MEDSAFE
New Zealand Medicines and Medical Devices Safety Authority

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29 November 2022

s 9(2)(a)

By email: s 9(2)(a)
Ref: H2022016066

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) to Manatū Hauora (the Ministry of Health) on 1 November 2022 for:

> *"…number of packs reported as sold under section 29 of the medicines act for verified Dried Medical Cannabis flower products, for the months of July, - August and September 2022.*
>
> *I would also like to request the number of packs reported under section 29 for CBD products, and THC containing products that aren't dried flower, (Class B oils etc) for the same time period."*

The tables below provide the number of packs of unapproved medicines containing cannabis that have been verified as meeting the minimum quality standard and have been supplied under the exemption provisions in section 29 of the Medicines Act 1981. This information has been supplied for July, August and September 2022. The information provided relates to products containing either CBD, CBD plus THC, or THC.

Table 1: Number of packs of products containing cannabidiol in 2022

Month	July	August	September
No. of packs	2912	3404	3243

Table 2: Number of Packs of products containing tetrahydrocannabinol in 2022

Month	July	August	September
No. of packs	626	425	158

Table 3: Number of Packs of products containing both tetrahydrocannabinol and cannabidiol in 2022

Month	July	August	September
No. of packs	1830	2586	2179

When considering the data, it is important to note:

- That the number of packs supplied cannot be used to determine the number of prescriptions or the number of patients or the number of doses.
- Reporting information is supplied retrospectively and therefore the number of packs reported as supplied may change if additional reports are received.
- Sativex has consent for distribution as a medicine, and so the reporting requirements associated with the supply of unapproved medicines in section 29 of the Medicines Act 1981 do not apply. The data provided do not include the number of packs of Sativex supplied.

The information supplied under the exemption provisions of section 29 of the Medicines Act 1981 is provided directly from importers/manufacturers to Medsafe. Medsafe then records the information provided by the supplier in a database, from which the information provided to you is generated.

When conducting searches in response to requests for information relating to section 29 supply, the information is drawn from the data based on the active ingredient(s) of the product rather than the product name, dosage form or other features. To provide a breakdown of the information in this way could negatively affect the commercial position of those who supplied. Therefore, the specific breakdown of information you have requested has been withheld under the following sections of the Act:

- Section 9(2)(b)(ii) where its release would likely unreasonably prejudice the commercial position of the person who supplied the information; and
- Section 9(2)(ba)(i) to protect information that is subject to an obligation of confidence and making it available would likely prejudice the supply of similar information, or information from the same source.

I have considered the countervailing public interest in release in making this decision and consider that it does not outweigh the need to withhold at this time.

I trust this information fulfils your request. 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 or by calling 0800 802 602.

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

Yours sincerely

Chris James
Group Manager
Medsafe