

Security Level - Restricted

AM14-348

Ministry for Primary Industries  
Manatū Ahu Matua



**Aide-memoire:**

**From:** Scott Gallacher  
Deputy Director-General, Regulation and Assurance  
for Director-General

**Contact:** Scott Gallacher [REDACTED]

9(2)(a)

**To:** Hon Nathan Guy  
Minister for Primary Industries  
Hon Jo Goodhew  
Minister for Food Safety

**Date:** 12 February 2015

**Operation Concord – Government response activities and staged release of information**

**Overview**

1. This aide memoire updates Ministers on progress in the Operation Concord response to the threat to contaminate New Zealand infant formula [REDACTED]  
[REDACTED] 6(c), 9(2)(d)
2. The staged release of information about the threat began this week with [REDACTED]  
[REDACTED] meetings with affected New Zealand manufacturers and the major global distributors of infant formula. 6(a)
3. The number of people with knowledge about the threat continues to grow as the staged release of information continues. [REDACTED]  
[REDACTED] 9(2)(g)(i)
4. MPI considers this may influence decisions about the timing of the proposed public release prior to the optimal public release date of [REDACTED]. Agencies are prepared for an earlier release, whether this be a controlled release by government, or an uncontrolled release triggered by mainstream or social media comment on the threat. 9(2)(g)(i)

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**Staged release of information about the threat**

5. This week the following meetings with key affected parties were held.

[REDACTED]

6. [REDACTED]

6(a),  
6(b)

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

11. [REDACTED]

[REDACTED]

12. [REDACTED]

6(a),  
6(b)

13. [REDACTED]



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14. [REDACTED] 6(a), 6(b)

15. [REDACTED]

16. [REDACTED]

*Meeting with affected New Zealand manufacturers – Tuesday 10 February*

17. MPI held a five-hour meeting in Wellington with the Chief Executives (or their delegates) of 20 New Zealand manufacturers of infant formula, or infant formula ingredients, [REDACTED]. The purpose of the meeting was to inform the New Zealand manufacturers about the threat and enable them to take additional measures to ensure the security of their product supply chains and to begin testing milk and formulated milk products for possible 1080 contamination. Attendees were subject to a written confidentiality agreement. 6(c)

18. Overall, the manufacturer were appreciative of being informed and acknowledged the work undertaken by MPI and others to respond to the threat.

19. The meeting included presentations from MPI and Police. The agenda covered:

- Background to the issue and the meeting;
- Police outline of the threat, the threat assessment and the criminal investigation;
- MPI's actions to date – trade, [REDACTED] and testing procedures; 6(c)
- Actions to be taken by the companies – tracing systems, [REDACTED] MPI/industry workshop, daily teleconferences;
- Questions and next steps.

20. [REDACTED] 9(2)(ba)  
(i)

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21.

[REDACTED]

9(2)(ba)(i)

22. Manufacturers also wished to work together to help coordinate the industry response to the threat. MPI will be providing regular updates to discuss developments with the manufacturers.

*Heads up to [REDACTED] trading partners – [REDACTED]*

23.

[REDACTED]

6(a)

24.

[REDACTED]

25.

[REDACTED]

*Meeting with six global infant formula suppliers – Wednesday 11 February*

26. MPI held a three-hour meeting in Wellington with representatives of six global companies which dominate the international infant formula market. These companies are also some of the key customers for the New Zealand manufacturers of infant formula. [REDACTED]

6(a)

27. The purpose of the meeting was to inform these companies about the threat [REDACTED]

6(a), 6(c)



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28. [REDACTED] 9(2)(ba)  
(i)

29. [REDACTED]

30. [REDACTED]

31. [REDACTED]

*Discussion with MOH and key clinicians – Wednesday 11 February*

32. The health sector has an important role in the response to prepare for any possible adverse health outcomes if the threat is carried out and avert any public concerns once the threat becomes public.
33. MOH and MPI confidentially discussed the threat with a group of six key clinicians, including those with paediatric expertise. The discussion focussed on clinical guidance for the health sector in the case of possible poisoning symptoms or general concerns about poisoning.
34. MOH is developing practical guidance to the health sector and is planning to have this information effectively disseminated to the different parts of the health sector shortly before the public release of information about the threat. MPI and MOH are working together on public communications messages and their rollout.

**Activities planned over the next week**

*Technical workshop for manufacturers – Friday 13 February*

35. MPI will be holding a meeting in Auckland on Friday 13 February with representatives of the 20 New Zealand manufacturers [REDACTED] 6(c)

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Police investigation

36. [REDACTED] 6(c)

Maintenance of confidentiality about the threat and the government response

37. The number of people with knowledge about the threat within government and outside continues to grow as the staged release of information continues. Despite the confidentiality constraints imposed, [REDACTED] 9(2)(g)(i)
38. [REDACTED] Nothing about the threat or the Operation Concord response has yet appeared in mainstream or social media.
39. The all-of-government activities are now focussing on being ready to make a public announcement [REDACTED] if this becomes necessary. This includes continuing work to identify and prepare to inform: 9(2)(g)(i)
- New Zealand public health agencies;
  - Infant formula and dairy industry stakeholders;
  - [REDACTED] trading partners;
  - Laboratories [REDACTED] and 6(a), 6(c)
  - Media and public.

Testing of milk and milk products for 1080

40. The daily sampling and testing of raw milk and formulated milk products continues as part of MPI's regulatory testing and Fonterra's commercial testing procedures. All test results are negative to date.
41. The test results reported up to Tuesday 10 February are:

Sample type	Samples tested	Totals	
[REDACTED]	[REDACTED]	[REDACTED]	5,736 6(c)
[REDACTED]	[REDACTED]	[REDACTED]	538
[REDACTED]	[REDACTED]		

42. These numbers will continue to increase, particularly now that the testing can start to include all of the manufacturers.



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### Communications activity

43. MPI is working closely with communications staff in MFAT, Police, MoH, MfE, EPA and DOC to develop communication materials and information to support all parts of the response.
44. The public media release is likely to be fronted by Police and MPI. The agencies are working through the details of the media conference which will announce the threat.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9(2)(f)(v)

46. [REDACTED] These will form another important part of the Government's overall response.

9(2)(g)  
(i)

### Next Steps

47. Now that the first group of key stakeholders has been informed, the focus of the response is now on keeping this group updated and also preparing to inform other stakeholders closer to the time of the public release. Communications materials continue to be updated to be ready for a public announcement before [REDACTED]

9(2)(g)(i)

48. The table attached as Annex 1 is a summary of the progress made by MPI with the staged release of information about the threat to stakeholders.

### Ministerial updates

49. MPI will update Ministers each Thursday on progress with the Operation Concord response. This will report on activities undertaken during the week and identify key activities planned for the next week. If there are any significant developments, Ministers will be informed directly.

### Minister / Minister's Office

Seen / Referred

/ /2015

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Annex 1 - Summary of progress with the staged release of information about the threat to contaminate infant formula – updated to 12 February 2015

Agencies informed	Date informed (actual or planned)	Information provided and information sought	Stakeholder response	
Group A				
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	6(a)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
Affected manufacturers	Meeting held on Tuesday 10 February in Wellington.	Briefing materials on the threat and testing protocols.	[REDACTED]	6(c), 9(2)(ba) (i)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	6(a)



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Global infant formula companies	Meeting held on <b>Wednesday 11 February</b> in Wellington.	Briefing materials on the threat and testing protocols and 1080 use in New Zealand.	[REDACTED]	9(2)(ba) (i)
Key New Zealand clinicians	Teleconference between MOH, MPI and six key clinicians on <b>Wednesday 11 February</b> .	Alerted to the threat and information sought on clinical guidance for the health sector in the case of possible poisoning symptoms.	MOH is developing practical guidance to the health sector. This information will be disseminated to the different parts of the health sector shortly before the public release of information about the threat	
Technical workshop for manufacturers	Planned for Friday 13 February	Opportunity for MPI to share technical information [REDACTED]	Planned	6(c)

The cabinet paper, "Proposed amendments to the HSNO regime in response to Operation Concord" (16/2/15), is withheld in full under 6(c).

A summary of the contents of this cabinet paper are provided under section 16(1)(e) of the OIA.

This paper sought Cabinet agreement to make urgent regulatory amendments in response to Operation Concord. These proposed amendments were targeted at tightening controls on 1080 in laboratories, and improving the regulatory oversight of the use of 1080 under the Hazardous Substances and New Organisms (HSNO) Act 1996.

RELEASED UNDER THE OFFICIAL INFORMATION ACT



AM14-362

Ministry for Primary Industries  
Manatū Ahu Matua



**Aide-memoire:**

**From:** Scott Gallacher  
Deputy Director-General, Regulation and Assurance  
for Director-General

**Contact:** Scott Gallacher [REDACTED]

9(2)(a)

**To:** Hon Nathan Guy  
Minister for Primary Industries  
Hon Jo Goodhew  
Minister for Food Safety

**Date:** 20 February 2015

**Operation Concord – Government response activities and staged release of information**

**Overview**

1. This aide memoire updates Ministers on progress in the Operation Concord response to the threat to contaminate New Zealand infant formula [REDACTED]  
[REDACTED]
2. The staged release to relevant stakeholders of information about the threat is continuing to be progressively rolled out. Key meetings activities last week [REDACTED]  
[REDACTED] meetings with affected New Zealand manufacturers and the major global distributors of infant formula, and notification of [REDACTED] trading partners.
3. Activities this week have focused on following up on queries from these activities. Preparations continue for a public announcement, with a range of communications materials being prepared, including information for public health authorities.

6(c), 9(2)  
(d)

6(a)

4. [REDACTED]

9(2)(ba)(i)

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5. At this stage, the planned public announcement date [REDACTED] MPI and other agencies remain prepared for an earlier release if information reaches mainstream or social media.

9(2)(g)(i)

**Staged release of information about the threat**

6. Much of this activity over the last week involved follow-up activities and answering queries from the initial groups which had been informed about the threat.

[REDACTED]

6(a), 6(b)

7. [REDACTED]

8. [REDACTED]

9. [REDACTED]

10. [REDACTED]

[REDACTED]

11. [REDACTED]

12. [REDACTED]

*Meeting with affected New Zealand manufacturers – follow up*

13. On Tuesday 10 February, MPI held a meeting in Wellington with representatives of the 20 New Zealand manufacturers of infant formula and formula ingredients,

6(c)

[REDACTED]



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14. They were informed about the threat so they could consider additional measures to ensure the security of their product supply chains and begin testing milk and formulated milk products for possible 1080 contamination.
15. A follow up teleconference was held the day after the meeting, and MPI has since responded to a range of queries from manufacturers through a dedicated email address and hotline. The response to questions is ongoing.
16. MPI has also given manufacturers a draft of a letter setting out the integrity of New Zealand's dairy supply chain. Manufacturers will be able to provide the final version of this to their customers to reassure them of the safety of New Zealand's dairy products. MPI has also circulated key communication messages to the group.

17. [REDACTED] 9(2)(ba)(i)

*Meeting with six global infant formula suppliers – follow up*

18. MPI met with representatives of six global companies which dominate the international infant formula market on 11 February. The meeting enabled the companies to consider measures to improve security of infant formula at the retail end of the supply chain.
19. As with the New Zealand manufacturers, MPI is responding to email and telephone queries from these companies and has also met with some representatives. MPI is providing the global suppliers with information and assistance with 1080 testing procedures.

*Heads up to [REDACTED] trading partners [REDACTED]*

20. [REDACTED] 6(a)

21. [REDACTED]

22. [REDACTED]

*Technical workshop for manufacturers – Friday 13 February*

23. MPI held meeting in Auckland on Friday 13 February with technical representatives of the 20 New Zealand manufacturers, to work through the detail and technical issues around maintaining supply chain security and tracing of their products. MPI



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gave a presentation on actions companies could take to rapidly trace any suspect product if the need arises.

24. The representatives fully understand the seriousness of the threat and recognise the benefit of coordinating responses to mitigate its impact.

*Food and Grocery Council informed – Friday 13 February and Monday 16 February*

25. MPI met with the CE of the NZ Food and Grocery Council which represents food producers and has exchanged information on international best practice and precedents.

*New Zealand Supermarket chains – Progressive and Foodstuffs – Wednesday 18 and Thursday 19 February*

26. MPI met with senior representatives from Foodstuffs, one of the two major New Zealand supermarket chains, on 18 February and with Progressive representatives on 19 February. The purpose is to explore the actions companies might wish to take within their stores to prevent tampering with infant formula.

27. A range of actions could be taken to improve in-store security of infant formula:
  - Displaying notices about how to identify tampering with product;
  - Improving security camera and other oversight of infant formula on shelves;
  - Locking infant formula away and requiring people to request it at the checkout.

28.  9(2)(ba)(i),  
6(c)

*Engagement with MOH and key clinicians – Ongoing*

29. The health sector has an important role in the response to prepare for any possible adverse health outcomes if the threat is carried out and to avert public concerns once the threat becomes public.
30. MOH and MPI initially discussed the threat with a group of six key clinicians and focussed on clinical guidance for the health sector in the case of possible poisoning symptoms or general concerns about poisoning.
31. With the assistance of the clinicians, MOH has developed practical guidance to the health sector for dissemination to the different parts of the health sector shortly before the public announcement. This includes ED staff, Plunket and Healthline. MPI and MOH are ensuring the alignment of messages and activities.



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32. MOH advises that sudden infant deaths (SIDs) occur once or twice a week in New Zealand from varied and sometimes unknown causes. After the threat is publicised, it is possible that unexplained infant deaths may be attributed to 1080 poisoning.
33. MOH is working with MPI to ensure that hospitals have access to 1080 testing procedures that would confirm or rule out the possible involvement of 1080 in a SID. The Chief Coroner has also been informed of the threat, as all such deaths are routinely referred to the Coroner.
34. MOH is also preparing to set up and maintain the National Health Coordination Centre before any public announcement.

### *Technical Advisory Group (TAG) meeting – 17 February*

35. In December 2014, MPI and MOH appointed a joint TAG to advise on food safety incident management. MPI informed this expert group and sought their input and views on aspects of the threat to help MPI refine its response. Some of the group may subsequently be used by the media as expert spokespersons.

### *Food Safety and Assurance Advisory Council (FSAAC) - 18 February*

36. The FSAAC was established following the WPC inquiry. MPI met with the Chair of the Council to alert them to the threat. Other members of the council will be informed in due course.

### **Communications activity**

37. MPI continues to work closely with communications staff from other agencies to develop communication materials and information to support all parts of the response. Different agencies are responsible for specific messaging and planning:
  - NZ Police - criminal investigation;
  - MOH – public health information;
  - MFAT – planning for, and liaison with, international media [REDACTED]
  - MfE, EPA and DOC - information about 1080 and its use.
38. The public media release will be led by Police with MPI in support. The agencies are working through the details of the media conference which will announce the threat.
39. A detailed run sheet has been prepared for activities prior to, and on, the day of announcement. The actual time of the announcement is yet to be confirmed. The activities include:

6(a)

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### *Before day of announcement*

- Briefing public health agencies' call centres;
- Briefing press secretaries of key Ministers;
- Media and social media monitoring nationally and internationally;
- Formal message to MFAT and NZTE posts to prepare them for media engagement;

### *On the day of announcement – note detailed timing to be confirmed*

- Announcement of joint Police/MPI media conference at Police HQ;
- Media lock up;
- Social media (Twitter) account activated;
- [REDACTED]
- Media conference;
- [REDACTED]
- Concord specific website activated;
- Ministers media conference;
- Youtube videos of media conferences uploaded.

9(2)(f)(iv)

6(a)

40. A range of additional materials has been prepared to support the communications response to the announcement. These will be disseminated through the dedicated Concord website and will include:

- Fact sheets
  - Supply chain security and testing;
  - How to tell if a product has been tampered with;
  - Public (infant) health;
  - About 1080.
- Videos
  - Supply chain security and testing;
  - How to tell if a product has been tampered with.

### **Activities planned over the next week**

#### *Meeting with communications representatives from affected companies – Friday 20 February*

41. The meeting will bring the manufacturers' communications staff up to speed with the threat and the government messaging round it. It will help align messaging from companies and government after the public announcement.

6(c)

42. [REDACTED]



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43.

6(c)

**Police investigation**

44.

**Testing of milk and milk products for 1080**

45. The daily sampling and testing of raw milk and formulated milk products continues as part of MPI's regulatory testing and dairy companies' commercial testing procedures. All test results are negative to date.

46. The test results reported up to Wednesday 18 February are:

Sample type	Samples tested	Totals
		13,788
		1,162

6(c)

47. These numbers will continue to increase, particularly now that the testing has begun to include samples from all the New Zealand manufacturers.

**Next Steps**

48. The focus of the response will continue to be working with all relevant players to mitigate and respond to the threat that has been made, including quickly responding to any developments. Ministries remain ready to make an announcement earlier if this is necessary.

49. The table attached as Annex 1 is a summary of the progress made by MPI with the staged release of information about the threat to stakeholders.

**Minister / Minister's Office**

Seen / Referred

/ /2015

Security Level – Restricted

Annex 1 - Summary of progress with the staged release of information about the threat to contaminate infant formula – updated to 19 February 2015

Agencies informed	Date informed (actual or planned)	Information provided and information sought	Stakeholder response
Group A			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Affected manufacturers	Meeting held on Tuesday 10 February in Wellington.	Briefing materials on the threat and testing protocols. Later given key comms messages and draft of MPI letter to give to customers.	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Global infant formula companies	Meeting held on Wednesday 11 February in Wellington.	Briefing materials on the threat and testing protocols and 1080 use in New Zealand.	[REDACTED]
Key New Zealand Clinicians	Teleconference between MOH, MPI and six key clinicians on Wednesday 11 February.	Alerted to the threat and information sought on clinical guidance for the health sector in the case of possible poisoning symptoms.	MOH has used the advice to develop practical guidance for the health sector. This will be disseminated to the different parts of the health sector shortly before the public announcement of the threat

6(a)

9(2)  
(ba)(i)

6(a)



# Security Level – Restricted

Technical workshop for manufacturers	Friday 13 February	MPI shared technical information about supply chain security, tracing of product for their companies and 1080 testing	Benefit of coordinated responses by companies recognised.
Food and Grocery Council	Friday 13 February	CE informed	The council will work with MPI on the response to the threat.
NZ supermarket chains	Wednesday 18 and Thursday 19 February	MPI informed senior representatives of Foodstuffs and Progressive.	[REDACTED]
Technical Advisory Committee meeting	Tuesday 17 February	MPI informed the expert group.	Some of the group may be used later as expert spokespersons.
Food Safety and Assurance Advisory Council	Wednesday 18 February	Council Chair briefed	Will inform others in the Council

9(2)(b)  
(ii)

Distribution
Minister
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**Ministry for Primary Industries**  
Manatū Ahu Matua



1 March 2015

Document Number: BN14-426

## Operation Concord: Go live

### Purpose:

This briefing updates Ministers on the proposed approach of publicly releasing information on [REDACTED] of the threat of 1080 contamination to New Zealand infant formula.

9(2)  
(g)  
(i)

Minister	Action Required:	Ministers' Deadline
The Prime Minister and Operation Concord Ministers	Consider the contents and recommendations contained in this brief	As soon as convenient.

### Contact for telephone discussion (if required)

	Name	Position	Work	After Hours
Responsible Manager	Martyn Dunne	Director General	[REDACTED]	[REDACTED]
Principal Author	Scott Gallacher	Deputy Director General	[REDACTED]	[REDACTED]

9(2)(a)



## Key Messages

1. The threat of deliberate 1080 contamination remains but the resulting risks have decreased as a result of actions to date. **The overarching prime objective remains the health and wellbeing of consumers.** To achieve this we are focussing on measures that improve security, testing and assurance along the whole of the infant formula supply chain. A public release of information on the threat is a key part of meeting the above objective and improving consumer's vigilance.
2. Alongside the health risks, officials have engaged with [REDACTED] export markets to minimise the economic risks to New Zealand [REDACTED]  
[REDACTED] 6(a)
3. We are now in the final stages of substantively addressing the retail end and are working towards a **public release on** [REDACTED]. The public release date will be confirmed following discussions with Ministers. [REDACTED]  
[REDACTED] 9(2)(g)  
(i)  
6(a), 6(c)
4. **New Zealand has a world class food safety system.** Existing controls within the food safety system provide a high level of assurance that infant formula is safe. MPI and industry have focussed on improving assurances in light of this threat. [REDACTED]  
[REDACTED] **No traces of 1080 have been detected in the sample testing of milk and milk products.** 6(c)
5. Current market and consumer assurances are based on our food safety system that is geared to producing high quality and safe infant formula. In response to the threat, **a range of additional measures have been put in place to further improve assurances.** The measures include:
  - physical security measures at manufacturing premises
  - increased vigilance by all relevant players across the supply chain
  - enhanced milk and milk product testing, including a testing regime for 1080
  - [REDACTED] 6(c)
  - additional security measures put in place at retail stores.
6. [REDACTED] 6(c)
7. This paper is one of a suite of papers that Ministers have requested on Operation Concord. A separate communications package accompanies this briefing note. Previous advice to Ministers was provided in February 2015, please refer Cabinet paper (sub14-030) and briefing note BN14-303.

## Recommendations

8. MPI recommends that you:

- a) **Note** the threat of 1080 contamination of infant formula remains, but the risks to health have decreased as a result of actions to date.

Noted

- b) **Note** officials are having intensive discussions with authorities in [REDACTED] overseas markets to ensure that the risks to trade are minimised.

6(a)

Noted

- c) **Note** risks of 1080 contamination along the infant formula supply chain have been reduced by:

- Improved physical security by manufacturers at their premises
- A new testing regime to detect 1080 in milk and milk powder products, in addition to current assurance testing
- Additional security measures by retailers to minimise risks to product on shelves
- Increased awareness of the threat and improved vigilance across the supply chain
- [REDACTED]
- Contingency plans to manage a recall of product and any unplanned early release of information

6(a)

Noted

- d) **Note** the preferred public release date is [REDACTED]

9(2)(g)  
(i)

Noted

- e) [REDACTED]

6(c)

Noted

- f) **Note** a range of actions need to be finalised 24-48 hours before the public release to ensure that all measures are in place to effectively manage the release.

Noted

- g) **Note** the communications package accompanying this briefing.

Noted

Martyn Dunne  
Director-General



## Operation Concord

9. This briefing is an update on the Operation Concord response to the threat to contaminate New Zealand infant formula [REDACTED] 6(a)
10. Officials are treating this as a criminal act, rather than a food safety issue. Internationally, this is known as a 'food defence' situation, as opposed to 'food safety'. This, for all intents and purposes, is a new situation for New Zealand and does not signal a failure of the food safety system. On balance, officials consider the risks of not publicly releasing the information outweigh the risks of releasing the information.
11. The first stage of the staged and managed release of information began in the week of 9 February 2015. [REDACTED] affected manufacturers and global distributors involved in making infant formula are aware of the threat, as are large domestic retailers of infant formula. This has increased security along the manufacturing end of the supply chain and better preparation at the retail end of the supply chain. [REDACTED] 6(a)  
6(c)
12. The second stage is informing health professionals and agencies, industry stakeholders, regulatory authorities in [REDACTED] markets and the wider public. [REDACTED] 6(c)  
[REDACTED] Customers need time to make choices about the best way to manage their infant formula needs, supported by health sector preparedness. This second stage of work is now ramping up to go live.
13. At this time MPI is planning for the public release between Tuesday 10 March and Tuesday 17 March 2015, [REDACTED] 9(2)(g)(i)  
[REDACTED] 6(c)  
[REDACTED] PI and other agencies are prepared for an earlier release, if information reaches mainstream or social media before the planned announcement.
14. The all of government response is being coordinated through the ODESC process. Work has also begun on the recovery phase of Operation Concord. A paper will be with Ministers in early March 2015 outlining the proposed approach and supporting economic analysis.
15. This paper has three sections: The first section sets out actions to date. The second section covers the timing of an initial announcement, measures to secure the retail supply of infant formula. The last section examines the international and trade risks, ways to improve food defence with criminal offences, and next steps including meeting with industry leaders.



## Objective

16. The most important objective of the response remains the health and wellbeing of consumers. At this time the key objective is to ensure that the government, manufacturers and retailers are fully prepared to respond when the threat becomes public.

## Operation Concord stages to public release

17.



6(c)





**Stage one: Work to date**

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18.

[REDACTED]

6(c)

Police Investigation

19.

[REDACTED]

6(c)

1080 Sample analysis

20.

[REDACTED]

6(c)

21.

[REDACTED]

22.

[REDACTED]

23.

[REDACTED]



[REDACTED]

6(c)

24.

[REDACTED]

25.

[REDACTED]

[REDACTED]

26.

[REDACTED]

9(2)(d)

27.

[REDACTED]

28.

[REDACTED]

29.

[REDACTED]



9(2)(d)

Infant formula in New Zealand and overseas: Security, vigilance and testing

30. MPI's response to the threat has focussed on identifying and putting in place actions that increase overall confidence in the safety of infant formula products in New Zealand and internationally. The underlying elements of these actions are increased security, vigilance and testing. These actions are in addition to the extensive food safety system measures that are already in place.
31. Dairy companies have reviewed their systems [REDACTED] They have now taken a range of measures to improve security of their milk collection, manufacturing and distribution systems. The major infant formula retailers in New Zealand are now putting in place additional in-store security measures. Internationally, key global distributors and export markets have been alerted to the threat and are considering actions appropriate for their companies and markets. 6(c)
32. Retailers have increased plant and store security to mitigate risks of product contamination. The last, and important, step is to alert customers of the threat and the specific things they should look for to identify tampering with formula product they buy. Communications materials to improve consumer vigilance are ready for distribution when an announcement is made.
33. In addition to the existing regulatory and commercial testing of raw milk and milk powder products, both MPI and companies have initiated additional sampling and testing procedures to confirm that infant formula is free of contamination with 1080.
34. The result of these activities gives MPI a high level of confidence in the safety of infant formula products that are available to consumers in New Zealand and in overseas markets.

Infant formula supply chain: Manufacturers' security and confidence

35. [REDACTED] 6(c)
36. Testing of raw milk and milk products from manufacturers other than Fonterra began once the manufacturers were informed. There are two layers of testing – MPI's regulatory testing programme and commercial testing done by industry. To date no traces of 1080 have been found in the testing. The additional testing is:
- Providing a higher level of confidence that 1080 is not present in NZ raw milk, milk products or formulated milk products for infants and young children



- Increasing MPI's ability to identify contamination of milk, milk products or formulated milk products, if this were to occur at the point of milk production or manufacture
37. The testing enables MPI to provide robust assurance to other competent authorities and markets that New Zealand dairy products are free of 1080 by:
- Ensuring all laboratories undertaking sample testing in the programme are accredited to ISO 17025 and approved as MPI recognised dairy laboratories
  - Ensuring test methods are validated, and able to test to very low levels of sensitivity that are below the toxicological 'safe level'
  - Requiring immediate reporting of all results as soon as they are available

38.

[REDACTED]

6(c)

39.

[REDACTED]

40.

[REDACTED]

6(c), 6(a)

41.

[REDACTED] MPI has engaged with the two major supermarket retailers - Progressive Enterprises and Foodstuffs, which retail approximately 95% of infant formula in New Zealand.

6(c)

42. MPI informed Foodstuffs of the threat on 18 February and Progressive Enterprises on 19 February. Following these initial notifications, further meetings have been held with company representatives.

[REDACTED]

9(2)(ba)  
(i)



43. These companies are exploring opportunities to improve retail supply chain security including in-store security of infant formula. Actions being investigated (but not confirmed) include:

- Enhanced CCTV
- Permanent staff presence at infant formula shelves (likely to be larger stores only)
- Enhanced security in bulk storage areas including possibly locking infant formula in storage in the same way tobacco is treated
- Moving stock to more visible locations
- Providing MPI information on tampering to consumers.

44. [REDACTED] They have agreed that their joint approach should support Government efforts and they are willing to work with MPI. MPI has provided a range of communications material and has agreed to provide supermarket specific material to meet their needs. Details still need to be worked through and both companies are meeting with MPI on Tuesday 3 March 2015.

9(2)(b)(ii)

45. [REDACTED]

6(a), 9(2)(d)

#### **Stage two: Timing of initial announcement**

6(c)

#### **Timing of the initial announcement**

46. The overall strategy is to ensure the government can best manage the release of information to minimise risks to consumers and the New Zealand economy. The first stage of the release is well underway. The final stage that culminates in the public release with a go live date will be finalised after discussions with Ministers. [REDACTED]

6(c)

47. On balance, officials' consider the risks of not releasing the information outweigh the risks of releasing the information. The question is not 'if' but 'when' the information will be released. Key considerations for the timing of the public release are:

- The security of the manufacturing supply chain and having the appropriate testing and assurance processes in place
- Preparedness of the health sector to respond to the public's expected concerns
- The security of the retail supply chain
- [REDACTED]

6(a)



- The risk of an uncontrolled release of information, which is increasing over time

- [REDACTED]

6(c)

48.

[REDACTED]

6(a)

49. MPI officials are planning for the public release between Tuesday 10 March and Tuesday 17 March 2015. Because of the ongoing risk of a leak, officials are working towards an earlier release in this period, with a **preferred release date** of [REDACTED]

9(2)(g)(i)

#### Health preparedness

50. The Ministry of Health (MOH) continues to prepare for engagement with relevant health professionals across the health sector and provision of appropriate clinical guidance. Additionally, MOH is providing advice to support MPI's public information messaging for concerned parents and other members of the public. Specialist clinicians and advisors are also informing the preparation of messaging for health professionals and public advice channels such as Plunketline and Healthline.
51. Engagement with hospital-based health professionals is planned to cascade through District Health Board (DHB) Chief Executives, Chief Medical Officers, Directors of Nursing, and lead clinicians to functional groups of health professionals (e.g. Paediatric; Emergency Department; Intensive Care; Midwifery; Dietitian; Public Health; Pathology & Laboratory professionals). Direct contact with functional leads at each DHB will be supplemented by written clinical guidance for distribution to their colleagues at the appropriate time when an authorised controlled release occurs.
52. Broader community-based health professionals and services (e.g. General Practitioners and General Practice Nurses, Plunket Nurses, community-based Midwives and Dietitians) will have relevant guidance disseminated to them through multiple channels shortly prior to or simultaneous with the public announcement.
53. Health sector spokespersons have been identified and are drawn from both MOH and from specialist health professionals across the sector.
54. The MOH estimates that it will require a minimum lead time of 48 hours, before any controlled release point in time, to achieve effective engagement and



enable the proper secure dissemination of clinical guidance materials to all relevant health professionals.

Additional 1080 testing capacity for retail product – [REDACTED]

6(c)

55. [REDACTED]

56. [REDACTED]

57. [REDACTED]

#### Communications Strategy

58. Government's overriding objective in responding to the Concord threat is protecting the health and wellbeing of consumers in New Zealand and overseas. [REDACTED]

6(a)

59. The process to release the information has been designed to minimise risks to public health [REDACTED] while maintaining the confidentiality needed to pursue the Police investigation [REDACTED]

6(a)  
9(2)(d)

[REDACTED]

6(c)

60. There are two primary strategies driving the communications response to support that objective. There is a specific call to action relating to each strategy, as outlined in the table below.

Strategy	Call to action	Relevance to consumer safety
Clearly communicate the criminal element of the Concord threat in order to activate New Zealanders to provide relevant information to the Police	People with relevant information should call the Police immediately	Identifying the criminals provides an opportunity to eliminate the contamination threat



Articulate and demonstrate the layers of security (existing as well as additional measures) in place to ensure product is safe, and what consumers can do themselves in order to continue to confidently use milk formula	Be vigilant – check packaging for signs of tampering	Many infants using formula have no viable alternative (as do some adults using milk formula-based medical nutrition products). Confidence about the security of supply is therefore critical. The last step in providing that confidence is ensuring packaging is checked by consumers for tampering.
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61. In addition, the communications response is underpinned by three principles:
- Transparency in relation to the threat is key to supporting consumer confidence – this means salient elements of the threat, and the government and industry response, will be made public unless disclosure would undermine the Police investigation or, for some reason, would be considered counter-productive.
  - A proactive announcement of the threat is desirable in order to enable consistent messaging to consumers.
  - The first 24 hours after the announcement are critical to supporting consumer confidence.

#### Key messages

- Our first priority in responding to this criminal blackmail threat is the security of consumers in New Zealand and our overseas markets.
- Police assess the risk of the contamination threat being carried out as low – but we are still taking all possible precautions to protect consumers.
- People with any relevant information should contact Police immediately** (0800 723 665 or [opconcord@police.govt.nz](mailto:opconcord@police.govt.nz) or, information can be provided anonymously to Crimestoppers on 0800 555 111.)
- We are very confident that New Zealand milk formula products are secure and safe when they are manufactured and distributed — either for retail in New Zealand or for export.
- As a matter of routine, supermarkets have processes in place to take special care of certain types of product. As a result of this threat, they have put in place additional security measures around infant formula. We are very confident that infant formula brought at a supermarket is safe. NOTE: Message in development to be refined week beginning 2 March based on advice from retailers.
- Because there is a threat, **people should be vigilant and always check packaging for signs of tampering** – this is something people should do regardless of this threat (go to [nzfoodinfo.govt.nz](http://nzfoodinfo.govt.nz) for more information).




- vii. This is an appalling criminal threat designed to cause fear in order to generate a political outcome. It is using food as a vehicle but does not represent a failure in the security of New Zealand's world-class food safety system or of any milk formula manufacturer.
- viii. Government is applying significant resource to respond to this threat.
- ix. Government will not comply with the threat. We intend continue to use 1080 until a suitable alternative is available.
- x. This criminal threat highlights the need for New Zealand to take a more focussed look at how we protect our food industry from both deliberate [REDACTED] or criminal attack in the same way we work to protect it from biosecurity threats. 6(c)
62. The messages above are intended to be ready for use as at the date of this paper and are continuing to be refined as the response develops. The work MPI is doing with retailers concerning additional security measures they can put in place should allow us to shift and simplify the assurance narrative to:
- Infant and other formulas are as safe as they were before the threat was received. People should keep using it as they always have – but, as always, they should be vigilant and always check packaging for signs of tampering.
63. The above messaging reflects the high level response to the threat. There is a level of detailed messaging sitting below this covering off elements such as public health advice, 1080 regulation and usage, manufacturing chain and 1080 use and regulation.

#### Announcement Plan

64. [REDACTED] 6(c)
- [REDACTED] 9(2)(c)
- Announcement of the threat and mitigation will be made via a media conference to be convened by Police, at Police National Headquarters. MPI will support the media conference and will be in attendance
  - The media conference will be preceded by a media lock-up – [REDACTED] media will be given embargoed material to inform initial questioning and coverage 9(2)(c)
  - The media conference is likely to occur at 1:00pm on the day of a planned announcement
  - Senior management from Police and MPI will front the media conference
  - The media conference will be lived-streamed, [REDACTED] 6(a)
  - [REDACTED] as well as sign-language translation
  - A Concord specific website will go live at the time the media conference commences and social media activity will commence



- A separate briefing on public health matters arising from the threat, including advice on how to check packaging for signs of tampering will be provided at 4:00pm (tbc)
- An “experts” media conference will be held at 10:00am the day following the announcement – this will provide an opportunity for media to hear from experts on 1080, the dairy supply chain and (again) public health to shape coverage of those aspects of the threat
- 
- Regular media conferences, as required, following the Concord announcement.

6(a)  
9(2)(f)  
(iv)

#### Channels for advice for parents

65. The first 24 hours following the public announcement are critical to ensuring we can provide appropriate advice and information to parents to inform, allay fears, direct to source of information and activate them to check packaging for signs of tampering. Advice to parents will be provided through multiple channels (see commentary below this section for detail on some of these elements) including:
- Media coverage
  - Web – a standalone website is designed, built and ready to implement now to provide information on all elements of government’s response to the Concord threat, including public health and tamper check advice. This will be in written, infographic and video based format (videos explaining how to check packaging for signs of tampering, and outline the security of the infant formula supply chain have been developed while other video material is in development).
  - Social media – utilising MPI and Ministry of Health social media channels as well as channels from authoritative public health advisors including Plunket and Healthline
  - Health professional channels – including, but not limited to: Plunketline, Healthline, Plunket Nurses, General Practitioners and General Practice Nurses, Dietitians, Midwives, Paediatricians, Medical Officers of Health
  - Paid advertising
  - Point of sale material in the retail chain.

#### Health Professional Advice

66. Health sector preparedness and provision of guidance to relevant health professionals is being led by the Ministry of Health, as discussed earlier in this briefing at paragraphs 50-54.



#### Paid media

67. Paid media (including advertising and search) activity will commence at the time of the public announcement. Advertising will be digitally-based with limited, but high impact for the target audience, print advertising.
68. Digital advertising will be served via news sites, parenting sites, Twitter, Facebook and You Tube.
69. Print advertisements will be in weekly editions of Woman's Day and NZ Woman's Weekly.
70. Advertising creative will be based around the "check packaging for signs of tampering" call to action.

71.

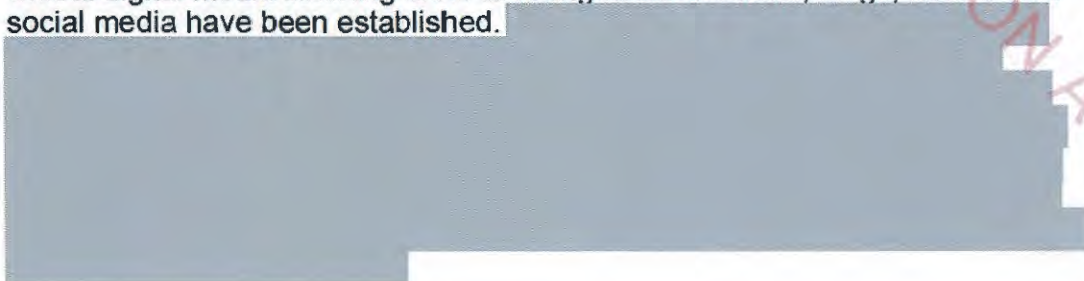


9(2)(g)(i)

9(2)(c)

#### Digital and social media

72. Digital media, including web and social media will form an important part of the Concord communications activities. There will be a dedicated Concord website ([www.nzfoodinfo.govt.nz](http://www.nzfoodinfo.govt.nz)) and a dedicated Twitter account (@NZFoodInfo). These two channels will work together to provide a consistent digital presence for the government response. In addition, MPI will work with Plunket and utilise its social channels – in particular Facebook – for messaging to Mums and to leverage Plunket's voice of authority.
73. The website will be optimised for mobile devices and a search engine optimisation strategy will be put in place.
74. The digital approach will use targeted, reactive messaging to provide reassurance, correct rumour and misinformation and help to mitigate risks to markets and trade. Approved messaging will be used to engage with key opinion leaders on an as required basis.
75. Global digital media listening tools covering news websites, blogs, forums and social media have been established.



6(a)

## International media

76.

[REDACTED]

6(a)

77. A 24/7 media response team will be running from the day of the announcement with dedicated International media coordinators. Staff in relevant NZ Inc. posts will be briefed and able to provide on the ground support. Communications material will be provided prior to and following the public announcement to enable timely response to media and consumer queries using consistent messaging.

78.

[REDACTED]

6(a), 9(2)  
(d)

## Influencing the 1080 debate

79. It is anticipated that the announcement will re-generate debate around the use of 1080 as well as regulatory controls around 1080.

80. EPA and MfE (with support from DOC and MPI) have taken the lead in developing a communications plan around participating in the debate. It involves making Government's position on the importance of 1080 as a pest control tool and its commitment to its on-going use, until a suitable alternative can be identified will be made clear from the outset.

81. The expert panel media briefing referred to above is designed to provide an early opportunity to provide clear messaging on both 1080 regulation and use. A range of officials and non-government (academics, conservationists and primary industry people) have been identified as individuals who will be able to participate in the debate. A small number of these have been briefed already as their participation has been required in the Concord response.

[REDACTED]

9(2)(a)



9(2)(a)

82. The Parliamentary Commissioner for the Environment, Dr Jan Wright, has been fully briefed on the Concord threat and response.

#### Food defence

83. While one focus of the communications response is reinforcing the threat is a criminal act, communications will introduce broader context around the notions of food protection and food defence.

84. This criminal threat highlights the need for New Zealand to take a more focussed look at how we protect our food industry from both deliberate or criminal attack in the same way we work to protect it from biosecurity threats. Food protection is the culmination of three pillars of activity – the food safety system (how government and industry makes food safe to eat, food integrity (how government and industries ensures that food purchased is what it is meant to be in terms of description, content and source) and food defence (how government, industry and public education works to prevent intentional deliberate contamination aimed at causing harm).

6(c)

85.

6(c), 6(a),  
9(2)(g)(i)

6(c)

86.

6(a)

87.

#### Cross-government and industry planning

88. A cross-government approach to communications planning has been adopted from the outset of the response. This has been led by MPI but with significant input from Police, MFAT, Ministry of Health, New Zealand Trade and Enterprises, Department of Conservation, Ministry for the Environment and the Environment Protection Agency.



89. A communications workshop was held with industry on Friday 20 February in order to ensure consumers are provided with consistent advice. This engagement continues, although manufacturers will, of course, drive their own communications activity.

#### State of readiness

90. From the outset, communications planning has been in place to enable a coherent response should an uncontrolled release of the Concord threat occur. While some elements of the communications response have still to be finalised [REDACTED] the bulk is in place.

6(a)

91. Messaging continues to be refined and, as noted above, there will be a material shift in the assurance messaging when the New Zealand retail response has sufficiently progressed.

#### Managing other risks

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[REDACTED]

6(a)

92. [REDACTED]

93. [REDACTED]

94. [REDACTED]

95. [REDACTED]



Food defence: Criminal offences

96. [REDACTED] 6(c)

97. [REDACTED]

98. [REDACTED]

99. [REDACTED]

**Next steps**

100. Officials are meeting with key industry leaders in the manufacturing, distribution and retail sectors on Tuesday 3 March 2015. The purpose of the meeting is to ensure that government and industry are aligned in their efforts to minimise health risks before an announcement is made. Ministers will be advised of the outcome of this meeting.

101. Once the initial announcement date has been confirmed, a range of actions need to be finalised 24 – 48 hours before the public release. This is to ensure that all measures are in place to effectively manage the release, in particular readying health professionals and agencies and refining final messages for consumers.

**Annex: Summary of progress with the staged release of information about the threat to contaminate infant formula – updated to 24 February 2015**

Agencies informed	Date informed	Information provided and information sought	Stakeholder response
<b>Group A</b>			
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Affected manufacturers	Meeting held on Tuesday 10 February in Wellington.	Briefing materials on the threat and testing protocols. Later given key comms messages and draft of MPI letter to give to customers.	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Global infant formula companies	Meeting held on Wednesday 11 February in Wellington.	Briefing materials on the threat and testing protocols and 1080 use in New Zealand.	[REDACTED]
Key New Zealand Clinicians	Teleconference between MOH, MPI and six key clinicians	Alerted to the threat and information sought on clinical guidance for the health sector in the case of possible poisoning symptoms.	MOH has used the advice to develop practical guidance for the health sector. This will be disseminated to the different parts of the health sector

6(a), 6(b)

9(2)(ba)(i)

6(a)

9(2)(ba)(i)



	on Wednesday 11 February.		shortly before the public announcement of the threat	9(2)(ba)(i)
Technical workshop for manufacturers	Friday 13 February	MPI shared technical information about supply chain security, tracing of product for their companies and 1080 testing		
Food and Grocery Council	Friday 13 February	CE informed	The council will work with MPI on the response to the threat.	
NZ supermarket chains – Foodstuffs and Progressive	Wednesday 18 and Thursday 19 February	MPI informed senior representatives of Foodstuffs and Progressive.		9(2)(b)(ii)
Technical Advisory Committee meeting	Tuesday 17 February	MPI informed the expert group.	Some of the group may be used later as expert spokespersons.	
Food Safety and Assurance Advisory Council	Wednesday 18 February	Council Chair briefed	Will inform others in the Council	
Communications representatives from affected manufacturers	Friday 20 February	Informed of government communications approach and shown material prepared		
	Tuesday 24 February	Informed on the same basis as other affected infant formula manufacturers		