



OIA 19-E-0157 / DOC-5882062

29 March 2019

T. Benseman

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Dear Mr Benseman

Thank you for your Official Information Act request to the Department of Conservation, dated 7 March 2019. You seek the following information:

1. What is the penalty for killing Koura or native freshwater crayfish with a toxin?
2. Has DOC ever prosecuted anyone or any company for poisoning them? As an example with Cypermethrin, 1080 or Talon?

The Department's use of 1080 in predator control programmes

We note that aspects of your request appear to be directed at the use of 1080 in predator control programmes. The Department's involvement in the conservation of New Zealand's native wildlife is a matter of national importance. Ensuring that the public are properly informed about the merits of the use of 1080 in our predator control programmes is essential to our achieving that crucial function.

In saying that we note that information previously provided under the Official Information Act concerning the use of 1080 has subsequently been edited and republished. This has been conducted in a manner that misrepresents the scientific evidence and facts around the use of 1080 in predator control programmes in New Zealand.

Accordingly, before providing our response, we set out the following contextual information which may assist your understanding in relation to our use of 1080 and its effects of crayfish and fish.

Crayfish/kōura, fish and 1080

As a starting point we note that crayfish are tolerant to 1080, and fish (including eels) are highly resistant. None are adversely affected by aerial 1080 operations,

It should be noted that:

- Studies of aquatic life in streams containing bait pellets have found no effects on crayfish, trout or eels.
- Longfin eels that were fed on possum meat containing 1080 residue suffered no adverse effects.

Aquatic life is highly unlikely to come across toxic levels of 1080 in bait pellets. Bait pellets that appear intact in the water 36 hours after an operation are most likely non-toxic – that's because 1080 rapidly leaches out of bait, then dilutes and biodegrades.

The consumption of wild-caught fish and crayfish

The Environmental Protection Authority and the New Zealand Food Safety Authority consider the consumption of wild-caught fish and crayfish from 1080 operation areas unlikely to pose a food safety risk to humans.

To minimise food safety concerns, the Ministry for Primary Industries advises anglers to wait 7 days after an aerial 1080 operation.

Scientific evidence specifically concerning crayfish/koura and 1080

As it relates to your request, we refer you to the following research in support of the matters discussed above:

Suren, A.M.; Bonnett, M.L. 2006: [Consumption of baits containing sodium fluoroacetate \(1080\) by the New Zealand freshwater crayfish \(*Paranephrops planifrons*\)](#) (external site). *New Zealand Journal of Marine and Freshwater Research* 40:1, 169-178.

Our response

We now deal with each of your questions in turn below.

1. What is the penalty for killing Koura or native freshwater crayfish with a toxin?

Under the Freshwater Fishery Regulations, it is an offence under regulation 70 to intentionally kill or destroy indigenous fish, which includes koura.

The maximum penalty for that offence is a fine not exceeding \$5000.

2. Has DOC ever prosecuted anyone or any company for poisoning them? As an example with Cypermethrin, 1080 or Talon?

There have been no prosecutions for that activity.

Further research and reading

In the hope that it will further inform your understanding of our use of 1080 in predator control programmes in New Zealand we also refer you to the following:

Eason, C.; Miller, A.; Ogilvie, S.; Fairweather, A. 2010. [An updated review of the toxicology and ecotoxicology of sodium fluoroacetate \(1080\) in relation to its use as a pest control tool in New Zealand \(external site\)](#). *New Zealand Journal of Ecology* 35(1): 1–20.

Eason, C.; Wickstrom, M.; Turck, P.; Wright, G. 1999: [A review of recent regulatory and environmental toxicology studies on 1080: results and implications \(external site\)](#). *New Zealand Journal of Ecology* 23(2): 129–137.

Parliamentary Commissioner for the Environment. 2011. [Evaluating the use of 1080: predators, poisons and silent forests \(external site\)](#).

Queries and publication

If you are not happy with this response, you have the right to make a complaint to the Ombudsman. Information about how to do this is available at www.ombudsman.parliament, or by calling 0800 802 602.

Please note that this letter (with your personal details removed) and enclosed documents may be published on the Department's website.

Yours sincerely



Hilary Aikman
Director National Operations