FROM: Josiah Spackman (josiah@skyman.co.nz)
TO: a.little@ministers.govt.nz
CC: Yuri Pogrebinsky (yuri@skyman.co.nz)
DATE: Wednesday, September 14, 2022 at 10:59:59 AM GMT+12

To honorable Min. Andrew Little,

Kia ora, my name is Josiah Spackman (josiah@skyman.co.nz) of Skyman Industries, contact phone 0800 894 197. I am a license holder under the Medicinal Cannabis Scheme, and have noted a growing concern both among Medicinal Cannabis industry professionals, as well as from patients, regarding the current status of the Scheme.
I would like to request the following information under the Official Information Act from Minister Little, in his capacity as Minister of Health:

* When setting up the Medicinal Cannabis Scheme with the commencement of the Misuse of Drugs (Medicinal Cannabis) Regulations 2019, were there any targets, KPIs or indicators that the Minister had in mind for 1, 2, 5 or 10 years that would indicate that the legislative changes were providing the desired outcomes to the benefit of patients?

* Likewise, what numbers / targets / KPIs of products would indicate a "successful" industry for license holders (for example in terms of dry flower shipped locally, exported, or number of products registered under the New Zealand Minimum Quality Standards - NZ MQS)?

* Is the minister aware that 100% of all natural / dried flower products are imported, and that two years on there has not been a single locally grown natural product to market under the current regulations?

* Was the minister aware that when creating the regulations that 200 CFU's for inhilation would be some of (if not THE) strictest in the world by an order of magnitude (As per European Pharmacopoeia section 5.1.4) for Medicinal Cannabis flower?

* Is the minister aware that 100% of all currently imported flower products have had to be gamma irradiated in order to meet the 200 CFU/g limitation? Does the minister find it acceptable that the regulations have inadvertently required gamma irradiation to meet the Eu Ph 5.1.4 levels?

* Was there any advice regarding the impact of those regulations on dried flower products, especially in comparison to other countries regulations (such as 10,000 CFU/g for inhilation for most of the USA or 500,000 CFU/g for Canada)?

* Under what circumstances would the minister consider further amendment to the current legislation regarding Eu Ph 5.1.4 limits?

* What advice was provided to the Minister around the implications of the NZ MQS, in regards to the requirements that products / dried flower / starter material meet the NZ MQS prior to being exported, and how this would greatly harm license holders capacity to export?

* Under what circumstances would the Minister seek to amend legislation so that the NZ MQS standards would not apply to exports, and cultivators / manufacturers would only have to adhere to the destination country legislation for their products?

* What advice was provided to the Minister around the implications of repeatability trials and how it would require license holders (cultivators / manufacturers) to hold on to potentially hundreds of thousands (if not millions) of dollars worth of product for months (if not a year or more) while these trials took place?

* What were the key reasons that batch-testing / labelling for each product batch was not adopted instead, both as a method of streamlining any products under NZ MQS and as a method of providing the most accurate labelling for patients?

* Under what circumstances would the Minister seek to amend legislation to instead permit per-batch testing, labelling, and the removal of the repeatability trials?

* How many dried flower products did the Minister expect to have been available for patients after 2 or 3 years?

* How many extract / oil-based products did the Minister expect to have been available for patients after 2 or 3 years?

* Is the Minister aware that pharmacies cannot currently even list what products they have in-stock, let alone the price of them publicly?

* Is the Minister currently aware of how Medsafes advertising restrictions prevent patients from making informed decisions, and has resulted in "price gouging"?

* When the Omicron outbreak began, the Govt took steps it deemed "reasonable" to prevent price gouging on RAT tests. Given what we are seeing now with medicinal cannabis products, is a 40% price variation between pharmacies on the exact same product acceptable to the Minister or the Ministry of Health, either for Medicinal Cannabis products or any other medicine?

* What steps is the Minister currently taking, and going to take, to stop this from occurring as we are seeing now?

I look forward to hearing back from you. Please also include Yuri (yuri@skyman.co.nz - CC'd) in any correspondence.

Ngā mihi nui

Josiah Spackman
Skyman Industries