

EXPERT ADVISORY COMMITTEE ON DRUGS MEETING

Thursday, 2 June 2005, 9:30am – 4.30pm
Northland Room, Old Bank Building, Wellington.

MINUTES

Members present

Dr Ashley Bloomfield (Chair)
Dr Stewart Jessamine
Dr Keith Bedford
Dr Helen Moriarty
Peter Marshall
Matthew Roseingrave
Keremete Warbrick
Professor Tim Maling
Dr Doug Sellman
Dr Geoffrey Robinson

Secretariat attending:

Kellee Koia
Chris Laurenson
Jo Burgi
Bruce Atmore

1. WELCOME

Dr Bloomfield welcomed members for the new term of the Committee.

1.1 Terms of Reference

Members had no issues with the EACD's current Terms of Reference.

1.2 Conflicts of Interest

Members were asked if they felt they had any possible conflicts of interest with any of the items on the agenda. No members raised anything.

An explanation was given as to what a conflict of interest was and a copy of the Ministry of Health's conflict of interest protocol was provided to members.

1.3 Fees

Members were advised that they would need to fill in a Ministry of Health Withholding Payment Form for Payroll and Tax Code for Declaration (IR 330) and to return the forms to:

Kellee Koia
Ministry of Health
PO Box 5013
WELLINGTON

Chair:..... Date:.....

The Ministry would also provide information for members who were DHB employees on claiming fees.

1.4 Departing Chair

The Chairman thanked the departing chair for his contribution to the EACD.

Agreed:

That the Secretariat would draft a letter, for the Chairman's signature, to the previous Chair thanking him for his services to the EACD.

2. CONFIRMATION OF THE MINUTES HELD 19 MARCH 2004

The minutes of the meeting held on 19 March 2004 were confirmed as a true and accurate record of that meeting and were signed by the Chairman.

3. MATTERS ARISING FROM THE MEETING HELD 19 MARCH 2004

3.1 Ketamine

Members were advised that Australia had rescheduled Ketamine. Members discussed the difference between the Australian and New Zealand schedules.

Agreed:

That the Secretariat would provide the Committee with Australian background information and information regarding what had subsequently happened.

3.2 Medicinal Cannabis

It was noted that Canada had approved a product regarding medicinal cannabis.

3.3 Australian National Drugs and Poisons Schedule

Members were provided with a copy of Schedule 8 & 9 of the Australian National Drugs and Poisons Schedule, dated July 2004. It was advised that the schedule was changed regularly (approximately three times per year).

Agreed:

That Dr Jessamine would update members on any changes to the schedule.

3.4 Temazepam Gel-Caps

Members were advised that the gel-caps had gone from the New Zealand market as the manufacturer had stopped making them.

3.5 Structure of the Minutes

Members discussed the format of the minutes and the need to have discussion threads clearly outlined, including the name of papers.

Agreed:

- That minutes would be written in a way which enabled an understanding of not only what was decided but how it was decided;
- That clear action point lists be provided to know what has been agreed – Dr Jessamine to provide an example;
- That MoH advice to the Minister on EACD recommendations would be copied to members.

The process for ratification of the minutes and the timeliness of posting the minutes on the NDP website were also discussed.

Agreed:

- That the Secretariat would prepare draft minutes and circulate to members for comment;
- That the Chair would be empowered to finalise the minutes and direct the Secretariat to post the minutes on the NDP website once comments from members had been received;
- That the minutes would be ratified at the next meeting, at which time the Chair would sign the minute book.

4. RATIFICATION OF RECOMMENDATIONS MADE BY THE EACD IN THE MEETINGS 12 JUNE 2003 – 19 MARCH 2004

4.1 It was proposed that members formally ratify the agreed actions of the four EACD meetings, which were held between 12 June 2003 and 19 March 2004. The proposal was endorsed by members and seen as a starting point for the new Committee.

Agreed:

That the agreed actions of the preceding EACD meetings held on 12 June 2003, 24 October 2003, 18 December 2003 and 19 March 2004, were ratified.

4.2 LSD

It was raised that at the EACD meeting held on 12 June 2003, it was agreed that members would be provided with papers relating to the

original classification for LSD in New Zealand. However, the papers were not provided.

Agreed:

That the Secretariat would attempt to locate and provide members with the papers relating to the original classification for LSD.

5 BRIEFING PAPER ON THE MISUSE OF DRUGS AMENDMENT BILL (NO 3) AND THE SUPPLEMENTARY ORDER PAPER (NO 298) TO THE BILL

The EACD was updated on the contents and progress of the Misuse of Drugs Amendment Bill (No 3) (the Bill) and the Supplementary Order Paper (No 298) (the SOP) as they related to the functions of the Committee if they were enacted. The following issues were discussed:

- The inclusion of a Ministry of Justice official to the membership of the EACD – Members were not convinced that this was necessary..
- Limits to rescheduling controlled drugs – The Order in Council process would not be able to be used to decrease the classification level of a controlled drug, or for a controlled drug to be removed from a Schedule. An Act of Parliament would then be required.
- There would be six additional matters on which the EACD must make recommendations to the Minister in respect of substances that may be restricted.
- Default Dosage – The default dosage level of 56gms would apply to controlled drugs not listed in a new schedule 5 e.g. Heroin, Morphine, Cocaine and LSD are explicitly listed. These substances all have specific presumption for supply levels
- Solvents / Inhalants – The Committee was of the view that many substances with legitimate primary uses that are also used for their psychoactive effects, may not be able to be controlled as drugs of abuse by other legislation.
- Role of the EACD – Members discussed how the changes to the Misuse of Drugs Act would impact on the role of the Committee.
- Penalties – Members thought that the recommended penalties were very light.

6. REPORT ON TOXICOLOGY CASES IN WHICH ESR HAS FOUND BZP

Members were provided with an advice paper on toxicology cases in which ESR had found BZP. The following issues were raised:

- The increase in the amount being imported. It was advised that there had been a three year average of approximately 400kgs, lately this had increased to approximately 1100kgs.
- The varying levels of dosage – Members advised that there were dosages of up to 750mg. Members discussed how a standard dosage amount would be set.
- Labelling / Packaging issues – There were no signage requirements and members felt that the industry was attempting to look responsible with messages on the packages. Members discussed how quality control could be enforced in that the product had the amount of dosage that the package represented it to have.
- Priorities of Research – Members felt that the priority for research on BZP should be on the level of uncertainty around effects of long-term or chronic use. It should focus on how people were taking it, and what they were taking it with (e.g. alcohol or other drugs).

Agreed:

To write a letter to Hon Jim Anderton that would note:

- The paucity of research on BZP;
- Endorsement of the research being done;
- That the Committee felt that the recommended penalties were too light;
- The desirability of a public education Campaign, using existing drug education providers, that focused on taking unknown drugs in a party environment and the mixing of BZP with other substances (e.g. alcohol).

7. UPDATE PAPER ON NITROUS OXIDE

The Chairman had received a letter from Hon Jim Anderton dated 4 March 2005 regarding his increasing concern with the abuse of nitrous oxide by young children in the country and the flagrant marketing and promotion of it as a “high”, with seemingly no appropriate legislation to regulate it in any way.

However, since the letter was received by the Chairman, the Ministry of Health had received advice from the Crown Law Office stating that the sale of nitrous oxide in a ‘recreational’ context is in breach of the Medicines Act 1981.

Agreed:

That the Secretariat would prepare a full report on nitrous oxide for the next meeting.

8. UPDATE ON BENZODIAZEPINE

Members discussed whether there were benefits of taking long-term patients off Benzodiazepine.

Agreed:

- That there would not be a formal review of Benzodiazepines with a view to reclassification at this time;
- That a paper on Zopiclone would be prepared for the next meeting that would include:
 - A summary on Benzodiazepines
 - International drug convention obligations.

9. GENERAL BUSINESS

9.1 Holding Schedule

Members discussed the possibility of having a 'holding schedule' included in the provisions of the Misuse of Drugs Act. The purpose of this would be to provide a temporary restriction on a new substance while the EACD assessed it and before decisions on classification were made.

Members also discussed the possibility of a full review of the Misuse of Drugs Act. Members were advised that due to the complexity of the Act, a total review would be a big task and would need specific resourcing.

9.2 Analogue Provision in the Misuse of Drugs Act

Members were satisfied that existing provisions were sufficient and that any work on Analogues would be held off until the EACD looked at nitrous oxide.

Agreed:

That Dr Bedford would prepare a one-page report describing how Analogues were working and an explanation of how Analogues were being used as currently as the equivalent of a 'safety net'.

9.3 Other Drug Committees

Members were given an explanation on the roles and membership of the Inter-Agency Committee on Drugs (IACD), the Ministerial Committee on Drug Policy (MCDP) and the National Drug Intelligence Bureau (NDIB).

There was a discussion about having in place a process to update the EACD on what each of the committees was doing.

Agreed:

That NDIB would provide a brief update to members on the scope of activities around methamphetamine at the next meeting.

9.4 Papers by Members

If a paper was required which fell within a particular member's expertise, members were asked to consider the possibility of that person being contracted to prepare the paper for future meetings.

Agreed:

That if a paper was required, which fell within a specific member's expertise, than that member could be contracted to prepare a paper for EACD meetings.

9.5 Alcohol

One member proposed that the EACD look at where alcohol would fit in the schedules and to use this as a benchmarking exercise. Other members were of the opinion that while this would be a good academic exercise, they question that it might not be a good use of the Committee's time as alcohol would be unable to be classified under the Misuse of Drugs Act.

It was agreed that this issue would be put on hold until the next meeting. In the meantime, the Chair would informally seek the views of the Minister.

10. NEXT MEETING

The next meeting would be scheduled for Thursday 27 October 2005 and would be arranged by the Secretariat.

The meeting closed at 4:26pm.