

22 June 2020

Committee Secretariat
Primary Production Committee
Parliament Buildings
Wellington

By email: pp@parliament.govt.nz

Food (Continuation of Dietary Supplements Regulations) Amendment Bill

Dear Sir/Madam

The New Zealand Medical Association (NZMA) wishes to provide feedback on the above Bill. The NZMA is New Zealand's largest medical organisation, with more than 5,000 members from all areas of medicine. The NZMA aims to provide leadership of the medical profession, and to promote professional unity and values, and the health of all New Zealanders.

We note that the Bill, if enacted, will extend existing regulations for dietary supplements (due to expire on 1 March 2021) for five years, by which time a fit-for-purpose regulatory regime for Natural Health Products is expected to fully commence. We have previously conveyed our disappointment that the Natural Health and Supplementary Products Bill was not reinstated in 2017, and that natural health products were excluded from the Therapeutic Products Bill.¹ It is the NZMA's view that natural health products should fall under the regulatory scheme for all therapeutic products, such as is the case in Australia. We believe that natural health products must also be subject to evidence-based scientific testing. This includes ensuring an adequate assessment of safety, with specific consideration given to post marketing surveillance and adverse reaction monitoring.

While the failures of existing regulation of natural products are well known, the current regulations prescribe (among other things) maximum daily doses for a number of stated minerals and vitamins as well as labelling requirements. They also prohibit misleading statements and therapeutic claims (except where therapeutic claims are permitted by the Medicines Act 1981 and any regulations under that Act). We therefore support the Bill as a stopgap measure but urge the Government and parliamentarians to expedite the development of a fit-for-purpose regime to regulate natural health products. Instead of the five-year extension that is being proposed, we

¹ NZMA. Submission on Therapeutic Products Bill Exposure Draft and Proposed Regulatory Scheme. 9 April 2019. Available from <https://bit.ly/3cQeKL8>

suggest that a three-year extension would set a better signal of the urgency for the development of such a regime. We note that the regulatory impact statement² considered that a three-year extension would be a realistic target for the Government to implement the new regime.

We are not seeking the opportunity for an oral presentation.

Yours sincerely

A handwritten signature in blue ink that reads "K. Baddock". The signature is written in a cursive style with a large, sweeping flourish at the end.

Dr Kate Baddock
NZMA Chair

² Available from <https://www.mpi.govt.nz/dmsdocument/40259-extending-the-dietary-supplements-regulations-ris>