

4 December 2025

Claire Bleakley
President
GE Free NZ

By email: claire@gefrees.org.nz

Dear Claire,

Official Information Act Request (PFR Ref. OIA.25.009)

We write to respond to your request for information, originally to the Environmental Protection Agency, which was transferred to the Bioeconomy Science Institute in part per the EPA's notice to you on 6 November 2025. The questions that were transferred to the Bioeconomy Science Institute were as follows:

1. *How does the transfer of viable material to Australia fit into condition 15 of the ERMA200223 control condition?*
4. *What testing will be required to show that the genetically modified elements have broken down.*
6. *Please may we have a comprehensive range of photographs relating to each of the trait trials years of cows, goats and sheep both deformed and healthy?*

Our responses to each of your questions are below:

1. *How does the transfer of viable material to Australia fit into condition 15 of the ERMA200223 control condition?*

The work under ERMA200223 is on hold for an indetermined period. The approval expires on 30 April 2030. The Bioeconomy Science Institute (as the successor to AgResearch) continues to hold material, representing a substantial investment over many years, under the terms of the approval. Were future funding sourced to carry out further work, that would most likely be in Australia where there are appropriate facilities. Any material transfer to Australia would be in accordance with both countries' regulatory requirements, as well as any international agreements, but this hasn't occurred to-date and there are no immediate plans for this to happen.

4. *What testing will be required to show that the genetically modified elements have broken down.*

No testing of breakdown of genetically modified elements has been required. There will be ongoing monitoring for leachate.

6. *Please may we have a comprehensive range of photographs relating to each of the trait trials years of cows, goats and sheep both deformed and healthy?*

You have previously asked AgResearch for photos of animals from the transgenic programme. These requests have been declined under section 9(2)(ba)(ii) of the Official Information Act, where the withholding of information is necessary to:

9(2)(ba) "protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information –

(ii) would be likely otherwise to damage the public interest”

Our view is that those photos you have previously requested remain subject to obligations of confidentiality and the reasons for withholding still apply. The Bioeconomy Science Institute remains of the view that genetic modification is a sensitive topic and that the release of these earlier photos could be used to distort perception of the effects of genetic modification. We do not consider it is in the public interest as a distortion for the research could jeopardise further funding for research in the area. We do not consider there are other countervailing public interest considerations that override the grounds for withholding. We have accordingly decided to not release those earlier photos on those same grounds.

However, our more recent work is not subject to the same obligations of confidentiality. We have accordingly decided to send to you via post (to the GE Free PO Box 13402, Wellington) a USB drive containing a PowerPoint presentation with a range of photographs of animals generated in recent years under ERMA200223. We have included some notes on the animals in the presentation. The majority of the photographs are of cattle from our Climate Smart Cattle programme, which were photographed more regularly due to the work relating to the observable coat colour of the animals. We have included one slide with lambs and we have been able to locate no photos of goats – we believe these animals were not generally photographed due to not having observable traits.

You have the right to seek a review by the Ombudsman in relation to your request and our response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely,

Nick Barraclough
Chief Legal Counsel