

26 August 2008

Hon Phil Goff
Minister of Trade
Parliament Buildings
Wellington

Dear Phil,

PHARMAC - LEVETIRACETAM

Thank you for your letter responding to my letter of 26 June. You advise that you have seen PHARMAC's response to our expressed concern and trust that it clarifies the situation with us.

I regret to advise that it does not. For your information I enclose a copy of my letter to PHARMAC dated 29th July which highlights our on-going concerns.

In essence PHARMAC have attempted to nonchalantly dismiss the issue as a misinterpretation on our part based on their use of "general" language. Nothing could be further from the truth.

The PHARMAC proposal used very precise and specific language and if implemented would breach the Medicines Act and usurp the New Zealand Government's obligations to the WTO TRIPS agreement.

These are not minor matters. A crown agency must be held to account for such transgressions lest they become an accepted pattern of "behaviour".

A good starting point would be for the crown agency to at least accept that they had overstepped acceptable boundaries with a commitment to desist from such behaviour in the future.

Yours sincerely,



Ken Shirley
Chief Executive Officer

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