

# Aide-Mémoire

**Meeting with Hon Andrew Hoggard, Minister for Biosecurity and Food Safety, on natural health products reform and review of dietary supplements regulations**

<b>Date due to MO:</b>	26 June 2024	<b>Action required by:</b>	27 June 2024
<b>Security level:</b>	IN CONFIDENCE	<b>Health Report number:</b>	H2024044734
<b>To:</b>	Hon Casey Costello, Associate Minister of Health		
<b>Consulted:</b>	Health New Zealand: <input type="checkbox"/>		

## Contact for telephone discussion

Name	Position	Telephone
Tim Vines	Acting Director, Priority Projects Strategy Policy and Legislation	s 9(2)(a)

# Aide-Mémoire

## Meeting with Minister Andrew Hoggard, Minister for Biosecurity and Food Safety, on natural health products reform and review of dietary supplements regulations

**Date due:** 26 June 2024

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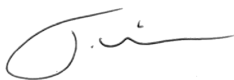
**Details of meeting:** 27 June 2024; 4:30 – 5pm  
Location: Parliament House 2.035

**Purpose of meeting/ proposal:** The purpose of the meeting is to discuss the work needed to deliver regulatory reform for natural health products (NHPs), including work on targeted improvements to the current system for dietary supplements.

**Comment:**

**Working with the Minister for Food Safety**

- In May 2024, Cabinet agreed to consider targeted improvements to the Dietary Supplements Regulations [CAB-24-MIN-0154] while broader reform for NHPs is being developed.
- You are meeting Minister Hoggard (Food Safety), as he is responsible for the regulation of dietary supplements under the Food Act 2014. We recommend that this meeting establish a close working relationship to ensure:
  - a. clear regulatory stewardship and administration of dietary supplements – both as they currently exist and in the future
    - coordinated public communications around work to reform NHP regulation
  - b. clarity on what “targeted improvements under the current system” might be pursued, in addition to improved facilitation for exporting dietary supplements
    - coordinated timeframes to 2026
    - alignment of outcomes through respective Cabinet Committee and Ministerial processes.



Tim Vines  
Acting Director, Priority Projects

## Strategy, Policy and Legislation

### Purpose

1. You are meeting Minister Hoggard, Minister for Food Safety on Thursday 27 June 2024 in your office. The purpose of the meeting is to discuss the work needed to deliver regulatory reform for natural health products (NHPs), including work on targeted improvements to the current system for dietary supplements.
2. Officials attending the meeting from the Ministry of Health (the Ministry) will be:
  - Tim Vines, Acting Director, Priority Projects, Strategy Policy and Legislation
  - s 9(2)(a)
3. s 9(2)(a)

### Background

4. On 14 June 2024, the Ministry and the Ministry for Primary Industries (MPI) provided a joint briefing to you and Minister Hoggard [H2024043811]. The briefing proposed you meet to discuss and agree the approach for regulatory reform of NHPs and review of dietary supplements regulations.
5. This meeting is timely as the Therapeutic Products Act Repeal Bill (the repeal Bill) was introduced to Parliament on 24 June 2024, and both the Ministry and MPI are planning stakeholder meetings as part of informing proposals for short and longer term NHP regulation.
6. The repeal Bill reinstates a 1 March 2026 expiry date for the Dietary Supplements Regulations 1985. Regulatory proposals for dietary supplements will, therefore, need to be developed, agreed through the Cabinet Economic Policy Committee and implemented before then. Minister Hoggard, as the Food Safety Minister, is responsible for the Dietary Supplement Regulations and the Food Act 2014 under which the regulations are made.
7. MPI met with Natural Health Products NZ (NHPNZ) representatives on 20 June 2024 to develop a clearer understanding of their concerns regarding the regulation of dietary supplements. MPI intends to meet with other stakeholders in the coming weeks. The meeting outcome will likely be summarised by Minister Hoggard at your meeting with him.

### Issues and risks

8. It is important to properly scope the work required for any targeted improvements to the Dietary Supplements Regulations. There will be little benefit to industry if the scope is too narrow. However, if the scope of work is too wide, there is a risk that improvements will not be delivered in a timely manner.
9. Moreover, as dietary supplements are a subset of NHPs, it will be important to consider if, how and when, non-dietary supplement NHPs are considered in any future regulatory proposals.
10. NHPs are a broad group of health products (see **Appendix One** for a further description). Robust analysis is needed to ensure all types of NHPs, not just those that are captured as

dietary supplements, are equally regulated and there are as few regulatory boundaries as possible, as that is where issues are most likely to arise. Working closely with Minister Hoggard on the scope will be vital in mitigating unintended consequences later on

11. NHP stakeholders have high expectations and diverse views. They are also frustrated by decades of consultations with no enduring solutions. Consistent public communications from Ministers and ministries will be important to ensure there is no confusion and stakeholders appreciate the role and responsibilities of each Minister in the development of short and long term policy proposals.
12. One practical matter you may wish to discuss with Minister Hoggard is how you will keep each other informed of your respective Cabinet papers. This is because you will take your relevant papers to different Cabinet committees. We recommend you consider inviting Minister Hoggard to the Cabinet Social Outcomes Committee meetings when proposals for the regulation of NHPs are being considered.

### **Next steps**

13. The Ministry will provide advice on a NHP workstream by 4 July 2024. This will include Cabinet decisions and timelines to March 2026.

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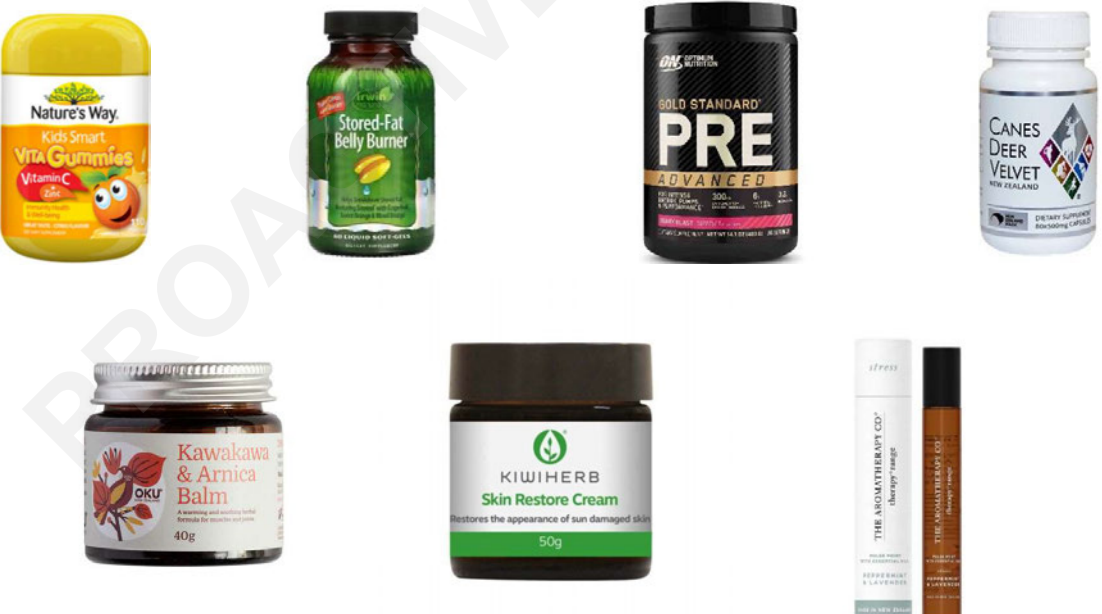
# Appendix One. What are natural health products?



NHPs is a term used to describe a wide range of health products containing excipients<sup>1</sup> and active ingredients that are mostly derived from nature. They include nutritional supplements, traditional herbal medicines, and some cosmetics and other products with an implied or claimed health benefit.

Examples are vitamin and mineral supplements, herbal remedies and supplements containing ingredients such as animal extracts, probiotics, enzymes, and essential fatty acids. Examples of traditional healing systems that use NHPs are rongoā Māori, traditional western herbal medicines, traditional Chinese medicine, Ayurveda and aromatherapy.

Some synthetic versions occur (eg, ascorbic acid for vitamin C, and folic acid for the B vitamin, folate). NHPs are mostly formulated products and come in controlled doses. They may be ingested or applied topically.



<sup>1</sup> Excipients are inert pharmaceutical ingredients that are used in product formulations