

22 November 2022

s 9(2)(a)

By email: s 9(2)(a)  
Ref: H2022015028

Dear s 9(2)(a)

### Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 15 October 2022 for:

s 9(2)(a)

*However we wish to proceed with a OIA request for any advice recieved by medical cannabis agency and or medsafe regarding the ability of medsafe to change the testing requirements for pesticides . That was recieved from jan 1 2022 until today”*

The testing requirements for pesticides as described in regulation 7 of the Misuse of Drugs (Medicinal Cannabis) Regulations 2019 (the Regulations) have not changed since the regulations were enacted. In the period between 1 January 2022 and the date of receipt of your request, the Medicinal Cannabis Agency has no record of any advice received on the ability to change the testing requirements for pesticides, therefore, your request for information is declined under section 18(g) of the Official Information Act 1982 (the Act).

Whilst no change to the regulations has occurred, in August 2022 the Medicinal Cannabis Agency advised the sector through Campaign Monitor that ‘due to ongoing technical issues with the availability for Daminozide and Chlormequat chloride in New Zealand, the Medicinal Cannabis Agency will accept applications with limited pesticide testing provided there is appropriate justification for the limitation in testing.

The justification should include confirmation that these untested pesticides are not used in cultivation. It must also include details of measures in place to prevent cross-contamination. In addition, starting material for export should include a statement that the receiver is aware that the pesticide testing has not been performed to the requirements of regulation 7(2). The acceptance of limited pesticide testing will be reviewed as and when pesticide testing capabilities become more widely available in New Zealand.’

The advice from the Medicinal Cannabis Agency was given in light of the practical difficulties of testing at the time. Noting that the temporary allowance to provide appropriate justification for the limitation in testing (in specific circumstances) does not constitute a change to the regulations and as per the Campaign Monitor advice when the testing capabilities are available then the Medicinal Cannabis Agency will no longer accept applications with a justification for not being able to meet the pesticide testing requirements.

Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris James', is positioned above the typed name.

Chris James  
**Licensing Authority**  
**Medicinal Cannabis Agency**