

19 May 2026

Nigel Gray

fyi-request-34578-b9f7588b@requests.fyi.org.nz

Dear Nigel

I refer to your Official Information Act 1982 (OIA) request of 4 May 2026 in which you asked Safety Data Sheets for oral fluid devices and DNA use. I have addressed each part of your request in turn below.

1. Safety Data Sheets (SDS) and Chemical Composition Documents Please provide all Safety Data Sheets (SDS), chemical composition documents, hazard classifications, and manufacturer-supplied technical documentation for every oral-fluid collection or drug-testing device used by NZ Police, including but not limited to:

Quantisal™ Oral Fluid Collection Device

Quantisal™ II Oral Fluid Collection Device

Any transportation buffer, reagent, preservative, or stabilising solution used in the device

*Any alternative or successor devices procured or trialled
The date Police received it.*

Whether Police hold multiple versions (e.g., updated SDS from the manufacturer).

1.1 For each SDS or technical document, please provide:

The full SDS document supplied to Police.

The version number and date of the SDS.

Any internal risk assessments, WorkSafe notifications, or HSWA/HSNO compliance documents that reference these SDS.

If any SDS or technical document is withheld or refused, please specify the exact statutory ground and confirm whether Police have ever held the document.

Police National Headquarters

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Telephone: 04 474 9499. Fax: 04 498 7400. www.police.govt.nz

Police has proactively released information which includes Safety Data Sheets and procurement documentation. This information is available from the Police website and can be found here:

<https://www.police.govt.nz/about-us/publication/proactive-release-papers-relating-implementation-roadside-drug-driving-testing>

Releasing information on alternative devices and manufacturers that were considered during procurement would be likely to unreasonably prejudice the commercial position of the suppliers involved. Disclosure could undermine competitive dynamics and future tendering processes by revealing such information. As such, this information is withheld under section 9(2)(b)(ii) of the OIA.

2. DNA-Related Use, Capability, or Retention There is significant public interest in whether the oral-fluid drug-testing device is being used — or is capable of being used — for DNA collection, retention, profiling, or matching.

Please answer the following:

2.1 Device capability

Does the oral-fluid collection device used by Police collect biological material that contains human DNA?

Does the device's buffer, preservative, or stabilising solution preserve DNA, destroy DNA, or leave DNA intact?

Has Police received any documentation from the manufacturer regarding DNA preservation, DNA degradation, or DNA stability in the buffer?

Please provide all documents, emails, technical notes, or manufacturer statements addressing these points.

I refer you to our response IR-01-25-45451, which explains that roadside drug screening tests collect saliva, that is used solely to detect certain drugs, not DNA. A saliva sample is only collected and sent to a laboratory only if the roadside drug screening test is positive, and is tested only for listed qualifying drugs. While the saliva may contain DNA, there is no conversion of this saliva into a DNA profile.

Police cannot use, retain, analyse, or transfer any DNA obtained from oral fluid roadside drug tests. The roadside drug tests are disposed of as secure biohazard waste as soon as practicable once used at the roadside.

As the roadside drug tests do not convert the saliva into a DNA profile, no further documentation was received from the manufacturer regarding DNA preservation, degradation, or stability in the buffer. This part of your request is refused under section 18(e) of the OIA as the document(s) alleged to contain the information requested does not exist.

2.2 Police policy and practice

Does NZ Police use, retain, analyse, or transfer any DNA obtained from oral-fluid roadside drug-testing devices?

Has Police ever conducted internal discussions, legal assessments, or privacy assessments regarding DNA presence in oral-fluid samples?

Has Police ever sought advice from:

ESR

Crown Law

Privacy Commissioner

Ministry of Justice

Any external scientific or forensic advisor regarding DNA in oral-fluid drug-testing samples?

Please provide all documents, emails, memos, and advice.

In regard to your request for DNA related Police policy and practice, I refer you to my response to part 2 of your request

Police has not conducted any internal discussions, legal assessments, or privacy assessments regarding DNA presence in saliva samples nor has Police engaged in external consultation from ESR, Crown Law, or the Office of the Privacy Commissioner. This part of your request is refused under section 18(e) of the OIA as the document(s) alleged to contain the information requested does not exist.

2.3 Retention and disposal

How long are oral-fluid samples retained?

Are samples destroyed, returned, transferred, or stored?

Are any samples or aliquots sent to ESR or any other laboratory?

All drug screening test devices used at the roadside (whether positive or negative) are disposed of by Police at the end of the shift they were used. Screening devices are not held or stored by Police once used.

Saliva samples collected are sent to The New Zealand Institute for Public Health and Forensic Science (PHF Science) to test for the presence of listed qualifying drugs at or above their respective thresholds.

As per the Land Transport (Oral Fluid Samples) Regulations 2025, if the saliva (oral fluid) sample collected for analysis has a positive result in the laboratory (one or more listed qualifying drugs are detected at or above their respective thresholds), it is disposed of by PHF Science no sooner than 6 months after it was received as secure biohazard waste. If the saliva sample did not produce a positive result in the laboratory (did not detect drugs at or above its respective threshold), the saliva sample is disposed of by PHF Science as secure biohazard waste as soon as practicable after it is analysed.

Elective saliva samples collected for private analysis, are also sent to PHF Science and held should the driver choose to undertake independent testing of their elective sample. If a driver does not undertake independent testing, their elective sample will also be disposed of as secure biohazard waste.

Are any samples used for secondary purposes, including:

method validation

quality assurance

training

research

forensic comparison

DNA profiling

future technology trials

Please provide all policies, SOPs, and internal guidance.

PHF Science may retain and use Oral Fluid Samples and associated data, in compliance with applicable laws for the purposes of scientific research, quality assurance, and method development. However, saliva samples are sent to PHF Science are only used to test for the presence of the listed qualifying drugs that are included in the legislation for drug driving, and reporting and analysis of the drugs present in drivers while driving. This part of your request is refused under section 18(e) of the OIA as the document(s) alleged to contain the information requested does not exist.

3. Procurement and Manufacturer Communications Please provide:

All procurement documents, tender documents, and technical specifications supplied by the manufacturer relating to the chemical composition, safety, or biological properties of the oral-fluid device.

All emails or correspondence between Police and the manufacturer relating to:

SDS

chemical hazards

DNA stability

biological sample handling

buffer composition

safety or risk assessments

I refer you to my response to part 1 of your request which links proactively released information regarding the procurement process.

Correspondence with the manufacturers regarding the device would hold confidential information regarding contracts or agreements that Police have entered into. This is therefore withheld under section 9(2)(b)(ii) of the OIA as making available the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

4. If information is refused

If any part of this request is refused, please confirm:

Whether the information is not held, never held, or transferred.

Whether Police consider the information to be out of scope of any existing contract or procurement.

Whether Police have requested this information from the manufacturer but not received it.

Whether Police are willing to request the SDS or DNA-related documentation from the manufacturer now.

5. Format

Please provide all documents in PDF or their original electronic format.

I refer you to my response to part 1 and 2 of your request.

If you are not satisfied with the way I have responded to your request, you have the right under section 28(3) of the OIA to ask the Ombudsman to review my decisions. Information on how to do this is available online at www.ombudsman.parliament.nz.

Yours sincerely



Superintendent Steve Greally

Director: Road Policing
New Zealand Police