

December 31, 2020

To: Vancouver Coastal Health Authority - Email: foi@vch.ca
VCH Freedom of Information Office
11th Floor, [601 West Broadway](#),
Vancouver, BC
V5Z 4C2

Dear Access to Information Clerk,

This is a formal request made under

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

[RSBC 1996] CHAPTER 165

Description of Requested Records:

All records in the possession, custody or control of Vancouver Coastal Health Authority that:

1. describe the isolation of the [alleged] *genetic variant of the* [alleged] *virus that* [allegedly] *causes* [the alleged disease referred to as] *COVID-19* [allegedly] *identified in the United Kingdom*, directly from a sample taken from a diseased patient, where the patient sample was **not** first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; fetal bovine serum).

Please note that I am using "isolation" in the every-day sense of the word: *the act of separating a thing(s) from everything else*. I am **not** requesting records where "isolation" refers instead to:

- the culturing of something, or
 - the performance of an amplification test (i.e. a PCR test), or
 - the sequencing of something.
1. describe the **discovery** (**not manufacture / fabrication / creation / assembly / alignment / trimming / mapping**) of the alleged genome for this alleged particular *new variant of coronavirus*;

2. describe how this alleged *new variant of coronavirus* relates to the alleged "SARS-COV-2";
3. include **any** additional analysis/investigation into this alleged "*new variant*".

Please note that my request is **not** limited to records that were authored by agents of

Vancouver Coastal Health Authority, or to records that pertain to work done by agents of the Vancouver Coastal Health Authority; it includes **any** sort of record, authored by anyone, anywhere, ever.

If any records match the above descriptions of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. author; title; date; publisher); please provide URLs where possible.

Format:

URLs and/or pdf documents sent to me via email; I do not wish for anything to be shipped to me.

Contact Information:

Last Name: [REDACTED]

First Name: [REDACTED]

Email: [REDACTED]

Happy New Year



LEGAL SERVICES
11TH FLOOR, 601 WEST BROADWAY
VANCOUVER, BC V5Z 4C2
TEL: 604-875-4859
FAX: 604-875-4593

March 4, 2021

Dear [REDACTED]

**Re: BC Freedom of Information and Protection of Privacy Act (the "Act")
Freedom of Information Request: VCH File No. 2020-F-183**

We are writing in response to your request dated December 31, 2020.

We have not been able to find any records that are responsive to your request.

You may request a review of VCH's response within 30 working days of receiving this email by writing to the following address:

Office of the Information and Privacy Commissioner for British Columbia
PO Box 9038, Stn. Prov. Govt.
Victoria, BC V8W 9A4
Telephone: (250) 387-5629
Fax: (250) 387-1696

If you choose to request a review by the Office of the Information and Privacy Commissioner, you should include with your request:

1. a copy of your original request for records; and
2. a copy of this response.

For your reference, a copy of FIPPA can be found online:

www.bclaws.ca/Recon/document/ID/freeside/96165_00

Yours truly,

Melissa Donnett
Coordinator, Freedom of Information
Vancouver Coastal Health Authority

Freedom of Information Request SARS-COV-2 New Virus Variant

Thu, Dec 31, 2020 at 6:33 PM

To: privacyandfoi@phsa.ca

December 31, 2020

To: Provincial Health Services Authority - Email: privacyandfoi@phsa.ca
Provincial Health Services,
[200 - 1333 West Broadway](#),
Vancouver, BC
V6H 4C1

Attn: Senior Director, Information Access & Privacy Services

This is a formal request made under

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

[RSBC 1996] CHAPTER 165

Description of Requested Records:

All records in the possession, custody or control of Provincial Health Services Authority that:

- describe the isolation of the [alleged] *genetic variant of the* [alleged] *virus that* [allegedly] *causes* [the alleged disease referred to as] *COVID-19* [allegedly] *identified in the United Kingdom*, directly from a sample taken from a diseased patient, where the patient sample was **not** first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; fetal bovine serum).

Please note that I am using "isolation" in the every-day sense of the word: *the act of separating a thing(s) from everything else*. I am **not** requesting records where "isolation" refers instead to:

- the culturing of something, or
- the performance of an amplification test (i.e. a PCR test), or
- the sequencing of something.

- describe the **discovery (not manufacture / fabrication / creation / assembly / alignment / trimming / mapping)** of the alleged genome for this alleged particular *new variant of coronavirus*;
- describe how this alleged *new variant of coronavirus* relates to the alleged "SARS-COV-2";
- include **any** additional analysis/investigation into this alleged "*new variant*".

Please note that my request is **not** limited to records that were authored by agents of Provincial Health Services Authority, or to records that pertain to work done by agents of the Provincial Health Services Authority; it includes **any** sort of record, authored by anyone, anywhere, ever.

If any records match the above descriptions of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. author; title; date; publisher); please provide URLs where possible.

Format:

URLs and/or pdf documents sent to me via email; I do not wish for anything to be shipped to me.

Contact Information:

Last Name: [REDACTED]

First Name: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Thank you in advance and best wishes.

Happy New Year

February 11, 2021

Via email to [REDACTED]

Dear [REDACTED]

Re: **Response Letter**
Freedom of Information and Protection of Privacy Act
Our File No: PHSA F20-0855

I write in response to your December 31, 2020 request for records made under the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, (the "Act").

Request

You requested the following records (the "Request"):

All records in the possession, custody or control of Provincial Health Services Authority that:

- describe the isolation of the [alleged] genetic variant of the [alleged] virus that [allegedly] causes [the alleged disease referred to as] COVID-19 [allegedly] identified in the United Kingdom, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; fetal bovine serum).

Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation" refers instead to:

- the culturing of something, or
- the performance of an amplification test (i.e. a PCR test), or
- the sequencing of something
- describe the discovery (not manufacture / fabrication / creation / assembly / alignment / trimming / mapping) of the alleged genome for this alleged particular new variant of coronavirus;
- describe how this alleged new variant of coronavirus relates to the alleged "SARS-COV-2";
- include any additional analysis/investigation into this alleged "new variant".

Phase One Response

BC Centre of Disease Control confirms that there are no records that describe the isolation of the SARS-CoV-2 variant identified in the United Kingdom, directly taken from a symptomatic patient, where the patient sample was not first combined with any other

source of genetic material, because in order to cultivate a virus it has to replicate in a cell, as a DNA or RNA virus can never be cultivated on its own.

A copy of the Act is available online at:

http://www.bclaws.ca/Recon/document/ID/freeside/96165_00

Phase Two

The remainder of the Request will follow in the next phase of this request under our file # F21-0912.

Office of the Information and Privacy Commissioner for British Columbia

The Office of the Information and Privacy Commissioner for British Columbia (the "OIPC") is the regulator of access and privacy laws in the province. If you have a concern with any decision in the processing of the Request you have the right to request a review of PHSA's decision from the OIPC. For ease of reference, information about the OIPC is included in Appendix A of this letter.

Additionally, should you have any questions about this letter, please contact the author at glimongelli@phsa.ca or 604-829-2514.

Sincerely,



Genevieve Limongelli
Freedom of Information Advisor
Information Access & Privacy Services
Provincial Health Services Authority

Applicant Information

First Name: [REDACTED]
Last Name: aoe
Email: [REDACTED]
Daytime Phone: [REDACTED]
Fax: [Value Not Supplied]
Mailing Address: [REDACTED]

Information Being Requested

Type of Request:	General Information
Government Department:	Health and Community Services
Information / Records Description:	<p>All records and communications in the possession, custody or control of the Public Health NL, Health department, Health and Community Services, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material(i.e monkey kidney cells, aka VERO cells, liver cancer cells).</p> <p>Please note that Iam using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else.</p> <p>Iam NOT requesting records where "isolation" of SARS-COV-2 refers instead to:</p> <ul style="list-style-type: none">-the culturing of something-the performance of an amplification test(i.e a PCR test), <p>or</p> <ul style="list-style-type: none">- the sequencing of something <p>My request includes any sort of records , for example(but not limited to) any published peer reviewed study that Public health NL considered , downloaded or printed about the isolation of Sars-Cov2.</p>
Requested Filetype:	pdf b y email

February 12, 2021

COR/2021/140051

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: HCS/015/2021]

On February 3, 2021, the Department of Health and Community Services (the Department) received your request for access to the following records:

“All records and communications in the possession, custody or control of the Public Health NL, Health department, Health and Community Services, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material(i.e monkey kidney cells, aka VERO cells, liver cancer cells). Please note that Iam using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. Iam NOT requesting records where "isolation" of SARS-COV-2 refers instead to: -the culturing of something -the performance of an amplification test(i.e a PCR test), or - the sequencing of something My request includes any sort of records , for example(but not limited to) any published peer reviewed study that Public health NL considered , downloaded or printed about the isolation of Sars-Cov2.”

Please be advised that the Department does not have records responsive to your request.

The *Access to Information and Protection of Privacy Act, 2015* (the “Act”) requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Act*. A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500



Government of Newfoundland and Labrador
Department of Health and Community Services

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information

Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online. If you have any further questions, please contact the undersigned.

Sincerely,

A handwritten signature in blue ink that reads "Frank Wash".

Departmental Liaison
/Enclosures

JUSTIFICANTE DE PRESENTACIÓN

Número de registro: 2021012163107
Oficina: 00000318 - REGISTRO ELECTRÓNICO
Fecha y hora de: 10/02/2021 17:56:15
Tipo de registro: Entrada

Interesados

<u>Interesado</u>	<u>Representante</u>
Nombre: KEPA MIRENA ORMAZABAL SANCHEZ	Nombre:
NIF:	
e-mail:	

Información del registro

Resumen: Derecho de acceso
Asunto: Solicitud Acceso Transparencia

Expone:

Solicita: [Ámbito] : UIT Sanidad (8)
[Información que solicita] : Todos los registros bibliográficos científicos en conocimiento del Ministerio de Sanidad y de los organismo dependientes de él en los que se describa el aislamiento del virus SARS-Cov2 directamente de muestras tomadas de pacientes diagnosticados de covid-19, vivos o muertos. La solicitud no se refiere a registros bibliográficos científicos basados en muestras que hayan sido mezcladas con otras fuentes de material genético, como, por ejemplo, células de riñón de simio o células de hígado canceroso. Nótese que se usa el término "aislamiento" en el sentido que le da el Diccionario la Real Academia Española de "dejar algo solo y separado de otras cosas" o "separar un elemento o un cuerpo de una combinación o del medio en que se halla, generalmente para identificarlo o analizarlo".

Por tanto, no estoy solicitando información sobre registros bibliográficos científicos sobre cultivos celulares, ni resultados de amplificación de material genético (ya sea por técnica PCR u otras) ni secuenciaciones de material genético.
[Notificaciones y recepción de la información] : Deseo ser notificado a través del Portal de la Transparencia
[Asunto] : aislamiento virus sars-cov2
[Notificación Sede] : Por Sede

General Electronic Registry of the Age
inistracion.gob.es
general access point

PROOF OF PRESENTATION

Registration number: 2021012163107
Office: 000000318 - ELECTRONIC REGISTRATION
Date and time: 02/10/2021 17:56:15
Type of registration: Entry

Interested

Interest

Name: KEP A MI RENA ORMAZABAL SANCHEZ
NIF: (blank)
e-mail: 
Representative: (blank)

Registry information

Summary: Right of Access
Affair: Transparency Access Request

Exposes: (blank)

[Scope]: ITU HEALTH (8)

[Information requested]:

All scientific bibliographic records known to the Ministry of Health and its dependent organizations in which the isolation of the SARS-Cov2 virus is described directly from samples taken from patients diagnosed with covid-19, alive or dead. The application does not refer to scientific bibliographic records based on samples that have been mixed with other sources of genetic material, such as, for example, simian kidney cells or cancer liver cells. Note that the term "isolation" is used in the sense given by the Real Academia Espanola Dictionary of "leaving something alone and separated from other things" or "separating an element or a body from a combination or from the medium in which it is found, generally to identify or analyze it. "

Therefore, I am not requesting information on scientific bibliographic records on cell cultures, nor results of amplification of genetic material (either by PCR or other techniques) nor sequencing of genetic material.

[Notifications and receipt of information]: I wish to be notified through the Transparency Portal

[Subject]: sars-cov2 virus isolation

[Headquarters Notification]: By Headquarters

The registration carried out is covered by article 16 of Law 39/2015. In accordance with art. 31.2b of Law 39/15, to the effects of the calculation of the term set in business days, and with regard to compliance with deadlines by the interested parties, the presentation on a disqualified day will be understood to be made in the first hour of the next business day unless a rule expressly allows reception in day off.



Con fecha 10 de febrero de 2021 tuvo entrada en la Unidad de Información de Transparencia del Ministerio de Sanidad, solicitud de acceso a la información pública al amparo de la Ley 19/2013, de 9 de diciembre, de transparencia, acceso a la información pública y buen gobierno, presentada por D./Dña. Kepa Mirena Ormazábal Sánchez, solicitud que quedó registrada con el número **001-053660**.

Con fecha 15 de febrero de 2021 esta solicitud se recibió en la Dirección General de Salud Pública, fecha a partir de la cual empieza a contar el plazo de un mes previsto en el artículo 20.1 de la Ley 19/2013, de 9 de diciembre, para su resolución.

Una vez analizada la solicitud, esta Dirección General resuelve conceder el acceso a la información a que se refiere la solicitud deducida por D./Dña. Kepa Mirena Ormazábal Sánchez.

La bibliografía científica que maneja el Ministerio de Sanidad la puede encontrar en los distintos documentos técnicos para profesionales publicados en la página web de este Ministerio [a la que puede acceder a través del siguiente enlace: <https://www.mscbs.gob.es/profesionales/saludPublica/ccayes/alertasActual/nCov/documentos.htm>] y, en concreto, en el apartado titulado *Documentos de preparación y respuesta al brote*.

Contra la presente resolución, que pone fin a la vía administrativa, podrá interponerse recurso contencioso-administrativo ante el la Sala de lo Contencioso-Administrativo del Tribunal Superior de Justicia de Madrid [Ley 39/2015, de 1 de octubre, del procedimiento administrativo común de las administraciones públicas, y Ley 29/1998, de 13 de julio, reguladora de la jurisdicción contencioso-administrativa], en el plazo de dos meses o, previa y potestativamente, reclamación ante el Consejo de Transparencia y Buen Gobierno en el plazo de un mes; en ambos casos, el plazo se contará desde el día siguiente al de la notificación de la presente resolución.

LA DIRECTORA GENERAL DE SALUD PÚBLICA
(firmado electrónicamente)

Pilar Aparicio Azcárraga



MINISTRY OF HEALTH

SECRETARIAT OF STATE OF HEALTH
GENERAL DIRECTORATE OF PUBLIC HEALTH
Transparency portal
Government of Spain

On February 10, 2021, it entered the Transparency Information Unit from the Ministry of Health, request for access to public information under the Law 19/2013, of December 9, on transparency, access to public information and good government, presented by D./Dña. Kepa Mirena Ormazábal Sánchez, request that remained registered under number 001-053660.

On February 15, 2021, this request was received at the General Directorate of Health Public, date from which the period of one month foreseen in the article begins to count. 20.1 of Law 19/2013, of December 9, for its resolution.

Once the request has been analyzed, this General Directorate resolves to grant access to the information referred to in the request deduced by Mr./Dña. Kepa Mirena Ormazábal Sanchez.

The scientific bibliography managed by the Ministry of Health can be found in the different technical documents for professionals published on the website of this Ministry [which you can access through the following link: <https://www.mscbs.gob.es/profesionales/saludPublica/ccayes/alertasActual/nCov/documentos.htm>] and, specifically, in the section entitled Preparation and response documents to the outbreak.

Against this resolution, which puts an end to administrative proceedings, an appeal may be lodged contentious-administrative before the Contentious-Administrative Chamber of the Court Superior of Justice of Madrid [Law 39/2015, of October 1, on the procedure common administrative law of public administrations, and Law 29/1998, of July 13, regulator of contentious-administrative jurisdiction], within two months or, prior and Optionally, claim before the Council of Transparency and Good Governance within the term of one month; In both cases, the period will be counted from the day following the notification of the present resolution.

THE GENERAL DIRECTOR OF PUBLIC HEALTH
(electronically signed)
Pilar Aparicio Azcárraga

MFIPPA request to KFL&A PH re "SARS-COV-2" isolation

Christine Massey <cms5yc@gmail.com>
To: kieran.moore@kflaph.ca, denisdoyle@kos.net

Sun, Jan 31, 2021 at 3:15

January 31, 2021

To:
Dr. Kieran Moore
KFL&A Public Health
221 Portsmouth Avenue
Kingston, ON
K7M 1V5
kieran.moore@kflaph.ca

Dear Dr. Moore and and Mayor Doyle,

This is an **email follow-up** of a formal request for access to general records that I just submitted via your online portal (as shown in the attached screenshot), made under the *Municipal Freedom of Information and Protection of Privacy Act*, 1990.

Please advise how I may submit the \$5 application fee, as the online portal provided no payment options.

Description of Requested Records:

All records in the possession, custody or control of Dr. Kieran Moore or KFL&A Public Health describing the isolation of **any variant** ("new" or "old") of the alleged "SARS-COV-2" / "COVID-19 virus" (including the alleged "B.1.1.7" variant) alleged to have been detected in KFL&A), directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka Vero cells or fetal bovine serum).

Please note that I am using "isolation" in the every-day sense of the word: *the act of separating a thing(s) from everything else*. I am not requesting records where "isolation of SARS-COV-2" refers instead to:

- the culturing of something, and/or
- the performance of an amplification test (i.e. a PCR test), and/or
- the sequencing of something.

Please also note that my request is **not limited** to records that were authored by Dr. Kieran Moore or KFL&A Public Health or that pertain to work done by Dr. Kieran Moore or KFL&A Public Health. Rather, my request includes any record matching the above description, for example (but not limited to) any published peer-reviewed study **authored by anyone, anywhere, ever** that Dr. Kieran Moore or KFL&A Public Health has downloaded or printed.

If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

Format:

Pdf documents sent to me via email; I do not wish for anything to be shipped to me.

Contact Information:

Request for General Records from KFL&A Public Health

Taggart, Suzette <Suzette.Taggart@kflaph.ca>

to CMSSYC@gmail.com

February 12, 2021

Request Number (M001-21)

Christine Massey

[REDACTED]

[REDACTED]

Dear Christine Massey,

This letter is written in response to your request under the *Municipal Freedom of Information and Protection of Privacy Act* (the Act) for access to general records in the possession, custody or control of Dr. Kieran Moore describing the isolation of any variant of the alleged SARS-COV-2 directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material.

This request is denied in its entirety pursuant to personal privacy section 14 (1) of the Act.

A head shall refuse to disclose personal information to any person other than the individual to whom the information relates.

You may request that this decision be reviewed by the Information and Privacy Commissioner. The Commissioner can be reached at:

2 Bloor Street East

Suite 1400 Toronto, Ontario M4W 1A8

1-800-387-0073

Sincerely,

Suzette Taggart, RD, MBA
Manager, Communications

Phone: 613-549-1232, ext. 1262

Toll-Free: 1-800-267-7875

Fax: 613-549-7896

suzette.taggart@kflaph.ca

KFL&A Public Health

221 Portsmouth Avenue

Kingston, Ontario K7M 1V5

www.kflaph.ca

Request for General Records from KFL&A Public Health

Christine Massey <cmssyc@gmail.com>

Fri, Feb 19, 2021 at 3:24 PM

To: "Taggart, Suzette" <Suzette.Taggart@kflaph.ca>, kieran.moore@kflaph.ca, denisdoyle@kos.net

Dear Ms. Taggart, Dr. Moore and Mayor Doyle,

Thank you for your response, however **my request (attached) is not for personal information.**

I explicitly stated in my follow up email to Mayor Doyle and Dr. Moore that my request is for **general records.**

I would be very surprised if a description of methodology used to (allegedly) "*isolate SARS-COV-2*" is entered into any patient record, anywhere. One would expect such a description to be found in a scientific study, or perhaps a government report.

Further, I explicitly stated the following in my request:

*...my request includes any record matching the above description, **for example (but not limited to) any published peer-reviewed study** authored by anyone, anywhere, ever that Dr. Kieran Moore or KFL&A Public Health has downloaded or printed.*

If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

It's unclear to me how anyone could interpret such a request as a request for personal information.

Regardless, 14 (1) of the Act does not apply to my request.

Note that we now have formal responses to the same records request from 17 other Canadian institutions (yielding in total zero responsive records). I don't recall any other institution interpreting the request as a request for personal information:

[Public Health Agency of Canada](#), [Health Canada](#), the [National Research Council of Canada](#), [Vaccine and Infectious Disease Organization-International Vaccine Centre \(VIDO-InterVac\)](#), [Canadian Institutes of Health Research](#), [Natural Sciences and Engineering Research Council of Canada](#), [Ontario Ministry of Health](#), [Institut National de Sante Publique du Quebec](#), [British Columbia's Provincial Health Services Authority](#), [Newfoundland Labrador Department of Health & Community Services](#), [McGill University](#), the [City of Toronto](#), the [Region of Peel](#) (Ontario), the [University of Toronto](#), [Sunnybrook Health Sciences Centre](#), [McMaster University](#) and [Mount Sinai Hospital](#) (Toronto) (note that researchers from the last 4 institutions had publicly claimed to have "isolated the virus", as had VIDO-Intervac).
<https://www.fluoridefreepeel.ca/fois-reveal-that-health-science-institutions-around-the-world-have-no-record-of-sars-cov-2-isolation-purification/>

Thus, I look forward to KFL&A Public Health's response to my request, which will be made public in the public interest.

Thank you and best wishes,
Christine

Request for General Records from KFL&A Public Health

Taggart, Suzette <Suzette.Taggart@kflaph.ca>

Sun, Feb 21, 2021 at 9:46 AM

To: Christine Massey <cmssyc@gmail.com>

Cc: "Moore, Kieran" <kieran.moore@kflaph.ca>, "denisdoyle@kos.net" <denisdoyle@kos.net>

February 21, 2021

Request Number (M001-21)

Christine Massey



Dear Christine Massey,

This follow up letter is written in response to your email on February 19, 2021 regarding your request for access to general records under the *Municipal Freedom of Information and Protection of Privacy Act* in the possession, custody or control of Dr. Kieran Moore describing the isolation of any variant of SARS-COV-2 directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material. The request includes any record matching the description, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that anyone at KFL&A Public Health has downloaded or printed.

KFL&A Public Health conducted a search for the requested records but did not locate any records related to your request. This request will not be granted as the records do not exist at our agency.

KFL&A Public Health do not have records related to the process of testing COVID-19 samples. If you haven't already, it is recommended that you seek information from Public Health Ontario as they are the lead agency on the process of COVID-19 testing in Ontario.

You may request that this decision be reviewed by the Information and Privacy Commissioner. The Commissioner can be reached at:

[2 Bloor Street East](#)
[Suite 1400 Toronto, Ontario M4W 1A8](#)
1-800-387-0073

Sincerely,

Suzette Taggart, RD, MBA
Manager, Communications

Phone: 613-549-1232, ext. 1262

Toll-Free: 1-800-267-7875

Fax: 613-549-7896

suzette.taggart@kflaph.ca

KFL&A Public Health

[221 Portsmouth Avenue](#)

[Kingston, Ontario K7M 1V5](#)

www.kflaph.ca

Connect with us on [Facebook](#) | [Twitter](#) | [YouTube](#)

This e-mail may contain privileged and confidential information intended only for the individual or entity named in the message. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is prohibited. If this communication was received in error, please notify us by reply e-mail and delete the original message.

Le présent message peut contenir des renseignements confidentiels réservés à l'usage exclusif du destinataire ou de l'organisme y figurant. Par conséquent, si vous n'êtes pas le destinataire de ce message ou la personne devant le lui remettre, nous vous avisons qu'il est strictement interdit de le passer en revue, de le diffuser, de le distribuer ou de le copier. Si vous avez reçu ce message par erreur, nous vous remercions de nous en aviser par retour de courriel et de détruire le message original.



Ms Mary-Jane Liddicoat



Dear Ms Liddicoat

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by ACT Health Directorate (ACTHD) and transferred to Canberra Health Services (CHS) on **Tuesday 9 March 2021**. In accordance with section 57 of the FOI Act, the information you are seeking is in their possession.

This application requested access to:

'I am writing to you on advice from the Australian Department of Health (the Department) to seek clarification on information requested in a Freedom of Information (FOI) request that was sent to the Department.

I am therefore writing to you to on initial advice by the Department of Health to confirm whether you do hold the information requested in the original request to the Department, as shown in attachment "FOI 1937" and pasted again below:

"All records in the possession, custody or control of The Department of Health describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; lung cells from a lung cancer patient). Please note that I am using "isolation" in the every-day sense of the word: the act of separating a thing(s) from everything else. I am not requesting records where "isolation of SARS-COV-2" refers instead to:

- the culturing of something,*
- or the performance of an amplification test (i.e. a PCR test),*
- or the sequencing of something.*

Please also note that my request is not limited to records that were authored by The Department of Health or that pertain to work done by The Department of Health. My request includes any sort of record, for example (but not limited to) any published peer reviewed study that The Department of Health has downloaded or printed."

I am an Information Officer appointed by the Chief Executive Officer of Canberra Health Services (CHS) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. CHS was required to provide a decision on your access application by **Thursday 8 April 2021**.

Decisions

ACT Pathology does not have the ability to isolate the virus from patient samples. I am therefore satisfied that in accordance with section 35(1)(b), CHS does not hold any documents relevant to the scope of your request.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, CHS maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

<https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: ACTFOI@ombudsman.gov.au
Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email HealthFOI@act.gov.au.

Yours sincerely



Dr Nick Coatsworth
Executive Director of Medical Services
Canberra Health Services

22 March 2021

9 March 2021



Official Information Act Request: Purification of SARS-CoV-2

On 2 March 2021 you sent a request under the Official Information Act 1982 ("Act") to ESR as follows:

"All studies and/or reports in the possession, custody or control of ESR describing the purification of "SARS-COV-2" said to have caused disease in humans (via maceration, filtration and use of an ultracentrifuge; also referred to at times by some people as "isolation"), directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka Vero cells; fetal bovine serum).

Please note that I am not requesting studies/reports where researchers failed to purify the suspected "virus" and instead:

- *cultured an unpurified sample or other unpurified substance, and/or*
- *performed an amplification test (i.e. a PCR test) on all the RNA from a patient sample or from a cell culture, or on genetic material from any unpurified substance, and/or*
- *sequenced the total RNA from a patient sample or from a cell culture or from any unpurified substance, and/or*
- *produced electron microscopy images of unpurified things.*

For further clarity, please note I am already aware that according to virus theory a "virus" requires host cells in order to replicate, and I am not requesting records describing the replication of a "virus" without host cells.

Further, I am not requesting records that describe a suspected "virus" floating in a vacuum; I am simply requesting records that describe its purification (separation from everything else in the patient sample, as per standard laboratory practices for the purification of other small things).

Please also note that my request is not limited to records that were authored by ESR or that pertain to work done at/by ESR. Rather, my request includes any record matching the above description, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that has been downloaded or printed by ESR and possibly (but not necessarily) relied on as evidence of a disease-causing "virus".

If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible."

Our response to your request:

Using the definition of 'purification' that you refer to in your request, ESR does not hold any records describing 'purification' of SARS-CoV-2.

We cannot provide papers that staff in ESR have downloaded or printed which may apply to your request using your definition of 'purification' as the information cannot be made available without substantial collation or research pursuant to section 18(f) of the Act. We have considered section 18A of the Act and consider that even if we were to charge you for the time to check and collate any relevant materials and extend the timeframe of the request, this would still unduly affect our team who are supporting New Zealand's COVID-19 response work.

Your right to seek a review

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Thank you for your request.

Yours sincerely



Jill Vintiner
**Joint General Manager Health and Environment Group – Health
ESR**

[REDACTED]

[REDACTED]

Ref: H202102878

[REDACTED]

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) transferred to the Ministry of Health (the Ministry) on 12 March 2021 for:

"All studies and/or reports in the possession, custody or control of The Department of the Prime Minister and Cabinet describing the purification of "SARS-COV-2" said to have caused disease in humans (via maceration, filtration and use of an ultracentrifuge; also referred to at times by some people as "isolation"), directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka Vero cells; fetal bovine serum)."

The Ministry does not hold any information relating to your request. Therefore, your request is refused under section 18(g) of the Act, as the information requested is not held by the Ministry, and I have no reason to believe that this information is held by another agency subject to the Act. However, further information that may be of use has been previously provided to you below (refers H202100057 & H202100059):

- There are several examples of the virus being isolated and cultured in a laboratory setting. One example provided by the Centers for Disease Control and Prevention (CDC) describes the isolation and culture of SARS-CoV-2. This information and research on SARS-CoV-2 can be found at the following link: <https://wwwnc.cdc.gov/eid/article/26/6/20-0516> article.
- A research paper, isolation and rapid sharing of the 2019 novel coronavirus (SARS-CoV-2) from the first patient diagnosed with COVID-19 in Australia, describes the first isolation and sequencing of SARS-CoV-2 in Australia. It is available at: www.mja.com.au/journal/2020/212/10/isolation-and-rapid-sharing-2019-novel-coronavirus-sarscov-2-first-patient

Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Nick Allan', with a long horizontal stroke extending to the right.

Nick Allan
Manager, OIA Services
Office of the Director-General



Government Office for Science

Government Office for Science
10 Victoria Street
London
SW1H 0NN

+44 (0)20 7215 5000 - Public enquiries
+44 (0)20 7215 6740 - Textphone
(for those with hearing impairment)

Date 19/03/21

Ref no: GOS-COV-020321-0164

Thank you for your email of 01/03/21 where you requested the following:

"This is a formal request for access to general records, made under the Freedom of Information Act.

Description of Requested Records:

*All studies and/or reports in the possession, custody or control of The Government Office for Science describing the **purification** of "SARS-COV-2" said to have caused disease in humans (via maceration, filtration and use of an ultracentrifuge; also referred to at times by some people as "isolation"), directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of **genetic** material (i.e. monkey kidney cells aka Vero cells; fetal bovine serum).*

*Please note that I am not requesting studies/reports where researchers failed to **purify** the suspected "virus" and instead:*

- cultured an unpurified sample or other unpurified substance, and/or*
- performed an amplification test (i.e. a PCR test) on all the RNA from a patient sample or from a cell culture, or on genetic material from any unpurified substance, and/or*
- sequenced the total RNA from a patient sample or from a cell culture or from any unpurified substance, and/or*
- produced electron microscopy images of unpurified things.*

*For further clarity, please note I am already aware that according to virus theory a "virus" requires host cells in order to replicate, and I am **not** requesting records describing the **replication** of a "virus" without host cells.*

*Further, I am **not** requesting records that describe a suspected "virus" floating in a vacuum; I am simply requesting records that describe its **purification (separation)** from everything else in the patient sample, as per standard laboratory practices for the purification of other small things).*

*Please also note that my request is **not limited** to records that were authored by The Government Office for Science or that pertain to work done at/by The Government Office for Science. Rather,*

my request includes any record matching the above description, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that has been downloaded or printed by The Government Office for Science and possibly (but not necessarily) relied on as evidence of a disease-causing "virus".

If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

Format:

Pdf documents sent to me via email; I do not wish for anything to be shipped to me.

Complexity

Please Note, this is not a complex request nor is it a request that will generate too many records to search through. I have already done a preliminary record search through Google Scholar and have read many scientific papers on this subject. I have not found any responsive publicly available scientific records including records referenced and published by the USA CDC. So I would expect this request to be answered within the normal response time."

Response

Your request has been handled under the Freedom of Information Act 2000 and is based on information held.

I confirm we do not hold the information you request.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to:

Government Office for Science Internal Reviews
Government Office for Science
10 Victoria Street
London
SW1H 0NN
Email: foi.reviews@go-science.gov.uk

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely

Government Office for Science

22 March 2021

Our ref: FOI2021/13



FREEDOM OF INFORMATION REQUEST – DECISION FOI2021/2

I refer to your request of 2 March 2021, under which you sought access under the *Freedom of Information Act 1982* (FOI Act) to:

All studies and/or reports in the possession, custody or control of CSIRO describing the purification of "SARS-COV-2" said to have caused disease in humans (via maceration, filtration and use of an ultracentrifuge; also referred to at times by some people as "isolation"), directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka Vero cells; fetal bovine serum).

Please note that I am not requesting studies/reports where researchers failed to purify the suspected "virus" and instead:

- *cultured an unpurified sample or other unpurified substance, and/or*
- *performed an amplification test (i.e. a PCR test) on all the RNA from a patient sample or from a cell culture, or on genetic material from any unpurified substance, and/or*
- *sequenced the total RNA from a patient sample or from a cell culture or from any unpurified substance, and/or*
- *produced electron microscopy images of unpurified things.*

For further clarity, please note I am already aware that according to virus theory a "virus" requires host cells in order to replicate, and I am not requesting records describing the replication of a "virus" without host cells.

Further, I am not requesting records that describe a suspected "virus" floating in a vacuum; I am simply requesting records that describe its purification (separation from everything else in the patient sample, as per standard laboratory practices for the purification of other small things).

Please also note that my request is not limited to records that were authored by CSIRO or that pertain to work done at/by CSIRO. Rather, my request includes any record matching the above description, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that has been downloaded or printed by CSIRO and possibly (but not necessarily) relied on as evidence of a disease-causing "virus".

If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each one with certainty (i.e. title, author(s), date, journal, where the public may access it). Please provide URLs where possible.

Decision maker

I am an authorised decision maker under section 23 of the FOI Act. This letter sets out my decision and reasons for the decision in relation to your request.

Decision

Despite an extensive search, CSIRO has been unable to identify any document relevant to your request. I must therefore refuse access, pursuant to section 24A of the FOI Act.

Searches conducted

Searches were conducted by The Australian Centre for Disease Preparedness (formerly the Australian Animal Health Laboratory) and relevant staff and it was confirmed that CSIRO does not hold any documents relevant to the scope of your request. In this regard, CSIRO does not conduct work in relation to “purification” of samples from human patients.

To assist I note that documentation containing scientific proof the virus known as SARS CoV-2 has been isolated and purified can be found here:

https://www.mja.com.au/system/files/issues/212_10/mja250569.pdf

Rights of Review

In accordance with section 26(1)(c) of the FOI Act, a statement setting out your rights of review under the Act is at Attachment A. Since my decision is that no documents exist, an application for review would be limited to a situation where you consider that I have not identified all the documents in the CSIRO’s possession that are relevant to your request.

Yours sincerely



Beth Cribb
Senior Legal Counsel
CSIRO

Review rights

You are entitled to seek review of this decision.

Internal Review

Firstly, under section 54 of the FOI Act, you may apply for an internal review of the decision. Your application must be made by whichever date is the later between:

30 days of you receiving this notice; or 15 days of you receiving the documents to which you have been granted access.

An internal review will be conducted by a different officer from the original decision-maker. No particular form is required to apply for review although it will assist your case to set out in the application the grounds on which you believe that the original decision should be overturned. An application for a review of the decision should be addressed to:

FOI Coordinator,
FOI@csiro.au

If you choose to seek an internal review, you will subsequently have a right to apply to the Australian Information Commissioner for a review of the internal review decision.

External review by the Australian Information Commissioner

Alternatively, under 54L of the FOI Act, you may seek review of this decision by the Australian Information Commissioner without first going to internal review. Your application must be made within 60 days of you receiving this notice.

The Information Commissioner is an independent office holder who may review decisions of agencies and Ministers under the FOI Act. More information is available on the Information Commissioner's website www.oaic.gov.au.

You can contact the Information Commissioner to request a review of a decision online or by writing to the Information Commissioner at:

GPO Box 2999
Canberra ACT 2601

Complaints to Ombudsman or Information Commissioner

You may complain to either the Commonwealth Ombudsman or the Information Commissioner about action taken by CSIRO in relation to the application. The Ombudsman will consult with the Information Commissioner before investigating a complaint about the handling of an FOI request.

Your enquiries to the Ombudsman can be directed to:

Phone 1300 362 072 (local call charge)
Email ombudsman@ombudsman.gov.au

Your enquiries to the Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

Email enquiries@oaic.gov.au

There is no particular form required to make a complaint to the Ombudsman or the Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify CSIRO as the relevant agency.



30 March 2021



I write in response to your Official Information Act request of 2 March 2021, which sought: “All studies and/or reports in the possession, custody or control of the University of Otago describing the purification of “SARS-COV-2” said to have caused disease in humans (via maceration, filtration and use of ultracentrifuge; also referred to at times by some people as “isolation”), directly from a sample taken from a diseased human, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka Vero cells; fetal bovine serum)”.

Thank you for clarifying in your email precisely what is out of scope for this request.

I can confirm that the University holds no records which fall within the scope of your request. Accordingly, we decline your request pursuant to section 18(g) of the Act on the basis that the information requested is not held by the University.

If you are not satisfied with our response to your information request, you have 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.

Yours sincerely

Mayhaka Mendis
Manager, Policy and Compliance
Office of the Registrar