

6 August 2020



Dear 

Official Information Act #19.185 - COVID-19 cures

1. We refer to your request received on 16 June 2020 for information about what is contained in the 67 complaints received by the Commerce Commission (Commission) about COVID-19 cures, referred to in a Radio New Zealand article dated 15 June 2020.¹
2. On 18 June 2020, in response to our email of 17 June 2020, you clarified that you are interested in the following information about the complaints:
 - 2.1 the products complained about;
 - 2.2 the businesses complained about; and
 - 2.3 copies of the 67 complaints.
3. We have treated this as a request for information under the Official Information Act 1982 (OIA).
4. On 9 July 2020, we extended the time by which we must make a decision on your request to 6 August 2020.

Our response

5. We have decided to grant paragraph [2.1] of your request and decline paragraphs [2.2] and [2.3] of your request.
6. The products contained in the 67 complaints are listed below:²

¹ <https://www.rnz.co.nz/news/national/419041/false-advertising-over-covid-19-cures-targeted-by-commerce-commission>

² Please note some complaints refer to more than one product; all products have been included below.

Product	Number of complaints
Face masks (including one complaint about surgical masks)	14
Hand sanitiser	11
Vitamins and supplements	10
Cleaning and sanitation products	7
Homeopathic treatments	5
Cleaning services	4
COVID-19 testing kits	4
Food products	3
Ozone treatment and devices	3
Viral protective barrier products	3
Oxygen products	2
Misrepresentations: Covid hygiene and safety (1) Medical qualifications (1)	2
Gloves	1
Handwash	1
Spa pools	1

7. We have withheld copies of the complaints to prevent prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial, under section 6(c) of the OIA. This is because all complaints are in a demand relating to COVID-19 unsubstantiated product claims (DMND0010416). A demand is the name the Commission gives a matter where we intend to complete further work.
8. We have withheld the names of the businesses complained about for the same reason as paragraph [6] above and to prevent an unreasonable commercial prejudice to their commercial position, under section 9(2)(b)(ii) of the OIA.

9. We consider that good reasons exist for withholding this information and it is not outweighed by other considerations which would make it desirable, in the public interest, to make the information available (section 9(1) of the OIA).
10. If you are not satisfied with the Commission's response to your OIA request, section 28(3) of the OIA provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.
11. Please note the Commission will be publishing this response to your request in the OIA register on our website.³ Your personal details will be redacted from the published response.
12. Please do not hesitate to contact us at uia@comcom.govt.nz if you have any questions about this request.

Yours sincerely

Mary Sheppard
OIA Coordinator

³ <https://comcom.govt.nz/about-us/requesting-official-information/oia-register>