

ENQ-39290-G0K2F0

3 August 2020

Wendy McGuinness
McGuinness Institute Te Hononga Waka
PO Box 24-222
Wellington 6142

Private Bag 632
Wellington 6140, New Zealand

Level 10, Grant Thornton House
215 Lambton Quay
Wellington 6011, New Zealand

epa.govt.nz
+64 4 916 2426

Via: wmcg@mcguinnessinstitute.org

Official Information Act Request

Dear Ms McGuinness

I write concerning your official information request which we received on 20 July 2020.

Of the information you has requested, the Environmental Protection Authority has identified the following questions as being more closely connected with the functions of the Ministry for Primary Industries (MPI):

- g. What level of assurance do you have that this approval has been implemented correctly? Please clarify what processes you have put in place to ensure this is the case. In Attachment 2 we outline a number of concerns with the latest ERMA 200223 annual report (which also includes two MPI inspection reports). Given that the EPA has accepted these reports and placed them on their website; the implication is that these issues, particularly in terms of a failure to apply controls, were satisfactory and did not require action by the EPA. Can you confirm if any action was taken by the EPA in the last 24 months based on the annual reports? If yes, please specify what actions were taken and where appropriate, please write your response to the specific control failures/general concerns outlined in Attachment 2 (point 4 (a)-(e)).*
- k. Can you advise why MPI is not inspecting Control 8: 'All open container use and production of viral particles must occur within a Class II Biological Safety Cabinet'? Please give the name of the organisation completing this check and/or the reasons why it is not being inspected/checked.*
- r. Has the EPA identified the costs (for the EPA) to monitor and manage the risks of those experiments since 2010? If yes, what is the actual cost to the EPA? If not, can you estimate this? Lastly, if you are unable to estimate these costs, can you advise the estimated cost of all monitoring of outdoor GMDs?*
- s. Can you advise the costs of monitoring all AgResearch experiments by year for the last twelve years? (Note: This will provide an estimate of additional costs to the EPA).*

We are therefore transferring these questions under section 14 of the Official Information Act to MPI.

You will hear further from MPI concerning these questions. MPI can be contacted directly at Official.InformationAct@mpi.govt.nz.

We have also identified the following questions as being more closely connected with the functions of AgResearch:

- o. We note that the latest audit report mentions collaborators. Can you advise if they have a benefit in this experiment and if yes, whether this benefit dilutes the so called benefit to New Zealand identified by the applicant. Our understanding is that at the time of the application there were no other entities that had a shareholding or agreed benefit from the experiment. Please can you provide an update as this would dilute the benefits to New Zealand, as assessed under the legislation.*
- q. Has the EPA identified costs in terms of the accumulated costs to AgResearch to implement the experiments since 2010? If not, can you ask AgResearch to provide detailed costs?*

We are therefore transferring these questions under section 14 of the Official Information Act to AgResearch.

You will hear further from AgResearch concerning these questions. AgResearch can be contacted directly at media@agresearch.co.nz.

You have the right to seek an investigation and review of this decision by the Ombudsman. You can contact the Ombudsman on 0800 802 602, or by email at info@ombudsman.parliament.nz.

If you have any further queries, please do not hesitate to contact us via ministerials@epa.govt.nz.

Yours sincerely



Alison Welch
Manager, Government Engagement and Official Correspondence
Environmental Protection Authority