

22 MAR 2017

**Ministry for Primary Industries**  
Manatū Ahu Matua



OIA17-0092

Gary Stephenson  
Care of FYI website

Dear Gary Stephenson

**OFFICIAL INFORMATION ACT REQUEST**

I refer to your various official information requests on the subject of the Rabbit Haemorrhagic Disease Virus (RHDV). For your reference, these requests are numbered and detailed in full in Appendix 1 of this response.

For the Official Information Act 1982 (OIA) to apply, the information must already be held by the agency concerned. With the exception of providing a response to a request for a statement of reasons about the request decision itself, there is no obligation on an agency to form an opinion or create information to answer a request in the form of questions or interrogatory (c/f Office of the Ombudsman). In accordance with this advice from the office of the Ombudsman, the Ministry for Primary Industries (MPI) is not required to answer the questions you have asked in request **a.** as it does not specifically qualify as a request for official information. On this basis, your correspondence does not amount to an Official Information Act request for information held by MPI.

The following information is released to you under the OIA:

In response to request **b.**

MPI understands a post-release monitoring programme will be established by the applicant group if approval for the use of RHDV1-K5 is granted.

Landcare Research is able to test samples to identify RHDV strains if deaths from the disease are suspected.

Communications will be provided to the public and key stakeholders prior to any potential release of RHDV1-K5.

As previously advised in correspondence from Hon. Nathan Guy, Minister for Primary Industries (MIN16-0267) on 5 May 2016 and the former Minister for Food Safety (MIN16-0031) on 11 February 2016, the Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM) approvals process will assess the availability of effective vaccines for pet owners against the RHDV1-K5 strain.

In response to request **c.**

MPI will not be able to respond to request **c.** within the timeframe set out in the OIA because consultation necessary to make a decision on your request are such that a proper response cannot reasonably be made within the normal 20 working day time limit. MPI will respond to this part of your request no later than 21 April 2017, earlier if possible.

In response to request **d.**

The information requested in **d.** has been provided to you previously. I shall refer you to the relevant previous correspondence from MPI:

- OIA17-0023 (20 February 2017)
- OIA17-0077 (16 March 2017)

In response to request **e.**

Rabbit owners should already be vaccinating their pets against RHDV strains already present in New Zealand. As previously advised in correspondence from Hon. Nathan Guy, Minister for Primary Industries (MIN16-0267) on 5 May 2016 and the former Minister for Food Safety (MIN16-0031) on 11 February 2016, the ACVM approvals process will assess the availability of effective vaccines for pet owners against the RHDV1-K5 strain.

In response to request **f.**

The information requested in **f.** has been provided to you previously. I shall refer you to the relevant previous correspondence from MPI:

- MIN16-1215 (30 November 2016)
- OIA16-0748 (1 February 2017)
- OIA17-0017 (15 February 2017)

You have the right under section 28(3) of the OIA to seek an investigation and review by the Ombudsman of our decision to refuse parts of your request and to extend the time limit for responding to part of your request.

Yours sincerely



Geoff Gwyn  
Director Readiness and Response Services

## Appendix 1

List of Queries received from Gary Stephenson.

**a. OIA17-0092 – 22 February 2017**

*If RHDV1a-K5 will overcome “natural” immunity, surely it will, therefore overcome “vaccinated” immunity?*

**b. OIA17-0093 – 22 February 2017**

*If the release of K5 proceeds, what plans have or will be formulated to monitor the deaths of pet rabbits to evaluate the claimed efficacy of the Cylap vaccine?*

*Are tests available to determine if a pet rabbit died of V351 of the K5 strain?*

*What public notification will be put in place to advise rabbit owners of what to do if a vaccinated pet rabbit dies?*

*Who will cover the cost of the testing if a vaccinated rabbit dies of the K5 virus?*

*What recovery plans are in place to:  
Provide a vaccine to protect valuable pet rabbits?  
Contain and eradicate the K5 virus?  
If the cylap vaccine does not work as stated in the application that may approve its release, due to the failure of the pilot study?*

**c. OIA17-0097 – 23 February 2017**

*Can you advise how many adverse reactions have been reported in the past five years to the Cylap Vaccine and what these adverse reactions were?*

**d. OIA17-0100 – 26 February 2017**

*What variants of the RHDV have been imported into New Zealand over the past five years? What variants were they and why were they imported?*

**e. OIA17-0101 – 26 February 2017**

*What funding is available to pet owners to cover the extra cost involved of the six monthly off-label vaccine requirements being imposed on pet owners in the K5 project that benefits farmers financially at the expense of pet owners?*

MPI also received the following transfer of your request to the Office of the Prime Minister on 24 February 2017:

- f.** *Can you, as the new Prime Minister give me the same reassurance that my pet rabbits will be safe as a house under the feral rabbit eradication program as your predecessor was happy to give regarding cats? If not, why not?*

*Why should pet rabbits be treated any differently to cats?*