ Enquiries inbox, of which there have been a small handful to date. We also note the email forwarded on by you this week. We have responded to this email. FYI, our response is below. The enquirer has written back to say he's happy with the response.

Thank you for your enquiry.

As Sally Gilbert has mentioned in her reply email, upon publication of NZS 8510:2017, the Ministry of Health decided to have their guidelines superseded by this Standard (NZS 8510).

NZS 8510:2017 is a voluntary standard as it is not cited in legislation or regulations - users can

choose which decontamination level to adhere to until such time as levels are cited in legislation or regulations.

Standards NZ is open to discussing the option of amending NZS 8510 with organisations who might wish to talk to us about a potential review and what a review would involve.

Along with NZS 8510, Sir Peter Gluckman's report will be a matter to be considered when developing regulations under the Residential Tenancies Act, as amended by the Residential Tenancies Amendment Bill (No. 2). The Bill is shortly to have its Second Reading in Parliament. Once passed, the Residential Tenancies Act Amendment Bill (No 2) will allow methamphetamine regulations to be made under the Residential Tenancies Act 1986 (RTA) which will be legally binding. The RTA covers tenancies over residential premises. Regulations will be made prescribing maximum acceptable levels of contaminants, methods for carrying out tests – which could include the testing of premises, taking samples for testing, testing samples, establishing levels of contaminants present in a premises, and deciding who is authorised to carry out the tests or parts of the tests. Regulations will be made for methamphetamine but also for any other potential contaminants in tenanted residential premises that are found to be harmful to people's health.

You might wish to use similar key messages to the ones we are using above to respond to enquiries you are receiving.

Standards NZ is open to engaging with organisations who wish to amend the standard so that we can have a discussion about what might be an appropriate scope for such a review. However, it is worth noting that the upcoming regulations as described above will mandate maximum acceptable levels. Any review of NZS 8510, if it does result in a different level than 1.5 microgram, would result in voluntary guidance rather than anything mandated.

Hope this is helpful.

Kind regards

Carmen

Carmen Mak | Manager | Standards New Zealand | Consumer Protection & Standards Branch |
Ministry of Business, Innovation and Employment | 15 Stout Street, Wellington 6011 | Ph:
| Email: carmen.mak@mbie.govt.nz

From: sally_gilbert@moh.govt.nz [mailto:sally_gilbert@moh.govt.nz]

Sent: Friday, 1 June 2018 9:43 a.m.

To: Bruce Taylor; Danielle Sieu Ou; Carmen Mak

Cc: Caroline_McElhay@moh.govt.nz; Sarah_Reader@moh.govt.nz

Subject: Meth Standard

Hi everyone

As you will be aware, there has been considerable media and other interest in Sir Peter Gluckman's report on meth decontamination.

We are receiving a number of queries about what the appropriate levels for meth decontamination. Our

responses are along the lines that the Ministry of Health does not set the guideline levels for methamphetamine decontamination, that our 2010 guidelines were superseded by NZ8510:2017, and suggesting people contact MBIE regarding the Standard and whether it will be revised to incorporate Sir Peter Gluckman's advice. We also suggest that queries about specific properties should be referred to the local council (which is the regulatory agency) to see what they may require.

However, we would be interested in any advice to people with queries about applying the Standard in light of Sir Peter's report? Have you formed a view about a possible review of the Standard?

Kind regards - Sally

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health
DDI: 04 816 4345
Mobile:

<http://www.health.govt.nz>

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Sent by
{...
@

To: sally_gilbert@moh.govt.nz,
cc:
bcc:

31/05/2018 12:31 p.m.

Subject: Re: Meth Guide Lines

Many Thanks Sally.
Thank you,

Regards

From

td

On Thu, May 31, 2018 at 10:12 AM, <sally_gilbert@moh.govt.nz> wrote:

Dear

Thank you for your query.

The Ministry of Health's 2010 guidelines only provided advice on properties used as meth labs, not where meth had been used. The guidelines have been superseded by Standards New Zealand's Standard on testing and decontamination of methamphetamine-contaminated properties (NZ8510:2017). I recommend you contact the Ministry of Business, Innovation and Employment regarding the Standard and whether it will be revised to incorporate Sir Peter Gluckman's advice. You can email them at enquiries@standards.govt.nz or phone on 0800 782 632.

For properties you may be concerned about, you should contact your local council (which is the regulatory agency) to see what they may require.

Your sincerely

Sally Gilbert
Manager
Environmental and Border Health
Public Health
Protection Regulation and Assurance
Ministry of Health

----- Forwarded on 31/05/2018 09:23 a.m. -----

From: (info@health.govt.nz, co.nz>
To: info@health.govt.nz,
Date: 30/05/2018 04:04 p.m.

Subject: Meth Guide Lines

Hello,

Can you clarify what the MOH guidelines are now please on meth use in NZ and properties contaminated with Meth?

Thank you,

Regards

M C
W
A P

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