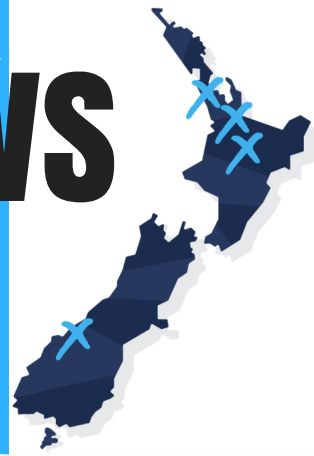


METH XPERT NZ NEWS

METH  XPERT NZ
PROPERTY CONTAMINATION SPECIALISTS



NEWSLETTER VOLUME 1 - ISSUE 1

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PMCSA REPORT

On the 29th May 2018 Professor Sir Peter Gluckman (retired) Chief science advisor to the Prime Minister, released a report on the exposures, risk levels, and interpretation of the standard for methamphetamine contaminated properties. This report has sparked a knee jerk reaction from the court of public opinion, who have perceived this document as a new standard. This developed nothing more than confusion in the public eye.

This report arrived on the table with a preconceived conclusion, directed by "The Hon" Phil Twyford (Housing Minister) that was publicised in an article in December 2017. This report completely ignored regulatory toxicology, in favour of "rats and mice" studies that support the convenient preconceived conclusion.

As part of the development of NZS8510:2017 Government Standards the Ministry of Health asked ESR to review the limit of $0.5\mu\text{g}/100\text{cm}^2$ in light of use-only scenarios. ESR asked three international toxicologists to review the guidelines. The principal author was Dr. Jeff Fowles who is a toxicologist for the California Department of Public Health. It is this review that resulted in a level of $1.5\mu\text{g}/100\text{cm}^2$ for carpeted houses for non-lab scenarios, not the Standard Committee. It is also interesting to note that the review recommended that the level of Meth appropriate for P-labs remain at $0.5\mu\text{g}/100\text{cm}^2$, so increasing the level to $1.5\mu\text{g}/100\text{cm}^2$ for P-labs increases the risk of health issues from a toxicological perspective for overall toxic exposure.

Meth Xpert NZ Director Simon Fleming questions whether non-toxicologists are suitably qualified to say that Dr. Jeff Fowles recommendations should be ignored.

Without discovery of a working clan lab, it is not possible to be certain if a property was subject to lab or non-lab based contamination on surface wipe sampling alone, it is not appropriate to ignore Meth contaminated properties that do not have any physical evidence of manufacture. This will result in people living in ex P-labs with the corresponding health effects. The level of $1.5\mu\text{g}/100\text{cm}^2$ for non-lab scenarios was developed by an internationally renowned toxicologist and should not be ignored based on the opinion of non-toxicologists.

MOVING FORWARD

Any review of a New Zealand Standard must go through the same process as it did originally and comply with the Standards and Accreditation Act 2015. In addition to this, the Ministry Of Health's sole function under the Health Act 1956 is to improve, promote and protect public health. If international toxicology is ignored in favour of rats and mice studies, then the MOH is in breach of their obligations under the Health Act 1956.

It is hard to see how a different conclusion will be found once due process has taken its course. NZ Standards has informed Meth Xpert NZ, that no review of the Standard has been requested at this stage. This could take up to two years.

In the meantime Meth Xpert NZ suggest using IANZ accredited companies for all testing obligations, this ensures sampling and reporting meets the requirements of the standard and cannot be dismissed by insurance and Tenancy Tribunals due to not observing best trade practice.

Once the Residential Tenancy Amendment Act has passed into law, the NZS8510:2017 Standard will become legislation. Simply put, not meeting the requirements of the standard, including competency of sampling companies will be breaking the law. This exposes property managers to a \$4000 fine per offence. That's a pretty scary prospect to "role the dice" on with a portfolio of 100 properties. You do the Math!



WHAT HAS CHANGED?

Essentially nothing has changed. With Tenancy Services advising it is status quo until a review of the New Zealand standard, this is advising a rightly cautious approach as recent Tenancy Tribunal rulings post PMCSA Report are adhering to NZS8510:2017 levels.

The biggest change is that the REA has moved to adopting a level of $15\mu\text{g}/100\text{cm}^2$ of methamphetamine residue to be the threshold for disclosure. This means that any level below this threshold, will result in a Real Estate Agent not disclosing the contamination within the property unless specifically asked by a potential purchaser.

This, in Meth Xpert NZ's opinion, is in clear breach of the Fair Trading Act, and would caution anyone pursuing a Real Estate transaction, to ensure they ask the relevant questions. This will eliminate the potential risk of adopting someone else's problem, a vendor may be trying to rid themselves of in a market where it just became a whole lot easier to sell a meth contaminated property.

The Auckland City Council have also moved with a cautious approach. Any properties over 15 MUST be decontaminated to the NZS8510:2107 standard to below $1.5\mu\text{g}/100\text{cm}^2$. Even if they are under 15 and cleaning MUST occur to below $1.5\mu\text{g}/100\text{cm}^2$

99% of the properties that council end up issuing cleaning orders on, are from NZ Police notifications. Over 95% of these are suspected laboratories. The ACC have taken a cautious approach from a legal perspective, this ensures they are not open to legal proceedings, should they put a property owner at significant financial disadvantage, should a property arrive on a LIM Report, with no proof of manufacture, and where contamination levels may change in the future. .

