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7 February 2023

s 9(2)(a)

By email: s 9(2)(a)
Ref: H2023019553

Tēnā koe 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 25 January 2023 for information regarding a list of restricted or prohibited products under the Therapeutic Products Bill (the Bill). You requested:

“Please email me a complete list of all the supplements/products etc currently available without prescription that your bill will restrict/prohibit New Zealanders from purchasing.”

Contrary to some recent reports on social media, there is no list of prohibited ingredients in the current Bill, and no proposal to ban common herbs and spices used in cooking.

Between 2013 and 2017, a Permitted Substances list for NHPs was developed to accompany the draft Natural Health and Supplementary Products (NHSP) Bill. This list was not finalised and exists only in draft form. It has no relevance to the Therapeutic Products Bill. Work on the NHSP Bill ceased in 2017.

If the Therapeutic Products Bill passes, products, substances, and ingredients will be identified through subsequent secondary legislation and rules and regulations. This process will involve significant outreach and consultation with stakeholders and be undertaken with full transparency. Further information is available on the Ministry's website: www.health.govt.nz/our-work/regulation-health-and-disability-system/natural-health-products#faq.

You may wish to review clause 29 of the Bill, which defines what a natural health product (NHP) is, and clause 30, which describes at a very high level the kinds of substances that can be a recognised ‘NHP ingredient’. Clause 29 also provides that a product intended to be administered by injection or parenteral infusion cannot be a NHP (but it could be a medicine, for example). You can find a draft of the Bill at: www.legislation.govt.nz/bill/government/2022/0204/latest/DLM6914502.html.

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.

Nāku noa, nā



Steve Waldegrave
Associate Deputy Director General
Strategy, Policy and Legislation | Te Pou Rautaki