



OIA 19-E- 0446/docCM 6019424

31 July 2019

s9(2)(a)

Dear s9(2)(a)

Thank you for your Official Information Act request to the Department of Conservation, dated 2 July. You requested the following:

- 1. I wish to enquire from your department information on the number of people who have suffered health effects from the aerial drops of pest control chemicals over the last ten years.*
- 2. The dates and location of 1080 drops within the kauri forests die-back areas.*
- 3. All relevant acts and gazetted regulations used by the Dept of Conservation to drop pest control materials in contravention of the RMA provisions of Section 13.1.d.*

Your questions and our responses are listed below.

**No Department of Conservation staff or contractor has suffered adverse health effects from aerial drops of 1080**

We can confirm that no Department of Conservation staff or contractor has suffered adverse health effects from aerial drops of 1080.

Our response to your request relates to Department personnel and contractors only. This is because the Department does not collate information about public health, nor is it the only agency that carries out aerial pest control operations. Agencies such as TBFree New Zealand and Regional Councils will hold their own information

The Department works with the Ministry of Health, the Environmental Protection Authority and Worksafe New Zealand to manage risks to workers during pest control operations. The separate roles and responsibilities of these agencies are explained here:

<https://worksafe.govt.nz/about-us/news-and-media/worksafe-new-zealand-and-1080/>



The Department records any exposure to toxins as an incident. Standardized operating procedures (SOP) are followed to protect staff from risk of exposure and meet legal and health and safety requirements. This involves health information, training and supervision in the correct use of personal protective equipment and clothing. The Safe Handling of Pesticides SOP is attached to this response. The effectiveness of these controls has been measured by a Department 1080 Worker Health Monitoring Programme.

Under the Health Monitoring Programme, 88 people (DOC staff or contractors) have had standard urine tests for possible 1080 exposure. These tests were carried out across 7 separate pest control operations in different locations in New Zealand. Some people have had tests repeated to confirm results - numbers of tests do not necessarily equate to numbers of people who have been tested. It is important to keep this in mind when communicating test results.

It is also important to recognize that testing will detect much lower levels of toxin than the amount required to cause adverse health effects. The Method Detection Level (MDL) for testing is the lowest level at which the test can detect 1080, whereas the Biological Exposure Index (BEI) is the level above which workers might experience adverse health effects from exposure to 1080.

The MDL value for 1080 is 0.001 micrograms per millilitre (µg/ml), whereas the BEI value for is 0.015 µg/ml.

Workers tested under 1080 Health Monitoring Programme 2009 -2014	
Number of people	
88	Tested for 1080 in urine
6	Of the 88 people tested, 6 had 1080 detected in samples - all these were below BEI: 3 = 0.001ug/ml; 2 = 0.002 ug/ml; 1 = 0.003 µg/ml
0	Of these 6 people, none was found to have had adverse health effects

The Health Monitoring Programme reinforced the Department’s confidence that adhering to the SOP ensures workers are well protected from exposure to 1080. For this reason, the Department has not carried out any testing since 2014, although it may do so again in the future.

**The evidence does not point to a link between the use of 1080 and Kauri die-back**

The second component of your request appears to aim at establishing whether there is a link between the use of 1080 and Kauri dieback. The Department does not hold any information that supports this view. You can read about this on the Kauri Dieback Programme website: [www.kauridieback.co.nz/faqs/general-faqs/](http://www.kauridieback.co.nz/faqs/general-faqs/)

This website states:



*“Work undertaken by the Programme has not identified any reason to link the use of 1080 to kauri dieback, with the disease detected in areas where 1080 has not been used. Investigations undertaken by the Kauri Dieback Programme to date have found the water mould *Phytophthora agathidicida* to be the primary cause of kauri dieback disease, with human activity (through transfer of soil on people’s footwear and equipment) the most common cause of it spreading. For example, the majority (70%) of infected trees in the Waitakere Ranges are within 50m of a walking track, which clearly indicates that humans are the main vectors for spreading this disease”.*

The Kauri Dieback Programme is a Partnership with Biosecurity New Zealand (part of MPI), the Department of Conservation, Auckland Council, Waikato Regional Council, Northland Regional Council, Bay of Plenty Regional Council, Te Roroa, and Tangata Whenua Roopu.

The Department is aware of kauri dieback in areas where aerial 1080 has not been used, for example:

- Raetea Forest
- Pukekaroro Scenic Reserve
- Pakiri Scenic Reserve
- Logues Bush Scenic Reserve
- Robert Hastie Scenic Reserve
- Herekino Forest
- Aotea Great Barrier Island.

Conversely, in areas where 1080 *has* been used, there is no dieback (e.g. the Hunua Ranges).

The Kauri Dieback Programme webpages show the forests where the disease has been detected: [www.kauridieback.co.nz/kauri-locations/](http://www.kauridieback.co.nz/kauri-locations/). However, because there is no reason for associating 1080 operations with the disease, the Department has not compiled detailed histories of 1080 operations at each of the locations where dieback is present. We are unable to make this information available without substantial collation and research, therefore we decline this part of your request under section 18(f) of the OIA.

**The Department does not undertake pest control operations in contravention of the RMA**

The Department relies on the exemptions for the discharge of vertebrate toxic agents provided by the Resource Management (Exemption) Regulations 2017 which can be accessed at:

<http://legislation.govt.nz/regulation/public/2017/0021/latest/DLM7104038.html>.

The Court of Appeal’s decision in *Brook Valley Community Group Inc v Brook Waimarama Sanctuary Trust* [2018] NZCA 573 conclude that no separate resource consent was required for the deposit of such vertebrate toxic agents under section 13(1)(d) of the Resource Management Act 1991.



You have the right to seek an investigation and review by the Ombudsman of these decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that this letter (with your personal details removed) will be published on the Department's website.

Yours sincerely,

s9(2)(a)

Hilary Aikman  
Director, National Operations  
for Director-General