



*"National Organisation
for Maori traditional health
& healing practitioners"*

Nga Ringa Whakahaere o te Iwi Maori

Incorporated Society

National Office
PO Box 4133 Marewa,
NAPIER
06 8337973
E-mail: rongoa@xtra.co.nz

rongoa – mirimiri - wairuatanga

Kaiwhakahaere Report

18 May 2010

Proposed Ministry of Health Natural Health Products Bill
Pukemokimoki Marae
AHURIRI

Presented by:

MoH Policy Development Manager

Summary and Action Plan (MoH and Participants)

as facilitated by Rangi Pouwhare (MoH adviser)

Whakapapa of the Natural Health Products proposal:

- ANZTPA (2003-2007)
Australia and New Zealand - a regulatory scheme to regulate and control the manufacture and sale of natural health products.

Q & A - Open to the floor

- National Party & Green Party MoU on the proposal bill (April 2009)
 - Q. Is a MoU strong enough for the proposed bill?
 - A. At the moment only a MoU has been agreed to
 - Q. What involvement are there from other parties?
 - A. Labour Party – not clear on their position
 - A. Maori Party – not clear, is awaiting reports from the consultations hui
- Hapu and Iwi
 - Q. Where does hapu and iwi sit with this?
 - A. Hapu and Iwi have not given us any indication.
- Proposed NZ only scheme
 - Q. How can we be assured that this is a NZ only scheme?
 - A. No assurance, possibly through legislation
- Kaupapa – an assurance to consumers that the product is safe, true to claim and labeled
 - Q. In regards to safe practice and true to claim – where does this sit with WAI 262 claim in particular intellectual property rights?

Would you have to label what rongoa is in the product and what is its properties? Also at the last hui of ANZTPA held in Wellington with various Maori groups (NRW incl.) and the Crown – when asked what rongoa do you use? the answer was; all rongoa from Rangī to Papa. How is the Ministry going to deal with issues of that nature when Maori are not wanting to list all of their rongoa and what for?

- A. There is no answer to where the WAI 262 claim and intellectual property rights sit to the formation of this bill. We may look to include the Treaty of Waitangi in the legislation of the Bill. The Ministry is only looking at those maori rongoa used for the manufacture and sale to consumers and to assure those consumers that the product is safe for supply and the promotion of the product is true to claim.
- Te Whakamarama – vitamins, minerals, other substance from nature that propose to relieve symptoms, maintain good health and well being via tablets, capsules, solutions, lotions etc
 - Q. When we talk about nga rongoa in whatever form for use, the issue of wairuatanga and karakia becomes immediate to the practice. How can we be assured of the tikanga to the practice as we see this as part of and not separate?
 - A. This hui is to determine the regulation and control of the end product. It is not aimed at practitioners themselves.
 - Q. Is this practice applicable for manufacture and supply?
 - A. We see this as a whole and not part. There is a mindset of risk and the management of that risk when we talk about the separation of intangible to tangible practices especially within te ao maori. The danger is when these practices are not adhered to - wairua of our rongoa is gone and therefore assurance to consumers cannot be given. This could also have implications on those who practice rongoa at home to whanau, hapu and the wider community also.
 - A. Nga rongoa is being sold today, it is a reality, we need to put in place mechanisms to ensure the product is safe.
 - Q. What parts of the practice of rongoa rakau would be exempt from the bill?
 - A. If rongoa rakau is part of a practice - practitioner to patient, of used in the home as daily use; it is exempt, however if its used in mass production for sale for general use then it bill would take effect.
 - Q. It regards to mass production – does the Ministry have in place a sustainability programme of the resource? The resource should be available to all not just to some.
 - A. The Ministry does not have a programme in place.
 - Treaty of Waitangi
 - Q. Does the Treaty need to be included in the Legislation?
 - A. Yes. The Treaty can be used as a pathway vehicle that would ensure that both LAW and LORE are adhered to.
 - Roles
 - Technical Advisory Group and the Consultative Group.
 - Q. Where does maori fit?
 - A. In both.
 - Q. Do you need to set up a separate maori board for this?
 - A. Needs to have more hui to discuss this.
 - Q. Who would be in the groups?
 - A. NRW, Te Paepae Matua, Te Waka Kai Ora (Maori Organics). Hapu and Iwi, other?
 - Bio – genetics of plant species

Q. In 2007 the Ministry of Economic Development held several consultation hui in discussing genetic engineering of our rongoa. Is this still continuing and by whom? This has implications to whakapapa and matauranga.

A. We are unsure of this. Will look into.

- Patents

Q. If rongoa is going to be manufactured for sale, who and what is patented? It is known that overseas countries have patented our rongoa, what is not known is who they, where they are and what rongoa plant species have they patented. We need to know if we have to pay someone else for the rights to sell a product if that product is patented by them and how much will those costs be. Will those patents for rongoa be reviewed and when?

A. We are unsure of this. We will look into this.

- Database

Q. In the proposed document it states that the “regulator” will maintain a database of ingredients permitted to be used in natural products. How could this be achieved when maori are not willing to submit certain information?

A. The pharmaceutical companies by production have a product labeled but do not list how it is done or what components in the product is used eg. Kawakawa, kawakawa is on the label but you are not told what part of the plant is used or how it is done etc.

Q. Would maori be ok with that process?

A. Maybe, but we need more information.

Q. Each area has its own ways of using nga rongoa how will the Ministry implement regulation for that?

A. The Ministry is relying on expert advice for that.

Summary:

Written submissions close Monday 31 May 2010.

Bill to be introduced in late 2010, month not specified.

Health Select Committee submissions, first half 2011

Nga Puhi stance – To be Governed by Maori

Nga Ringa Whakahaere o te Iwi Maori stance – To be Governed by Maori

For MoH to address issues and info to be sent to forum before the submissions close:

1. Copies of minutes of all consultation hui
2. Current manufacturing of rongoa – who, where, what
3. WAI 262 Claim / Intellectual Property Rights – What effects does this will have on the bill?
4. Information on Intellectual Property as used by Pharmaceutical Companies
5. Patents – who, where, what, review of patents and if so when.
6. Genetic engineering of rongoa (Dpt. Economics) who, where, what
7. More consultation hui – NRW, Te Paepae Matua, Te Waka Kai Ora, independant practitioners
8. Hapu and Iwi consultations? – no indications

Recommendation:

- To submit a submission to the MoH Proposed Natural Products Bill
- To notify MoH to keep Nga Ringa Whakahaere o te Iwi Maori continually updated at all stages and levels of the Proposed Bill

Ko ta ngai maori hei whakatikatika i te mahere a Tane, a Haumia, a Tangaroa, a Tawhiri, e kainga tonutia ana i enei ra.

Ma nga tamariki e whakatau ki whea nga korero noho ai?

Sabre Puna
Kaiwhakahaere