

FURTHER SUBMISSION TO THE HEALTH SELECT COMMITTEE  
ON THE TREATY TO ESTABLISH A JOINT TRANS TASMAN  
THERAPEUTIC GOODS AGENCY

NEW ZEALAND HEALTH TRUST  
MAY 2004

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- As you know the New Zealand Health Trust opposes the establishment of the Joint Agency as described in the Treaty for all therapeutic goods due to the loss of Sovereignty and accountability to New Zealanders.
- However if Members of the Committee wanted a Joint Agency to regulate pharmaceutical products and medical devices it is essential to ensure that the Dietary Supplements industry is not sacrificed to achieve this, particularly given the unanimous findings of the Committee in its report of December 2003.
- The Treaty before the Committee is presented for comment as a whole. Given that the Treaty seeks to impose this pharmaceutical based regime on Dietary Supplements and that the Committee has condemned this approach, it is our submission that this Committee, should, if it wishes;
  - (i) **Reject the Treaty as presented to it on the basis that it goes against the central aspects of the Committees' report of December 2003, and**
  - (ii) **Invite the Government to enter into a further treaty with Australia relating only to pharmaceuticals and medical devices, and**
  - (iii) **Indicate that it would support the passage of such a Treaty.**
  - (iv) **Call for the Treaty to be debated and voted on in the House.**
- Recent evidence out of Australia continues to show the inappropriateness of classifying dietary supplements as pharmaceuticals and including them in this model. Discussions with the leading industry group in Australia has indicated they support dietary supplements being classified as a third category and regulated separately from both medicines and food.
- We submit New Zealand should return to the dietary supplements regulation endorsed by both the industry and Minister King in 2000 and described in the Healthcare and Therapeutics Products Bill of that year (see letter attached from Minister King).

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