



ACT
Government

**Canberra Health
Services**

Our reference: **FOI21-10**

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

On Wednesday, February 24th, 2021 at 10:15 PM, [REDACTED] <[REDACTED]> wrote:

Dear Health Ministers,

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.

The Department's initial response on 24th August 2020 (attached: "Initial FOI 1937 Response"), stated: "To obtain the information you are seeking please direct your request to the various State and territory Departments of Health".

After further correspondence between the FOI author and the Department, a more formal response was given (attached: "FOI 1937"), yet the outcome remained the same.

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 look forward to your response.

[REDACTED]

Fw: Letter from CEO, Canberra Health Services - Pathology (SARS-COV-2 virus)

Thu, Jul 15, 2021 at 12:00 AM

To: Christine Massey <cmssyo@gmail.com>, "Christine.Massey@protonmail.com" <Christine.Massey@protonmail.com>

Sent with ProtonMail Secure Email.

----- Original Message -----

On Friday, March 19th, 2021 at 9:16 AM, CEOHealth <CEOHealth@act.gov.au> wrote:

OFFICIAL

Good morning

Please find attached a letter from the CEO, Canberra Health Services.

Kind regards

Nicole

Nicole Stevenson | Director

Office of the Chief Executive Officer | Canberra Health Services | ACT Government

T: 02 5124 4702 | M: 0411 154 648 | E: nicole.stevenson@act.gov.au

Building 28, Level 2, Canberra Hospital, Yamba Drive Garran ACT 2606

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND

CHS has flexible work practices, and I may be working at unusual times. If you receive my emails out of standard work hours, please know that I have no expectation that you will respond at that time.

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

 Letter from CEO Canberra Health Services - Pathology.pdf



ACT
Government

**Canberra Health
Services**

[REDACTED]

Dear [REDACTED]

Freedom of Information Request to Commonwealth Department of Health

Thank you for your email of 24 February 2021 to Ms Rachel Stephen-Smith MLA, Minister for Health about your Freedom of Information request to the Commonwealth Department of Health, and seeking records describing isolation of a SARS-COV-2 virus directly from a sample taken from a diseased patient. Minister Stephen-Smith has asked me to reply on her behalf.

I am advised that ACT Pathology does not have the ability to isolate the virus from patient samples. Accordingly, I do not believe that the ACT Government holds any records relevant to your request.

Thank you for writing to the Minister about this matter.

Yours sincerely

Bernadette McDonald
Chief Executive Officer
Canberra Health Services

19 March 2021



Australian Government

Department of Health

Department Reference: FOI 3054



NOTICE OF DECISION UNDER SECTION 24A OF THE FREEDOM OF INFORMATION ACT 1982

I refer to your request of 11 September 2021 to the Department of Health (the department) seeking access under the *Freedom of Information Act 1982* (Cth) (the FOI Act) to documents related to COVID-19. Your request is in the following terms:

1. All studies and/or reports in the possession, custody or control of The Australian Department of Health describing the purification of any "COVID-19 virus" (aka "SARS-CoV-2", including any alleged "variants" i.e. "B.1.1.7", "B.1.351", "P.1") (for example: via filtration, ultracentrifugation and chromatography), 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)

Information about COVID-19

SARS-CoV-2, the virus which causes COVID-19, is real. Multiple scientific studies across the world demonstrate that highly reputable laboratory medicine experts have isolated and sequenced the virus that causes COVID-19, demonstrating that the virus exists, that it exists in variant forms, that it is different from the influenza virus, and that it causes a disease that has resulted in more than 4.8 million deaths worldwide in just over 21 months.

While the department is not the custodian of the scientific studies establishing the existence of SARS-CoV-2, this research has informed the Australian Government's response to the pandemic. You can find those scientific studies in the public domain.

The department is a government agency and does not conduct scientific studies or laboratory testing for the SARS-CoV-2 in a laboratory. Diagnostic assays using reverse transcriptase polymerase chain reaction (RT-PCR) are conducted by testing laboratories throughout Australia. For more information, please see the Public Health Laboratory Network (PHLN) guidance on laboratory testing for

SARS-CoV-2, which is available online:

<https://www.health.gov.au/resources/publications/phln-guidance-on-laboratory-testing-for-sars-cov-2-the-virus-that-causes-covid-19> .

In Australia, scientists at the Victorian Infectious Diseases Reference Laboratory at The Peter Doherty Institute for Infection and Immunity were the first to isolate SARS-CoV-2 outside of China, winning the 2020 MJA/MDA National Prize for Excellence in Medical Research. This critical information was immediately shared with local and overseas reference laboratories and major North American and European virus culture collections. These peer-reviewed, evidence-based publications provide scientific evidence for the existence of this deadly virus.

All viruses, including SARS-CoV-2, change over time as part of their natural evolution. A change may or may not give the virus a biological advantage. Existing and emerging variants are constantly monitored using genomic surveillance to detect those that pose or may pose an increased risk to human health.

In Australia, whole genome sequencing (WGS) of the SARS-CoV-2 genome is the preferred way to determine the variant and mutation patterns of the virus. Some RT-PCR tests have been designed to detect specific SARS-CoV-2 variants of concern. The performance of these tests is still being established, and they will not identify variants that they have not been designed for.

I would also like to inform you that the department does not have access to all documents created by, received by, or stored by other government entities. You might like to submit a request for access to documents held by a particular Commonwealth, State or Territory agency if you would like access to documents held by that entity.

Attached to this email is an article published in the Daily Telegraph on 13 August 2021 that may be of interest to you.

FOI decision

I am authorised under subsection 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision in response to your request.

The FOI Act provides a mechanism for individuals to request access to documents held by relevant entities. It is not a mechanism for asking questions or seeking information that the entity does not hold in documents.

Appropriate steps have been taken to find documents you have requested including consultation with relevant departmental officers and searches of departmental file management systems.

I am satisfied, on the basis of the consultation undertaken and the searches conducted, that the department, including the Therapeutic Goods Administration (TGA), does not hold any documents referred to in your request. While the department is not the custodian of scientific studies establishing the existence of SARS-CoV-2 and that of its variants, this research, which is available in the public domain, has informed the Australian Government's response to the pandemic.

As a consequence, relying on section 24A of the FOI Act, I cannot provide access to the documents you requested.

FOI review rights

If you are dissatisfied with my decision, you may apply for a review.

Internal review

Under section 54 of the FOI Act, you may apply for internal review of this decision. In accordance with section 54B of the FOI Act, an application for internal review must be made in writing within 30 days after the day you are notified of this decision (or such further period as the department allows). To assist in the internal review process, please provide reasons you consider the review of my decision is necessary.

The internal review will be carried out by another officer of this department within 30 days of receipt of your application.

An application for an internal review should be addressed to:

Email: FOI@health.gov.au
Mail: FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner review

Alternatively, under section 54L of the FOI Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner (IC).

In accordance with subsection 54S(1) of the FOI Act, an IC review application in relation to a decision covered by subsection 54L(2) (access refusal decisions) must be made in writing within 60 days after the day you are notified of this decision (if you do not request an internal review).

More information about IC review is available on the OAIC website at:

<https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:
Phone: 1300 363 992
Email: enquiries@oaic.gov.au

Complaints

If you are dissatisfied with action taken by the department, you may also make a complaint.

Complaint to the department

Complaints to the department are covered by the department's privacy policy. A form for lodging a complaint directly to the department is available on the department's website:

<https://www.health.gov.au/about-us/contact-us/complaints>

Complaint to the IC

Information about making a complaint to the IC about action taken by the department is available on the OAIC website:

<https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>

Relevant provisions of the FOI Act

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:

<https://www.legislation.gov.au/Details/C2021C00239>

Contacts

If you require clarification of any of the matters discussed in this letter you should contact the department's Freedom of Information Unit on (02) 6289 1666 or at FOI@health.gov.au.

Yours sincerely



Dr Marcelle Noja
Acting Assistant Secretary
Public Health and Surveillance Branch

08 October 2021

----- Forwarded message -----

From: FOI <FOI@health.gov.au>

Date: Mon, 24 Aug 2020, 12:10

Subject: Freedom of Information Request - Studies re isolation of SARS-COV-2

[SEC=UNOFFICIAL]

To: [REDACTED]

Dear [REDACTED]

I refer to your request to the Australian Government Department of Health (department) 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.

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 record with certainty (i.e. title, author(s), date, journal, where the public may access it).

The department does not hold the documents you are seeking access too.

To obtain the information you are seeking please direct your request to the various State and Territory Departments of Health.

Kind regards

FOI Officer

FOI Team - FOI and Legislation Support Section

Legal & Assurance Division | Corporate Operations Group

Legal Advice & Legislation Branch

Australian Government Department of Health

T: 02 6289 1666 | E: FOI@health.gov.au

GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health acknowledges the Traditional Custodians of Australia and their continued connection to land, sea and community. We pay our respects to all Elders past and present.

If you receive this email in error, please delete it and contact the sender immediately.



27 September 2021

Our ref: FOI2021/42



FREEDOM OF INFORMATION REQUEST – DECISION FOI2021/42

I refer to your request of **11 September 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 any "COVID-19 virus" (aka "SARS-COV-2", including any alleged "variants" i.e. "B.1.1.7", "B.1.351", "P.1") (for example: via filtration, ultracentrifugation and chromatography), 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*
- *fabricated a "genome" by editing/assembling/aligning sequences detected in 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 very 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 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 on the basis that the document[s] sought do not exist or cannot be found.

Searches conducted

Searches were conducted by the Australian Centre for Disease Preparedness (formerly the Australian Animal Health Laboratory) and by other relevant staff and it was confirmed that CSIRO does not hold any documents relevant to the scope of your request. In this regard, CSIRO's research involves virus already isolated from human samples by a non-CSIRO institute.

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,

A handwritten signature in black ink, appearing to be 'S. Jones', with a horizontal line extending to the right.

Stephen Jones
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:

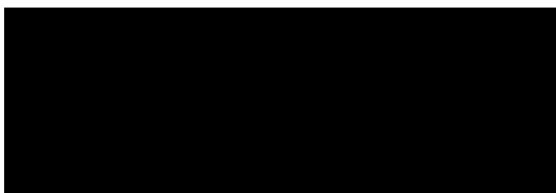
Phone 1300 363 992 (local call charge)
Email enquiries@oaic.gov.au

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.

GPO Box 1700 Canberra ACT 2601
Telephone (02) 6276 6431 • ABN 41 687 119 230
Email: foi@csiro.au

7 October 2020

Our ref: FOI 2020/50



FREEDOM OF INFORMATION REQUEST – DECISION FOI2020/50

I refer to your request of 7 September 2020, under which you sought access under the *Freedom of Information Act 1982* (FOI Act) to:

“All records in the possession, custody or control of CSIRO 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 CSIRO or that pertain to work done by CSIRO. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that CSIRO 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 record with certainty (i.e. title, author(s), date, journal, where the public may access it)."

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

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 on the basis that the document[s] sought do not exist or cannot be found.

Searches conducted

Searches were conducted by The Australian Centre for Disease Preparedness (formerly the Australian Animal Health Laboratory) and relevant staff in CSIRO's Business Units, and it was confirmed that CSIRO does not hold any documents relevant to the scope of your request.

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,

A handwritten signature in black ink, appearing to read 'Beth Maloney', written in a cursive style.

Beth Maloney
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.

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

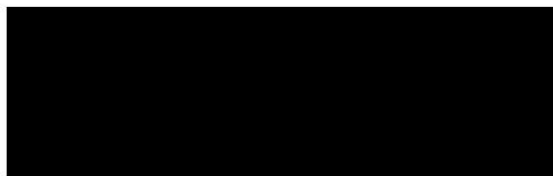
Your enquiries to the Information Commissioner can be directed to:

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.

29 September 2020



I refer to your email dated 12 September 2020 in which you have requested documents under the *Freedom of Information Act 1982* ("**Act**"). Please be advised that at this stage, we do not consider that a valid Freedom of Information (FOI) request has been lodged.

We note that you have requested documents in the possession, custody or control of The Peter Doherty Institute for Infection and Immunity ("**Doherty Institute**"). Please note that the institute is an incorporated joint venture between The University of Melbourne ("**Unimelb**") and Melbourne Health ("**MH**").

As such, the Doherty Institute does not accept FOI applications directly; however, you may wish to refer to the below FOI resource pages for Unimelb and MH should you wish to lodge an application with either of those organisations.

These resources outline the requirements for an FOI request to be considered valid with the relevant agency.

<https://about.unimelb.edu.au/strategy/governance/compliance-obligations/freedom-of-information/how-to-make-an-foi-request>

<https://www.thermh.org.au/patients-visitors/coming-hospital/medical-records>

We have undertaken a preliminary review of your request to determine if it may be appropriate to provide you with documents outside of the *Act*. Following this review, we can inform you your request relates to a process which is outside the scope of the usual operations of the Doherty Institute and therefore no documentation is available.

On that basis, insofar as your request relates specifically to the Doherty Institute, it is unlikely that any relevant documents would be located if you choose to lodge a formal FOI request.

Thank you for your interest in this matter.

Yours sincerely



Professor Sharon Lewin AO, FRACP, PhD, FAAHMS

Director, The Peter Doherty Institute for Infection and Immunity, The University of Melbourne and Royal Melbourne Hospital,

Professor of Infectious Diseases, Melbourne Medical School and Head, Doherty Department, The University of Melbourne,

Consultant Physician, Victorian Infectious Diseases Service, Royal Melbourne Hospital, Melbourne, Australia

Consultant Physician and Adjunct Professor, Department of Infectious Diseases, Alfred Hospital and Monash University, Melbourne, Australia

On Wednesday, February 24th, 2021 at 10:15 PM, [REDACTED] <[REDACTED]> wrote:

Dear Health Ministers,

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.

The Department's initial response on 24th August 2020 (attached: "Initial FOI 1937 Response"), stated: "To obtain the information you are seeking please direct your request to the various State and territory Departments of Health".

After further correspondence between the FOI author and the Department, a more formal response was given (attached: "FOI 1937"), yet the outcome remained the same.

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 look forward to your response.

[REDACTED]

----- Original Message -----

On Wednesday, May 26th, 2021 at 12:56 PM, MOH-GIPA <MOH-GIPA@health.nsw.gov.au> wrote:

Dear [REDACTED]

Please find attached correspondence with regard to your recent inquiry.

Kind regards

Lisa Yozghatlian

GIPA Officer | Corporate Governance and Risk Management, **Legal and Regulatory Services**

NSW Ministry of Health | 1 Reserve Road , St Leonards, New South Wales 2065

www.health.nsw.gov.au



Health

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

Views expressed in this message are those of the individual sender, and are not necessarily the views of NSW Health or any of its entities.



GIPA21-60 [REDACTED]
157K

Do not hold - information publicly available - 25 May 2021.pdf

[REDACTED]
Dear [REDACTED]

Informal request for information

I refer to your informal request for information held by the NSW Ministry of Health for the following information:

"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."

Preliminary searches for information were undertaken by the relevant areas within the Ministry of Health, and it was confirmed, that from our understanding of the scope of your application, we do not hold the information requested.

It has been suggested internally that you contact NSW Health Pathology to discuss your request further to determine whether they may or may not hold any relevant information.

However, information has been identified that may assist with your inquiry this information is publicly available.

Information publicly available

The following information is publicly available. Please find below resources that may be of use to answer queries the Ministry has received in regards to SARS-COV-2 testing. They are:

- <https://www.pathology.health.nsw.gov.au/covid-19-info/covid-19-testing-information>
- <https://www.health.nsw.gov.au/Infectious/covid-19/communities-of-practice/Pages/clinical-guidance-and-resources.aspx>

If you have any questions regarding this matter, please contact the Ministry's GIPA office via email to MOH-GIPA@health.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Makira', with a stylized, cursive script.

Sonia Makira
GIPA Specialist, Corporate Governance & Risk Management

Date: 25 May 2021

On Wednesday, February 24th, 2021 at 10:15 PM, [REDACTED] <[REDACTED]> wrote:

Dear Health Ministers,

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.

The Department's initial response on 24th August 2020 (attached: "Initial FOI 1937 Response"), stated: "To obtain the information you are seeking please direct your request to the various State and territory Departments of Health".

After further correspondence between the FOI author and the Department, a more formal response was given (attached: "FOI 1937"), yet the outcome remained the same.

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 look forward to your response.

[REDACTED]



Christine Massey <cmssyc@gmail.com>

Fw: MHW-H21-1039 - letter to [REDACTED]

Wed, Jul 14, 2021 at 11:59 PM

To: Christine Massey <cmssyc@gmail.com>, "Christine.Massey@protonmail.com" <Christine.Massey@protonmail.com>

Sent with ProtonMail Secure Email.

----- Original Message -----

On Wednesday, April 28th, 2021 at 6:23 PM, Health:Minister for Health <ministerforhealth@sa.gov.au> wrote:

Our ref: MHW-H21-1039

Please find attached a letter from the office of the Minister for Health and Wellbeing.

Kind regards


Office of Hon Stephen Wade MLC

Minister for Health and Wellbeing

Level 9, Citi Centre Building, 11 Hindmarsh Square | GPO Box 2555 Adelaide SA 5001

T: (08) 8463 6270 | F: (08) 8463 6277 | E: ministerforhealth@sa.gov.au | W: www.sahealth.sa.gov.au

This e-mail may contain confidential information, which also may be legally privileged. Only the intended recipient(s) may access, use, distribute or copy this e-mail. If this e-mail is received in error, please inform the sender by return e-mail and delete the original. If there are doubts about the validity of this message, please contact the sender by telephone. It is the recipient's responsibility to check the e-mail and any attached files for viruses.

 Letter to [REDACTED].pdf
689K

MHW-H21-1039

Email: [REDACTED]

Dear [REDACTED]

I refer to your email dated 24 February 2021, seeking access to information under the *Freedom of Information Act 1991* (SA) (the FOI Act) regarding:

"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."

These documents are not held by this agency. ■

The Office of the Minister for Health and Wellbeing is a separate agency to SA Health under the FOI Act, and is a separate agency for record keeping purposes. I am not able to advise if an agency within SA Health has the documents you are seeking.

However, you may consider making an application under the FOI Act, to SA Pathology.

Please note that there is a \$37.50 FOI application fee that must be paid to the agency that holds the documents at the time you lodge your application. Processing charges may also be applicable. The agency will advise you of these charges once it receives your application and begins processing it.

If you are the holder of a current concession card, or if you can satisfy the agency that the payment of the fee or charge would cause financial hardship, the agency must waive or remit (reduce or refund) the application fee.

Information on how to apply under the FOI Act in South Australia, including direct links to an application document or an online form, can be found at <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/about+us/departments+for+health+and+wellbeing/freedom+of+information+department+for+health+and+wellbeing>

Kind regards



Margaret Klass

Accredited FOI Officer

Office of the Minister for Health and Wellbeing

28 April 2021

On Wednesday, February 24th, 2021 at 10:15 PM, [REDACTED] <[REDACTED]> wrote:

Dear Health Ministers,

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.

The Department's initial response on 24th August 2020 (attached: "Initial FOI 1937 Response"), stated: "To obtain the information you are seeking please direct your request to the various State and territory Departments of Health".

After further correspondence between the FOI author and the Department, a more formal response was given (attached: "FOI 1937"), yet the outcome remained the same.

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 look forward to your response.

[REDACTED]

Fw: M60-36321_20210316_to [REDACTED] MfH Referred to DoH for response - FOI 1937 - Requesting Further Information

Thu, Jul 15, 2021 at 12:01 AM

Reply-To: [REDACTED]
To: Christine Massey <cmssyc@gmail.com>, "Christine.Massey@protonmail.com" <Christine.Massey@protonmail.com>

Sent with ProtonMail Secure Email.

----- Original Message -----

On Tuesday, March 16th, 2021 at 11:41 AM, DOH, FOI <FOI.DOH@health.wa.gov.au> wrote:

Our ref: M60-36321

Dear [REDACTED]

I refer to your email sent to the office of the WA Minister for Health, Minister Cook, on 24 February 2021 (attached for reference).

The email refers to an initial request to access records under the (Cth) *Freedom of Information Act 1982*, submitted to the Australian Department of Health (Aust DoH). Attached to your email is the emailed request to Aust DoH, together with the Aust DoH Notice of Decision, confirming no records were identified relevant to the scope of your application.

The Aust DoH also recommended you refer your request to each of the Health Departments of the Australian states and territories; and hence the referral of your request to the separate Ministers for Health.

The office of the WA Minister for Health referred your emailed request to the WA Department of Health (DoH) for direct response.

Prior to progressing the validation of your request to be a formal request to access records under the WA *Freedom of Information Act 1992* (FOI Act), which requires payment of the statutory FOI application fee and other required information, action was undertaken by DoH to identify whether any records within the scope of your request were available.

Your request was referred to various areas within DoH, and advice received that if any records were available they would be held by PathWest Laboratory Medicine WA (a part of the WA health system; and a separate agency under the FOI Act). The request was then referred to PathWest for consideration.

It is confirmed that no records have been identified relevant to the scope of your request, except for all of the modalities specifically excluded in your request.

That is, no material pertaining to SARS-CoV-2 isolation without the use of propagator cells. As an organisation for SARS-CoV-2 virus testing PathWest has only been involved in:

- Virus culture using the cells described in the FOI application to Aust DoH.
- Virus PCR.
- Virus sequencing.

I trust this assists.

Best regards

Nareen Burnell | Senior Integrity Officer – FOI

Technology and Information Services | Corporate Services | Office of the Director General

Department of Health


2nd floor, B Block, 189 Royal Street, EAST PERTH WA 6004

T: (08) 9222 6411

E: FOI.DOH@health.wa.gov.au

www.health.wa.gov.au

The contents of this e-mail transmission are intended solely for the named recipient(s), may be confidential, and may be privileged or otherwise protected from disclosure in the public interest. The use, reproduction, disclosure or distribution of the contents of this e-mail transmission by any person other than the named recipient(s) is prohibited. If you are not a named recipient please notify the sender immediately.

 **M60-36321_Email and attachments.pdf**
285K

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 24 February 2021 7:15 PM
To: office@hazzard.minister.nsw.gov.au; martin.foley@parliament.vic.gov.au; minister.fyles@nt.gov.au; Ministerforhealth@sa.gov.au; Cook, Minister; sarah.courtney@dpac.tas.gov.au; health@ministerial.qld.gov.au; stephen-smith@act.gov.au
Subject: HPECM: FOI 1937 - Requesting Further Information
Attachments: Initial FOI 1937 Response.pdf; FOI 1937.pdf
Categories: In queue to be logged

Dear Health Ministers,

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.

The Department's initial response on 24th August 2020 (attached: "Initial FOI 1937 Response"), stated: "To obtain the information you are seeking please direct your request to the various State and territory Departments of Health".

After further correspondence between the FOI author and the Department, a more formal response was given (attached: "FOI 1937"), yet the outcome remained the same.

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 look forward to your response.

[REDACTED]

----- Forwarded message -----

From: **FOI** <FOI@health.gov.au>

Date: Mon, 24 Aug 2020, 12:10

Subject: Freedom of Information Request - Studies re isolation of SARS-COV-2
[SEC=UNOFFICIAL]

To: [REDACTED]

Dear [REDACTED]

I refer to your request to the Australian Government Department of Health (department) 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.

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 record with certainty (i.e. title, author(s), date, journal, where the public may access it).

The department does not hold the documents you are seeking access too.

To obtain the information you are seeking please direct your request to the various State and Territory Departments of Health.

Kind regards

FOI Officer

FOI Team - FOI and Legislation Support Section

Legal & Assurance Division | Corporate Operations Group

Legal Advice & Legislation Branch

Australian Government Department of Health

T: 02 6289 1666 | E: FOI@health.gov.au

GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health acknowledges the Traditional Custodians of Australia and their continued connection to land, sea and community. We pay our respects to all Elders past and present.

If you receive this email in error, please delete it and contact the sender immediately.



Australian Government

Department of Health

Department Reference: FOI 1937



**NOTICE OF DECISION: UNDER SECTION 24A
OF THE FREEDOM OF INFORMATION ACT 1982**

I refer to your request of 11 August 2020 to the Department of Health (department) seeking access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to the following documents:

"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,*
- 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.

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 record with certainty (i.e. title, author(s), date, journal, where the public may access it)."

On 24 August 2020, the department sent you an email advising the department does not hold any documents relating to the scope of your request and referring you to the states and territories. You responded the same day, seeking a PDF response and asking questions about SARS-COV-2 Virus Isolation.

I am writing to advise you of my decision.

FOI decision

I am authorised under subsection 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision on your request.

All reasonable steps have been taken to find documents referred to in your request including consultation with relevant policy and program areas, thorough searches of departmental file management systems, electronic documents on shared and personal drives and departmental data bases.

I am satisfied the consultation undertaken and the searches conducted were thorough and all reasonable steps have been taken to locate documents relevant to your request. I am satisfied the documents referred to in your request do not exist.

As a consequence, relying on section 24A of the FOI Act, I cannot provide access to the documents you requested.

FOI review rights

If you are dissatisfied with my decision, you may apply for an internal review or Australian Information Commissioner (Information Commissioner) review of the decision.

Internal review

Under section 54 of the FOI Act, you may apply in writing to the department for an internal review of my decision. The internal review application must be made within 30 days of the date of this notice (or such further period as the department allows). Where possible please provide reasons why you consider review of the decision is necessary. The internal review will be carried out by another officer of this department within 30 days.

An application for an internal review should be addressed to:

Email: FOI@health.gov.au
Mail: FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner Review

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review my decision. An application for review must be made in writing within 60 days of this notice (if you do not request an internal review).

The Australian Information Commissioner can be contacted by:

Email: enquiries@oaic.gov.au

Phone: 1300 363 992

More about the Information Commissioner review is available on the Office of the Australian Information Commissioner (OAIC) website at:

<https://www.oaic.gov.au/freedom-of-information/reviews/>

You may also make a complaint to the Information Commissioner about action taken by the department in relation to your application. Further information can be obtained from the OAIC website.

Relevant provisions of the FOI Act

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:

<https://www.legislation.gov.au/Details/C2020C00110>

Additional information

As mentioned in the department's email to you of 25 August 2020, the FOI Act provides a mechanism for individuals to access 'documents' held by entities such as the department. It does not provide a mechanism for making enquiries or asking questions about issues.

However, outside the FOI Act, I can provide you with the following information that may be of assistance to you.

Point-of-care testing is a form of testing in which the analysis is performed where healthcare is provided, close to or near the patient. All point-of-care test kits for identifying the SARS CoV-2 virus (COVID-19 test kits) approved by the Therapeutic Goods Administration (TGA) for supply within Australia and inclusion in the Australian Register of Therapeutic Goods are listed on the TGA website at: www.tga.gov.au/covid-19-test-kits-included-artg-legalsupply-australia.

Information about the regulation of in vitro diagnostic medical devices in Australia, including the COVID-19 test kits, is also available on the TGA website at: www.tga.gov.au/overview-regulatory-framework-vitro-diagnostic-medical-devices

Additionally, there is a publically available paper on the isolation of SARS-CoV-2 at VIDRL (which describes inoculation of Vero/hSLAM cells which led to the isolation of SARS-CoV-2 in culture), which can be located at the following link:

<https://www.mja.com.au/journal/2020/212/10/isolation-and-rapid-sharing-2019-novel-coronavirus-sars-cov-2-first-patient>

Contacts

If you require clarification of any of the matters discussed in this letter you should contact Freedom of Information Unit on (02) 6289 1666 or at FOI@health.gov.au.

Yours sincerely



K. Bishop
Principal Lawyer
Legal Advice & Legislation Branch

9 September 2020



Teor



Fale aqui

Solicito,todos os estudos e / ou relatórios em posse, custódia ou controle da Anvisa, FIOCRUZ, MINISTERIO DA SAUDE E MINISTERIO da CIENCIA descrevendo a purificação de qualquer "vírus COVID-19" (também conhecido como "SARS-COV-2", incluindo quaisquer alegadas "variantes", ou seja, " B.1.1.7 "," B.1.351 "," P.1 ") diretamente de uma amostra retirada de um ser humano doente, onde a amostra do paciente não foi combinada primeiro com qualquer outra fonte de material genético (ou





fonte de material genético (ou seja, células de rim de macaco aka Células Vero; soro fetal de bovino). Observe que não estou solicitando estudos / relatórios em que os pesquisadores não conseguiram purificar o "vírus" suspeito (separe o suposto "vírus" de tudo o mais na amostra do paciente) e, em vez disso: cultivou uma amostra não purificada ou outra substância não purificada, e / ou realizou um teste de amplificação (ou seja, um teste de PCR) no RNA total de uma amostra de paciente ou de uma cultura de células, ou no material genético de qualquer substância não purificada, e / ou fabricou um genoma com base em sequências detectadas por PCR no RNA total de uma amostra de





células ou de qualquer substância não purificada, e / ou produziu imagens de microscopia eletrônica de coisas não purificadas em uma cultura de células. Esclarecimento de Pedido Para maior clareza, observe que já estou ciente de que, de acordo com a teoria do vírus, um "vírus" requer células hospedeiras para se replicar e não estou solicitando registros que descrevam a replicação de um "vírus" sem células hospedeiras. Além disso, não estou solicitando registros que descrevam um "vírus" suspeito flutuando no vácuo; Estou simplesmente solicitando registros que descrevem sua purificação (separação de tudo o mais na amostra do paciente, de acordo com as práticas





minha solicitação inclui qualquer estudo / relatório que corresponda à descrição acima, por exemplo (mas não limitado a) qualquer estudo revisado por pares publicado de autoria de qualquer pessoa, em qualquer lugar. Observe também que, apesar do fato de que a purificação é uma etapa essencial (mas não suficiente) para provar a existência de um "vírus" causador de doenças. Portanto, no interesse da transparência e de acordo com os propósitos da legislação, se algum registro corresponder à descrição acima dos registros solicitados e estiver atualmente disponível ao público em outro lugar, forneça informações suficientes sobre cada registro para que eu possa identificar e



Anexos Originais

Não foram encontrados registros.

Manifestação



Tipo de manifestação

Acesso à Informação

Número

25072.018642/2021-85

Esfera

Federal

Órgão destinatário

ANVISA – Agência Nacional de
Vigilância Sanitária

Serviço

-

Órgão de interesse

-

Assunto



-

Assunto

Acesso à informação

Subassunto

Tag

-

Data de cadastro

11/07/2021



Prazo de atendimento

02/08/2021

Situação

Concluída

Registrado por

Marcella picone

Modo de resposta

Pelo sistema (com avisos por email)

Canal de entrada

Internet

Recurso





Anexos



Respostas e históricos de ações



Respostas



Publicação

Tipo

Responsável



16/07/2021
11:29

Resposta
Conclusiva

Gerência D
Produtos
Diagnóstico
De Uso In
Vitro (GEV)

Histórico de ações

Data/Hora

Ação



11/07/2021 16:24

Cadastro



16/07/2021 11:29

Cadastro



16/07/2021 11:29

Cadastro



16/07/2021 11:29

Cadastro

29

Diagnósticos De Uso In Vitro (GEVIT)

texto

Prezado (a)
Senhor(a),

Com base nas
informações
fornecidas pela
Gerência De
Produtos

Diagnósticos De Uso
In Vitro (GEVIT), área
técnica afeta ao
assunto questionado,
informamos que
a informação
solicitada não está
disponível na
Gerência de
Produtos para
diagnóstico in vitro
da Anvisa.

Informações a cerca
de purificação de
vírus não são





informações
requeridas para
registro de produto
para diagnóstico de
Covid, de acordo
com o disposto na
RDC 36/2015.

Ademais, não temos
produtos registrados
com a finalidade de
identificação de
variantes de
interesse do vírus
sars-cov 2.

Em atendimento ao
disposto no art. 11, §
4º, da Lei 12.527/11,
informamos que o
requerente poderá
registrar recurso na
Plataforma Integrada
de Ouvidoria e
Acesso à Informação
- Fala.BR, no prazo
de 10 (dez) dias,
contado da ciência





de 10 (dez) dias, contado da ciência da decisão, que será avaliado pelo Gerência-Geral de Tecnologia de Produtos para Saúde (GGTPS).



Para mais esclarecimentos, a Anvisa também disponibiliza a sua Central de Atendimento, por meio do 0800 642 9782 (dias úteis, das 7h30 às 19h30) e por meio eletrônico, no Fale Conosco:

(<http://www.anvisa.gov.br/institucional/faleconosco/FaleConosco.asp>)

Atenciosamente,

DESPACHO Nº 268/2021/SEI/GGTPS/DIRE3/ANVISA

Processo nº 25351.920427/2021-18

Interessado: CGTAI

Assunto: **Recurso de 1ª Instância Fala.BR NUP nº 25072018642202185**

A questão feita pelo protocolo SAT é genérica e solicita informação não disponível em âmbito da GGTPS:

"Solicito,todos os estudos e / ou relatórios em posse, custódia ou controle da Anvisa, FIOCRUZ, MINISTERIO DA SAUDE E MINISTERIO da CIENCIA descrevendo a purificação de qualquer "virus COVID-19" (também conhecido como "SARS-COV-2", incluindo quaisquer alegadas "variantes", ou seja, " B.1.1.7 ", " B.1.351 ", " P.1 ") diretamente de uma amostra retirada de um ser humano doente, onde a amostra do paciente não foi combinada primeiro com qualquer outra fonte de material genético (ou seja, células de rim de macaco aka Células Vero; soro fetal de bovino). Observe que não estou solicitando estudos / relatórios em que os pesquisadores não conseguiram purificar o "virus" suspeito (separe o suposto "virus" de tudo o mais na amostra do paciente) e, em vez disso: cultivou uma amostra não purificada ou outra substância não purificada, e / ou realizou um teste de amplificação (ou seja, um teste de PCR) no RNA total de uma amostra de paciente ou de uma cultura de células, ou no material genético de qualquer substância não purificada, e / ou fabricou um genoma com base em sequências detectadas por PCR no RNA total de uma amostra de paciente ou de uma cultura de células ou de qualquer substância não purificada, e / ou produziu imagens de microscopia eletrônica de coisas não purificadas em uma cultura de células. Esclarecimento de Pedido Para maior clareza, observe que já estou ciente de que, de acordo com a teoria do vírus, um "virus" requer células hospedeiras para se replicar e não estou solicitando registros que descrevam a replicação de um "virus" sem células hospedeiras. Além disso, não estou solicitando registros que descrevam um "virus" suspeito fluando no vácuo; Estou simplesmente solicitando registros que descrevem sua purificação (separação de tudo o mais na amostra do paciente, de acordo com as práticas laboratoriais padrão para a purificação de outras coisas muito pequenas). Observe que minha solicitação inclui qualquer estudo / relatório que corresponda à descrição acima, por exemplo (mas não limitado a) qualquer estudo revisado por pares publicado de autoria de qualquer pessoa, em qualquer lugar. Observe também que, apesar do fato de que a purificação é uma etapa essencial (mas não suficiente) para provar a existência de um "virus" causador de doenças. Portanto, no interesse da transparência e de acordo com os propósitos da legislação, se algum registro corresponder à descrição acima dos registros solicitados e estiver atualmente disponível ao público em outro lugar, forneça informações suficientes sobre cada registro para que eu possa identificar e acessar cada um com certeza (ou seja, título, autor (es), data, periódico, onde o público pode acessá-lo). Forneça URLs sempre que possível. Grata desde já. Aguardo retorno."

Diante do questionamento genérico e de informação não disponível nessa GEVIT/GGTPS a resposta encaminhada foi:

Prezado (a) Senhor(a), Com base nas informações fornecidas pela Gerência De Produtos Diagnósticos De Uso In Vitro (GEVIT), área técnica afeta ao assunto questionado, informamos que a informação solicitada não está disponível na Gerência de Produtos para diagnóstico in vitro da Anvisa. Informações a cerca de purificação de vírus não são informações requeridas para registro de

https://sei.anvisa.gov.br/sei/controlador.php?acao=documento_imprimir_web&acao_origem=arvore_visualizar&id_documento=1718195&infra_sis... 1/2

produto para diagnóstico de Covid, de acordo com o disposto na RDC 36/2015. Ademais, não temos produtos registrados com a finalidade de identificação de variantes de interesse do vírus sars-cov 2. Em atendimento ao disposto no art. 11, § 4º, da Lei 12.527/11, informamos que o requerente poderá registrar recurso na Plataforma Integrada de Ouvidoria e Acesso à Informação - Fala.BR, no prazo de 10 (dez) dias, contado da ciência da decisão, que será avaliado pelo Gerência Geral de Tecnologia de Produtos para Saúde (GGTPS). Para mais esclarecimentos, a Anvisa também disponibiliza a sua Central de Atendimento, por meio do 0800 642 9782 (dias úteis, das 7h30 às 19h30) e por meio eletrônico, no Fale Conosco: (<http://www.anvisa.gov.br/institucional/faleconosco/> FaleConosco.a sp) Atenciosamente, Agência Nacional de Vigilância Sanitária

A resposta foi adequada, visto que a GEVIT/GGTPS não pode disponibilizar informação que não detém. Neste sentido, indefiro o recurso apresentado.

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

Dados Básicos da Manifestação

Tipo de Manifestação: Acesso à Informação

Esfera: Federal

NUP: 25072.019256/2021-19

Órgão Destinatário: MS – Ministério da Saúde

Órgão de Interesse:

Assunto: Outros em Saúde

Subassunto:

Data de Cadastro: 16/07/2021

Situação: Concluída

Data limite para resposta: 09/08/2021

Canal de Entrada: Internet

Modo de Resposta: Pelo sistema (com avisos por email)

Registrado Por: Cidadão

Tipo de formulário: Acesso à Informação

Serviço:

Outro Serviço:

Teor da Manifestação

Extrato: Solicito todos os estudos e ou, relatórios em posse ou controle, Ministério da saúde e Fiocruz ou Qualquer órgão responsável, descrevendo a purificação de qualquer " vírus covid 19", (também conhecido como sars cov 2), incluindo quaisquer alegadas "variantes" diretamente de uma amostra retirada de um ser humano doente, onde a amostra do paciente não foi combinada previamente com qualquer outra fonte de material genético (ou seja células de rim de macaco, aka, células vero, soro fetal de bovino). Observe que não estou solicitando estudos/relatórios em que os pesquisadores não conseguiram purificar o "virus" suspeito(separe o suposto vírus de tudo O mais na amostra do paciente e, invés disso: cultivou uma amostra não purificada ou outra substância não purificada, é ou, realizou um teste de amplificação, ou seja pcr). No rna total de uma amostra de paciente ou de uma cultura de células, ou no material genético de qualquer substância não purificada, é ou fabricou um genoma com base em sequências detectadas por pcr no rna total de uma amostra de paciente ou de uma cultura de células ou de qualquer substância não purificada, é ou produziu imagens de microscopia eletrônica boca de coisas não purificadas em uma cultura de células.

Esclarecimento de pedido para maior clareza, observe que já estou ciente de que, de acordo com a teoria do vírus, um vírus requer células hospedeiras para se replicar e não estou solicitando registros que descrevam a replicação de um vírus suspeito flutuando no vácuo; estou solicitando registros que descrevam sua purificação(separação de tudo ou mais na amostra do paciente, de acordo com as práticas laboratoriais padrão para a purificação de coisas pequenas). Observe que minha solicitação inclui qualquer estudo/relatório

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

que corresponda a descrição acima, por exemplo ('mas não limitado a) qualquer estudo revisado por pares publicado de autoria de qualquer pessoa, em qualquer lugar. Observe também que, apesar do fato de que a purificação é uma etapa essencial(mas não suficiente) para provar a existência de um vírus causador de doenças.

Portanto, no interesse da transparência e de acordo com os propósitos da legislação, se algum registro corresponder a descrição acima dos registros solicitados e estiver atualmente disponível em outro local, forneça informações suficientes sobre cada registro para que eu possa identificar e acessar cada um certeza (ou seja título, autor, data, periódico). Forneça url sempre que possível.

Grata desde já
Aguardo retorno.

Proposta de melhoria:

Município do local do fato:

UF do local do fato:

Local:

Não há anexos originais da manifestação.

Não há anexos complementares.

Não há textos complementares.

Não há envolvidos na manifestação.

Campos Adicionais

Não há campos adicionais.

Dados das Respostas

Tipo de Resposta	Data/Hora	Teor da Resposta	Decisão	Compromisso	Anexos
Resposta Conclusiva	22/07/2021 15:42	A presente demanda não dispõe de clareza de dados para que seja possível compreender a informação requerida pela interessada, porquanto solicita: "SOLICITO TODOS OS ESTUDOS E OU, RELATÓRIOS EM POSSE OU CONTROLE, MINISTÉRIO DA SAÚDE E FIOCRUZ OU QUALQUER	Informação Inexistente		

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

		<p>ÓRGÃO RESPONSÁVEL, DESCRREVENDO A PURIFICAÇÃO DE QUALQUER " VÍRUS COVID 19", (TAMBÉM CONHECIDO COMO SARS COV 2), INCLUINDO QUAISQUER ALEGADAS "VARIANTES" DIRETAMENTE DE UMA AMOSTRA RETIRADA DE UM SER HUMANO DOENTE, ONDE A AMOSTRA DO PACIENTE NÃO FOI COMBINADA PREVIAMENTE COM QUALQUER OUTRA FONTE DE MATERIAL GENÉTICO (OU SEJA CÉLULAS DE RIM DE MACACO, AKA, CÉLULAS VERO, SORO FETAL DE BOVINO). OBSERVE QUE NÃO ESTOU SOLICITANDO ESTUDOS/RELATÓRIOS EM QUE OS PESQUISADORES NÃO CONSEGUIRAM PURIFICAR O "VIRUS" SUSPEITO(SEPRE O SUPOSTO VÍRUS DE TUDO O MAIS NA AMOSTRA DO PACIENTE E, INVÉS DISSO: CULTIVOU UMA AMOSTRA NÃO PURIFICADA OU OUTRA SUBSTÂNCIA NÃO PURIFICADA, É OU, REALIZOU UM TESTE DE AMPLIFICAÇÃO, OU SEJA PCR). NO RNA TOTAL DE UMA AMOSTRA DE PACIENTE OU DE UMA CULTURA DE CÉLULAS, OU NO MATERIAL GENÉTICO DE QUALQUER SUBSTÂNCIA NÃO PURIFICADA, É OU FABRICOU UM GENOMA COM BASE EM SEQUÊNCIAS DETECTADAS POR PCR NO RNA TOTAL DE UMA AMOSTRA DE PACIENTE OU DE UMA CULTURA DE CÉLULAS OU DE QUALQUER SUBSTÂNCIA NÃO PURIFICADA, É OU PRODUZIU IMAGENS DE MICROSCOPIA ELETRÔNICABOCA DE COISAS NÃO PURIFICADAS EM UMA CULTURA DE CÉLULAS. ESCLARECIMENTO DE</p>			
--	--	---	--	--	--

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

		<p>PEDIDO PARA MAIOR CLAREZA, OBSERVE QUE JÁ ESTOU CIENTE DE QUE, DE ACORDO COM A TEORIA DO VÍRUS, UM VÍRUS REQUER CÉLULAS HOSPEDEIRAS PARA SE REPLICAR E NÃO ESTOU SOLICITANDO REGISTROS QUE DESCREVAM A REPLICAÇÃO DE UM VÍRUS SUSPEITO FLUTUANDO NO VÁCUO; ESTOU SOLICITANDO REGISTROS QUE DESCREVAM SUA PURIFICACAO(SEPARAÇÃO DE TUDO OU MAIS NA AMOSTRA DO PACIENTE, DE ACORDO COM AS PRÁTICAS LABORATORIAIS PADRÃO PARA A PURIFICAÇÃO DE COISAS PEQUENAS). OBSERVE QUE MINHA SOLICITAÇÃO INCLUI QUALQUER ESTUDO/RELATÓRIO QUE CORRESPONDA A DESCRIÇÃO ACIMA, POR EXEMPLO ("MAS NÃO LIMITADO A) QUALQUER ESTUDO REVISADO POR PARES PUBLICADO DE AUTORIA DE QUALQUER PESSOA, EM QUALQUER LUGAR. OBSERVE TAMBÉM QUE, APESAR DO FATO DE QUE A PURIFICAÇÃO É UMA ETAPA ESSNCIAL(MAS NÃO SUFICIENTE) PARA PROVAR A EXISTÊNCIA DE UM VÍRUS CAUSADOR DE DOENÇAS. PORTANTO, NO INTERESSE DA TRANSPARÊNCIA E DE ACORDO COM OS PROPÓSITOS DA LEGISLAÇÃO, SE ALGUM REGISTRO CORRESPONDER A DESCRIÇÃO ACIMA DOS REGISTROS SOLICITADOS E ESTIVER ATUALMENTE DISPONÍVEL EM OUTRO LOCAL, FORNEÇA INFORMAÇÕES SUFICIENTES SOBRE CADA REGISTRO PARA QUE EU POSSA IDENTIFICAR E ACESSAR CADA UM." Dessa forma, impossibilitada a identificação</p>			
--	--	--	--	--	--

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

		e a compreensão da solicitação, a demanda enquadra-se como informação inexistente, com ausência de dados claros e concretos para atendimento. Fundamento: Inciso III do §1º do art. 11, da Lei nº 12.527, de 18 de novembro de 2011, in verbis: "Art. 11. O órgão ou entidade pública deverá autorizar ou conceder o acesso imediato à informação disponível. § 1º Não sendo possível conceder o acesso imediato, na forma disposta no caput, o órgão ou entidade que receber o pedido deverá, em prazo não superior a 20 (vinte) dias: I - comunicar a data, local e modo para se realizar a consulta, efetuar a reprodução ou obter a certidão; II - indicar as razões de fato ou de direito da recusa, total ou parcial, do acesso pretendido; ou III - comunicar que não possui a informação, indicar, se for do seu conhecimento, o órgão ou a entidade que a detém, ou, ainda, remeter o requerimento a esse órgão ou entidade, cientificando o interessado da remessa de seu pedido de informação." (Grifos adotados).			
--	--	---	--	--	--

Dados do recurso - Primeira Instância

Destinatário	MS – Ministério da Saúde
Data de Abertura	22/07/2021 15:44
Prazo de Atendimento	27/07/2021 23:59
Tipo de Recurso	Informação recebida não corresponde à solicitada
Origem da Solicitação	Internet

Justificativa

O questionamento passado ao ministério da saúde do Brasil, foi exatamente o mesmo encaminhado para mais de 40 países no mundo, todos entenderam a solicitação e enviaram suas respostas prontamente.

Solicito, todo e qualquer estudo/artigo que demonstre a purificação/isolamento, do "virus" sars cov 2 causador da "covid", que não tenha sido infectado e ou manipulado com nenhuma célula ou tratamento genético.

A resposta de não entendimento da pergunta, vindo do ministério da saúde, não é apenas insatisfatória, mas me faz crer que tentam desviar da resposta solicitada.

Para as análises de todos os procedimentos que estão fazendo se vê necessário o isolamento do vírus seguindo os postulados de Kochs, para isso ou isolamento e ou purificação do vírus seguindo o postulado de kochs deve estar nas mãos do ministério da saúde, Fiocruz e Instituto Butantã, eu quero todos os estudos, artigos, bibliografia que comprovem aos moldes da pergunta acima, o isolamento do vírus.

Grata.

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

Resposta do recurso - Primeira Instância

Não há registro de resposta

Denúncia de descumprimento

Não há registro de denúncias de descumprimento.

Dados de Encaminhamento

Não há registros de encaminhamento.

Dados de Prorrogação

Não há registros de prorrogações.

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

Dados Básicos da Manifestação

Tipo de Manifestação: Acesso à Informação

Esfera: Federal

NUP: 25072.019256/2021-19

Órgão Destinatário: MS – Ministério da Saúde

Órgão de Interesse:

Assunto: Outros em Saúde

Subassunto:

Data de Cadastro: 16/07/2021

Situação: Concluída

Data limite para resposta: 09/08/2021

Canal de Entrada: Internet

Modo de Resposta: Pelo sistema (com avisos por email)

Registrado Por: Marcella picone

Tipo de formulário: Acesso à Informação

Serviço:

Outro Serviço:

Teor da Manifestação

Extrato: Solicito todos os estudos e ou, relatórios em posse ou controle, Ministério da saúde e Fiocruz ou Qualquer órgão responsável, descrevendo a purificação de qualquer " vírus covid 19", (também conhecido como sars cov 2), incluindo quaisquer alegadas "variantes" diretamente de uma amostra retirada de um ser humano doente, onde a amostra do paciente não foi combinada previamente com qualquer outra fonte de material genético (ou seja células de rim de macaco, aka, células vero, soro fetal de bovino). Observe que não estou solicitando estudos/relatórios em que os pesquisadores não conseguiram purificar o "virus" suspeito(separe o suposto vírus de tudo O mais na amostra do paciente e, invés disso: cultivou uma amostra não purificada ou outra substância não purificada, é ou, realizou um teste de amplificação, ou seja pcr). No rna total de uma amostra de paciente ou de uma cultura de células, ou no material genético de qualquer substância não purificada, é ou fabricou um genoma com base em sequências detectadas por pcr no rna total de uma amostra de paciente ou de uma cultura de células ou de qualquer substância não purificada, é ou produziu imagens de microscopia eletrônica boca de coisas não purificadas em uma cultura de células.

Esclarecimento de pedido para maior clareza, observe que já estou ciente de que, de acordo com a teoria do vírus, um vírus requer células hospedeiras para se replicar e não estou solicitando registros que descrevam a replicação de um vírus suspeito flutuando no vácuo; estou solicitando registros que descrevam sua purificação(separação de tudo ou mais na amostra do paciente, de acordo com as práticas laboratoriais padrão para a purificação de coisas pequenas). Observe que minha solicitação inclui qualquer estudo/relatório

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

que corresponda a descrição acima, por exemplo (mas não limitado a) qualquer estudo revisado por pares publicado de autoria de qualquer pessoa, em qualquer lugar. Observe também que, apesar do fato de que a purificação é uma etapa essencial(mas não suficiente) para provar a existência de um vírus causador de doenças.

Portanto, no interesse da transparência e de acordo com os propósitos da legislação, se algum registro corresponder a descrição acima dos registros solicitados e estiver atualmente disponível em outro local, forneça informações suficientes sobre cada registro para que eu possa identificar e acessar cada um com certeza (ou seja título, autor, data, periódico). Forneça url sempre que possível.

Grata desde já

Aguardo retorno.

Proposta de melhoria:

Município do local do fato:

UF do local do fato:

Local:

Não há anexos originais da manifestação.

Não há anexos complementares.

Não há textos complementares.

Não há envolvidos na manifestação.

Dados do Usuário

Tipo de identificação: Identificado com Restrição

Pedido de restrição de Não
identidade:

Tipo de Pessoa: Física

País: Brasil

Nome: Marcella picone

Dados de Identificação:	Tipo de Documento	Número do Documento
	CPF	33219635822

Email: [REDACTED]

Telefone:

CEP:

UF:

Município:

Logradouro:

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

Número:

Complemento:

Bairro:

Dados
Complementares:

Gênero:

Data de
Nascimento:

Cor/Raça:

Escolaridade:

Profissão:

Campos Adicionais

Não há campos adicionais.

Dados das Respostas

Tipo de Resposta	Data/Hora	Teor da Resposta	Decisão	Compromisso	Anexos
Resposta Conclusiva	22/07/2021 15:42	A presente demanda não dispõe de clareza de dados para que seja possível compreender a informação requerida pela interessada, porquanto solicita: "SOLICITO TODOS OS ESTUDOS E OU, RELATÓRIOS EM POSSE OU CONTROLE, MINISTÉRIO DA SAÚDE E FIOCRUZ OU QUALQUER ÓRGÃO RESPONSÁVEL, DESCREVENDO A PURIFICAÇÃO DE QUALQUER " VÍRUS COVID 19", (TAMBÉM CONHECIDO COMO SARS COV 2), INCLUINDO QUAISQUER ALEGADAS "VARIANTES" DIRETAMENTE DE UMA AMOSTRA RETIRADA DE	Informação Inexistente		

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

		<p>UM SER HUMANO DOENTE, ONDE A AMOSTRA DO PACIENTE NÃO FOI COMBINADA PREVIAMENTE COM QUALQUER OUTRA FONTE DE MATERIAL GENÉTICO (OU SEJA CÉLULAS DE RIM DE MACACO, AKA, CÉLULAS VERO, SORO FETAL DE BOVINO). OBSERVE QUE NÃO ESTOU SOLICITANDO ESTUDOS/RELATÓRIOS EM QUE OS PESQUISADORES NÃO CONSEGUIRAM PURIFICAR O "VIRUS" SUSPEITO(SEPARE O SUPOSTO VÍRUS DE TUDO O MAIS NA AMOSTRA DO PACIENTE E, INVÉS DISSO: CULTIVOU UMA AMOSTRA NÃO PURIFICADA OU OUTRA SUBSTÂNCIA NÃO PURIFICADA, É OU, REALIZOU UM TESTE DE AMPLIFICAÇÃO, OU SEJA PCR). NO RNA TOTAL DE UMA AMOSTRA DE PACIENTE OU DE UMA CULTURA DE CÉLULAS, OU NO MATERIAL GENÉTICO DE QUALQUER SUBSTÂNCIA NÃO PURIFICADA, É OU FABRICOU UM GENOMA COM BASE EM SEQUÊNCIAS DETECTADAS POR PCR NO RNA TOTAL DE UMA AMOSTRA DE PACIENTE OU DE UMA CULTURA DE CÉLULAS OU DE QUALQUER SUBSTÂNCIA NÃO PURIFICADA, É OU PRODUZIU IMAGENS DE MICROSCOPIA ELETRÔNICABOCA DE COISAS NÃO PURIFICADAS EM UMA CULTURA DE CÉLULAS. ESCLARECIMENTO DE PEDIDO PARA MAIOR CLAREZA, OBSERVE QUE JÁ ESTOU CIENTE DE QUE, DE ACORDO COM A TEORIA DO VÍRUS, UM VÍRUS REQUER CÉLULAS HOSPEDEIRAS PARA SE REPLICAR E NÃO ESTOU SOLICITANDO REGISTROS QUE DESCREVAM A</p>			
--	--	--	--	--	--

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

		<p>REPLICAÇÃO DE UM VÍRUS SUSPEITO FLUTUANDO NO VÁCUO; ESTOU SOLICITANDO REGISTROS QUE DESCREVAM SUA PURIFICACAO(SEPARAÇÃO DE TUDO OU MAIS NA AMOSTRA DO PACIENTE, DE ACORDO COM AS PRÁTICAS LABORATORIAIS PADRÃO PARA A PURIFICAÇÃO DE COISAS PEQUENAS). OBSERVE QUE MINHA SOLICITAÇÃO INCLUI QUALQUER ESTUDO/RELATÓRIO QUE CORRESPONDA A DESCRIÇÃO ACIMA, POR EXEMPLO ("MAS NÃO LIMITADO A) QUALQUER ESTUDO REVISADO POR PARES PUBLICADO DE AUTORIA DE QUALQUER PESSOA, EM QUALQUER LUGAR. OBSERVE TAMBÉM QUE, APESAR DO FATO DE QUE A PURIFICAÇÃO É UMA ETAPA ESSNCIAL(MAS NÃO SUFICIENTE) PARA PROVAR A EXISTÊNCIA DE UM VÍRUS CAUSADOR DE DOENÇAS. PORTANTO, NO INTERESSE DA TRANSPARÊNCIA E DE ACORDO COM OS PROPÓSITOS DA LEGISLAÇÃO, SE ALGUM REGISTRO CORRESPONDER A DESCRIÇÃO ACIMA DOS REGISTROS SOLICITADOS E ESTIVER ATUALMENTE DISPONÍVEL EM OUTRO LOCAL, FORNEÇA INFORMAÇÕES SUFICIENTES SOBRE CADA REGISTRO PARA QUE EU POSSA IDENTIFICAR E ACESSAR CADA UM." Dessa forma, impossibilitada a identificação e a compreensão da solicitação, a demanda enquadra-se como informação inexistente, com ausência de dados claros e concretos para atendimento. Fundamento: Inciso III do §1º do art. 11, da Lei nº 12.527, de 18 de novembro de 2011, in verbis: "Art. 11. O órgão ou</p>			
--	--	--	--	--	--

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

		entidade pública deverá autorizar ou conceder o acesso imediato à informação disponível. § 1º Não sendo possível conceder o acesso imediato, na forma disposta no caput, o órgão ou entidade que receber o pedido deverá, em prazo não superior a 20 (vinte) dias: I - comunicar a data, local e modo para se realizar a consulta, efetuar a reprodução ou obter a certidão; II - indicar as razões de fato ou de direito da recusa, total ou parcial, do acesso pretendido; ou III - comunicar que não possui a informação, indicar, se for do seu conhecimento, o órgão ou a entidade que a detém, ou, ainda, remeter o requerimento a esse órgão ou entidade, cientificando o interessado da remessa de seu pedido de informação." (Grifos adotados).			
--	--	--	--	--	--

Dados do recurso - Primeira Instância

Destinatário	MS – Ministério da Saúde
Data de Abertura	22/07/2021 15:44
Prazo de Atendimento	27/07/2021 23:59
Tipo de Recurso	Informação recebida não corresponde à solicitada
Origem da Solicitação	Internet

Justificativa

O questionamento passado ao ministério da saúde do Brasil, foi exatamente o mesmo encaminhado para mais de 40 países no mundo, todos entenderam a solicitação e enviaram suas respostas prontamente.

Solicito, todo e qualquer estudo/artigo que demonstre a purificação/isolamento, do "virus" sars cov 2 causador da "covid", que não tenha sido infectado e ou manipulado com nenhuma célula ou tratamento genético.

A resposta de não entendimento da pergunta, vindo do ministério da saúde, não é apenas insatisfatória, mas me faz crer que tentam desviar da resposta solicitada.

Para as análises de todos os procedimentos que estão fazendo se vê necessário o isolamento do vírus seguindo os postulados de Kochs, para isso ou isolamento e ou purificação do vírus seguindo o postulado de kochs deve estar nas mãos do ministério da saúde, Fiocruz e Instituto Butantã, eu quero todos os estudos, artigos, bibliografia que comprovem aos moldes da pergunta acima, o isolamento do vírus.

Grata.

Resposta do recurso - Primeira Instância

Data da Resposta	28/07/2021 10:58
Prazo para disponibilizar informação	
Tipo de Resposta	Indeferido

Justificativa

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

Trata-se de recurso administrativo de 1º instância interposto contra manifestação deste Departamento de Ciência e Tecnologia - Decit/SCTIE/MS, com o seguinte teor: Justificativa do Recurso: "O questionamento passado ao ministério da saúde do Brasil, foi exatamente o mesmo encaminhado para mais de 40 países no mundo, todos entenderam a solicitação e enviaram suas respostas prontamente. Solicito, todo e qualquer estudo/artigo que demonstre a purificação/isolamento, do "virus" sars cov 2 causador da "covid", que não tenha sido infectado e ou manipulado com nenhuma célula ou tratamento genético. A resposta de não entendimento da pergunta, vindo do ministério da saúde, não é apenas insatisfatória, mas me faz crer que tentam desviar da resposta solicitada. Para as análises de todos os procedimentos que estão fazendo se vê necessário o isolamento do vírus seguindo os postulados de Kochs, para isso ou isolamento e ou purificação do vírus seguindo o postulado de Kochs deve estar nas mãos do ministério da saúde, Fiocruz e Instituto Butantã, eu quero todos os estudos, artigos, bibliografia que comprovem aos moldes da pergunta acima, o isolamento do vírus." Nesse sentido, segue minuta de manifestação em resposta ao presente recurso de 1ª Instância: Resposta: Senhora Marcella Picone, Em análise ao presente processo de acesso à informação, observa-se que a prévia manifestação deste Ministério da Saúde informou que a demanda não dispunha de clareza de dados para que fosse possível compreender a informação requerida. Em instância recursal, a interessada requer ao Ministério da Saúde todo e qualquer estudo/artigo que demonstre a purificação/isolamento, do "virus" sars cov 2 causador da "covid", que não tenha sido infectado e/ou manipulado com nenhuma célula ou tratamento genético. No que tange a artigos científicos com relação ao vírus SARS-CoV-2, registre-se que o acesso a esses arquivos são públicos e podem ser buscados diretamente pela solicitante. Comunique-se, a propósito, os canais de acesso às informações disponibilizadas por este Departamento de Ciência e Tecnologia (Decit/SCTIE/MS), concernentes ao enfrentamento da pandemia da Covid-19, a saber: Relatórios de monitoramento de vacinas (<https://www.gov.br/saude/pt-br/coronavirus/vacinas/relatorios-de-monitoramento-sctie>): O Ministério da Saúde monitora o desenvolvimento global de candidatas a vacinas contra Sars-CoV-2. No relatório abaixo, foram consolidadas as informações técnicas e científicas sobre as pesquisas em andamento, bem como o detalhamento das fases clínicas de cada candidata à vacina para a Covid-19. Painel de evidências científicas sobre tratamento farmacológico e vacinas - Covid-19 (https://qsprod.saude.gov.br/extensions/evidencias_covid/evidencias_covid.html): Plataforma que tem como objetivo reunir em tempo real as informações sobre publicações técnico-científicas de revistas indexadas e em pré-impressão que investigam a eficácia, segurança e efetividade de medicamentos e produtos biológicos usados para tratamento e prevenção da doença provocada pelo novo coronavírus. Observatório Plataforma Brasil (<https://observatoriopb.cienciasus.gov.br/>): No Observatório da Plataforma Brasil – OPB, é possível acessar todos os protocolos de pesquisa relacionados ao coronavírus e/ou à Covid-19 publicados nos Boletins Ética em Pesquisa - Edição Especial Coronavírus (Covid-19), que informam novos protocolos originais de pesquisa sobre Covid-19 aprovados no âmbito da Comissão Nacional de Ética em Pesquisa - CONEP, além de viabilizar o download pelos usuários, em formatos como Excel e CSV. O site também contém informações sobre os objetivos do projeto OPB. Informes de variantes Sars Cov 2 (<https://www.gov.br/saude/pt-br/coronavirus/publicacoes-tecnicas/informes-de-variantes>): O Informe Semanal de Evidências sobre Variantes de Atenção do SARS-CoV-2 tem o objetivo de acompanhar e relatar as mais recentes evidências descritas em publicações científicas e na literatura cinzenta sobre as principais variantes de SARS-CoV-2 circulantes no Brasil e no mundo, bem como as implicações destas para a saúde. Para tanto, são realizadas buscas estruturadas em bases de dados de indexação de periódicos científicos revisados pelos pares, de artigos no formato pré-print e de literatura cinzenta. Conforme informado, os artigos científicos encontrados nos referidos endereços eletrônicos são de acesso público e podem ser localizados diretamente pela solicitante, na medida em que tal ação impõe à Administração Pública trabalho adicional, na circunstância em que esta Pasta Ministerial está envidando o máximo de esforços nas ações de enfrentamento à pandemia de Covid-19 (SARS-CoV-2). Fundamento: A presente demanda enquadra-se no inciso III do art. 13, do Decreto nº 7.724, de 16 de maio de 2012, que Regulamenta a Lei nº 12.527, de 18 de novembro de 2011, a qual dispõe sobre o acesso a informações previsto no inciso XXXIII do caput do art. 5º, no inciso II do § 3º do art. 37 e no § 2º do art. 216 da Constituição, in verbis: "Art. 13. Não serão atendidos pedidos de acesso à informação: I - genéricos; II - desproporcionais ou desarrazoados; ou III - que exijam trabalhos adicionais de análise, interpretação ou consolidação de dados e informações, ou serviço de produção ou tratamento de dados que não seja de competência do órgão ou entidade. Parágrafo único. Na hipótese do inciso III do caput, o órgão ou entidade deverá, caso tenha conhecimento, indicar o local onde se encontram as informações a partir das quais o requerente poderá realizar a interpretação, consolidação ou tratamento de dados." (Grifos adotados). Ante o

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

exposto, indefere-se o presente recurso administrativo, com fulcro no inciso III do art. 13 do Decreto nº 7.724, de 16 de maio de 2012.

Responsável pela resposta	Diretor(a) do Departamento de Ciência e Tecnologia
Destinatário do recurso da próxima instância	Ministro de Estado da Saúde
Prazo limite para recurso	09/08/2021 23:59
Contém informações pessoais ou protegidas por outras hipóteses de sigilo?	Não

Dados do recurso - Segunda Instância

Destinatário	MS – Ministério da Saúde
Data de Abertura	28/07/2021 11:23
Prazo de Atendimento	02/08/2021 23:59
Tipo de Recurso	Outros
Origem da Solicitação	Internet

Justificativa

Ministerio da saude brasileiro, se recusa a responder requisição, respondida por mais de 86 paises, incluindo CDC, FDA e a propria Anvisa. Requisito, novamente, estudos e artigos, que mostrem o isolamento e purificacao do covid 19, seguindo o postulado universal cientifico do postulado de Kochs.

Solicito, purificacao e isolamento do virus, que nao tenha sido manipulado com nenhum outro elemento, e esse dado deve estar no resguardo no ministerio para que se efetuem vacinas e testes para a covid.

As resposras serao publicadas, internacionalmente, junto as respostas recebidas, sem transtornos, pelos 86 paises ja mencionados.

Incluindo a resposra de que o ministerio da saude brasileiro, nao entendeu a pergunta.

Aguardo ainda a resposta da fiocruz.

Resposta do recurso - Segunda Instância

Não há registro de resposta

Denúncia de descumprimento

Não há registro de denúncias de descumprimento.

Dados de Encaminhamento

Não há registros de encaminhamento.

Dados de Prorrogação

Plataforma Integrada de Ouvidoria e Acesso à Informação

Detalhes da Manifestação

Não há registros de prorrogações.

3rd November 2020

Dear Sirs

Freedom of Information Request Reference No: 202010343

Thank you for your request for information about SARS-COV-2

Your request was received on 24/10/2020 and I am dealing with it under the terms of the Freedom of Information Act 2000 (the Act).

I can confirm that following a search of our records, the Health and Safety Executive does not hold information relating to isolation of SARS-COV-2, I have been advised you should contact Public Health England.

However I can confirm that the Health and Safety Executive holds the information relating) any published peer-reviewed study that the HSE has downloaded or printed

This information is being withheld as it falls under the exemption in section 21 of the Act Information accessible by other means.

Section 21 of the Act is an absolute exemption not subject to the public interest test.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the decisions made by HSE you may ask for an internal review within two calendar months of the date of this letter by writing to me.

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:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Email: casework@ico.org.uk
Website: <https://ico.org.uk>

Yours sincerely
Cameron Hadwin

January 6, 2021

To:

Dr. Fernando Ruiz Gomez
Minister of Health and Social Protection of the Republic of Colombia
Carrera 13 No. 32-76 piso 1,
Bogota, COLOMBIA

Dr. Fernando Ruiz Gomez,

This is a formal request made under the *Ley de transparencia y del derecho de acceso a la informacion publica (Law on Transparency and the Right to Access Public Information)* from March 6, 2014.

Description of Requested Records:

All records in the possession, custody or control of the Ministry of Health and Social Protection of the Republic of Colombia 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; 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 someone at the Ministry of Health and Social Protection of the Republic of Colombia or that pertain to work performed by someone at the Ministry of Health and Social Protection of the Republic of Colombia. My request includes **any** sort of record, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that anyone at the Ministry of Health and Social Protection of the Republic of Colombia 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 record with certainty (i.e. title, author(s), date, journal, URL).

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]

Phone: [REDACTED]

Email: [REDACTED]

Application Fee:

Thank you in advance and best wishes,

[REDACTED]

11:32



AA

🔒 orfeo.minsalud.gov.co



Información seguimiento

TIPO PETICION		FECHA MAX DE 2021/05/13 RESPUESTA
FECHA	2021-01-07	ESTADO ACTUAL En Tramite
RADICADO	18:45:58.108554	

ESTADO DEL DOCUMENTO



Radicación



En
tramite



Finalizado

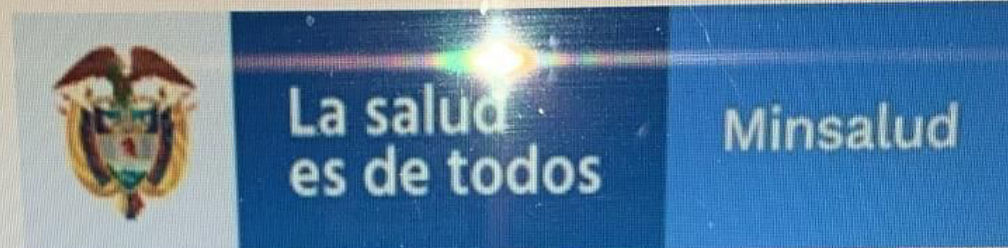
Salir

Versión Completa

www.minsalud.gov.co

Atención al ciudadano: Lunes a viernes, de 8:00
a.m. a 5:00 p.m., en jornada continua
Punto de atención presencial: Carrera 13 No. 32-





Su solicitud ha sido registrada de forma exitosa con el radicado No. **202142400025922** con fecha 2021-01-07, hora 06:45:58 y código de verificación **671dc**. Por favor tenga en cuenta estos datos para que realice la consulta del estado a su solicitud a través de la página web del Ministerio. Consulte el estado del radicado [aquí](#)

Pulse continuar para **terminar la solicitud** y visualizar el documento en formato PDF. Si desea almacenarlo en su disco duro o imprímalo.

Continuar

Cerrar

From: Envios Ministerio de Salud <envios@minsalud.gov.co>

Date: May 24, 2021 at 3:57:44 PM EDT

To: [REDACTED]

Subject: Tramite a la solicitud del Ciudadano [REDACTED] Radicado
No. 202142400025922 Ministerio de Salud y Proteccion

NOTIFICACIÓN DE GESTIÓN

Fecha:2021-05-24

Referencia: Tramite a la solicitud del Ciudadano [REDACTED]

El Ministerio de Salud y Protección Social se permite gestionar la solicitud en referencia, radicada con el número 202124000800281; para lo cual se envía el enlace para visualizar su respuesta.

Le informamos que esta dirección de e-mail es utilizada solamente para los envíos de la información solicitada. Por favor no responda con nuevas consultas ya que éstas no podrán ser atendidas dentro del procedimiento. Si requiere consultar nuevamente realícelo a través del link contáctenos en la página web del ministerio [Servicios al Ciudadano](#) o a la cuenta: correo@minsalud.gov.co para asuntos de notificaciones judiciales al Ministerio de Salud y Protección Social, enviar a la cuenta: notificacionesjudiciales@minsalud.gov.co.

[Ver Documentos Adjuntos](#)

(AUTO TRANSLATION BY GMAIL)

From: Shipping Ministry of Health <envios@minsalud.gov.co>

Date: May 24, 2021 at 3:57:44 PM EDT

To: [REDACTED]

Subject: Processing the request of the Citizen [REDACTED] File No.
202142400025922 Ministry of Health and Protection

MANAGEMENT NOTICE

Date: 2021-05-24

Reference: Processing of the request of the Citizen [REDACTED]

The Ministry of Health and Social Protection is allowed to process the request in reference, filed with the number 202124000800281; for which the link is sent to view your response.

We inform you that this e-mail address is used only for sending the requested information. Please do not respond with new inquiries as these cannot be answered within the procedure. If you need to consult again, do it through the link contact us on the website of the Ministry [of Citizen Services](#) or to the account: Correo@minsalud.gov.co for matters of legal notifications to the Ministry of Health and Social Protection, send to the account: [legal_notifications @ minsalud.gov.co](mailto:legal_notifications@minsalud.gov.co).

[See Attached Documents](#)



La salud
es de todos

Minsalud



Al contestar por favor cite estos datos:

Radicado No.: 202124000800281

Fecha: 22-05-2021

Página 1 de 2

Bogotá D.C.,



ASUNTO: Derecho de Petición. Rad.202142400025922

Respetada

En atención al radicado del asunto, en el que solicita "Todos los registros en posesión, custodia o control del Ministerio de Salud y Protección Social de la República de Colombia que describan el aislamiento de un virus SARS-COV-2 y / o cualquiera de sus variantes, directamente de una muestra tomada de un paciente enfermo, donde no se combinó la muestra del paciente primero con ninguna otra fuente de material genético (es decir, células de riñón de mono, también conocidas como células Vero; suero fetal bovino)", para lo cual este Ministerio se permite precisar lo siguiente:

Conforme al Decreto 4107 de 2011 el Ministerio de Salud y Protección Social tiene como objetivo, dentro del marco de sus competencias, formular, adoptar, dirigir, coordinar, ejecutar y evaluar la política pública en materia de salud, salud pública, y promoción social en salud, y participar en la formulación de las políticas en materia de pensiones, beneficios económicos periódicos y riesgos profesionales, lo cual se desarrollará a través de la institucionalidad que comprende el sector administrativo.

De otra parte, informarle que conforme a nuestras competencias no contamos con registros que describan el aislamiento de un virus SARS-COV-2 y / o cualquiera de sus variantes, directamente de una muestra tomada de un paciente enfermo, donde no se combinó la muestra del paciente primero con ninguna otra fuente de material genético.

Cordialmente.

Leonardo Arregoces Castillo

Director de Medicamentos y Tecnologías en Salud

Elaboró: Lhernandez

Carrera 13 N° 32 - 76 - Código Postal 110311, Bogotá D.C.

Teléfono: (57 - 1) 3305000 - Línea gratuita: 018000960020 - fax: (57-1) 3305050 - www.minsalud.gov.co



Al contestar por favor cite estos datos:

Radicado No.: 202124000800281

Fecha: 22-05-2021

Página 2 de 2

Revisó/Aprobó: Larregoces

Carrera 13 N° 32 - 76 - Código Postal 110311, Bogotá D.C.

Teléfono: (57 - 1) 3305000 - Línea gratuita: 018000960020 - fax: (57-1) 3305050 - www.minsalud.gov.co

SUBJECT: Right of Petition. Rad .202142400212

Respected

In attention to the file of the matter, in which it requests "All records in possession, custody or control of the Ministry of Health and Social Protection of the Republic of Colombia that describe the isolation of a SARS-COV-2 virus and / or any of its variants, directly from a sample taken from a sick patient, where the patient's sample was not combined first with any other source of genetic material (i.e. monkey kidney cells, also known as Vero cells; bovine fetal serum)" for which this Ministry is allowed to specify the following:

In accordance with Decree 4107 of 2011, the Ministry of Health and Social Protection's objective, within the framework of its competencies, is to formulate, adopt, direct, coordinate, execute and evaluate public policy on health, public health, and social promotion in health, and to participate in the formulation of policies on pensions, periodic economic benefits and occupational risks, which will be developed through the institutional framework comprising the administrative sector.

On the other hand, to inform you that to the best of our knowledge we have no records describing the isolation of a SARS-COV-2 virus and/or any of its variants directly from a sample taken from a sick patient, where the patient sample was not first combined with any other source of genetic material.

Cordially yours.

Leonardo Arregoces Castillo

Director of Medicines and Health Technologies

Prepared by: Lhernandez



Váš dopis ze dne 26. prosince 2020

V Praze dne 30. prosince 2020

Č. j.: MZDR 55403/2020-11/MIN/KAN



MZDRX01DQV5W

Sdělení Ministerstva zdravotnictví ke stížnosti – poskytnutí požadovaných informací

K Vámi podané stížnosti, doručené Ministerstvu zdravotnictví dne 26. prosince 2020, evidované pod č. j.: MZDR 55403/2020-8/MIN/KAN, Vám níže zasílám požadované informace.

Publikace potvrzující existenci viru SARS-CoV-2:

1. Ludwig S., Zarbock A. *Coronaviruses and SARS-CoV-2: A Brief Overview*. 2020 International Anaesthesia Research Society, www.anesthesia-analgesia.org
Dostupné na: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7173023/>
2. Na Zhu et al., *A novel coronavirus from patients with pneumonia in China, 2019*, N Engl J MED 382;8, February 20, 2020 (pdf ke stažení
zde: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7092803/pdf/NEJMoa2001017.pdf>)
3. SZÚ WEB:
http://www.szu.cz/uploads/Epidemiologie/Coronavirus/Zakladni_info/2020_08_07_Covid_19_zakladni_informace.pdf
4. Sharma et.al. *Severe acute respiratory syndrome coronavirus-2 (SARS-CoV-2): a global pandemic and treatment strategies*. Int J Antimicrob Agents. 2020 Aug; 56(2): 106054. Published online 2020 Jun 10. doi: 10.1016/j.ijantimicag.2020.106054
5. Junejo Y, Ozaslan M, Safdar M, et al. *Novel SARS-CoV-2/COVID-19: Origin, pathogenesis, genes and genetic variations, immune responses and phylogenetic analysis*. Gene Rep. 2020;20:100752. doi:10.1016/j.genrep.2020.100752
6. <https://viralzone.expasy.org/9056>





7. [Corman VM](#), et al. *Detection of 2019 novel coronavirus (2019-nCoV) by real-time RT-PCR.* [Euro Surveill.](#) 2020 Jan 23;25(3):pii=2000045. <https://doi.org/10.2807/1560-7917.ES.2020.25.3.2000045> Received: 21 Jan 2020; Accepted: 22 Jan 2020
Correction in: [Euro Surveill.](#) 2020 Apr 9; 25(14): 20200409c.
Correction in: [Euro Surveill.](#) 2020 Jul 30; 25(30): 2007303.

Tímto doplněním k naší odpovědi ze dne 21.12.2020, č.j.: MZDR 55403/2020-7/MIN/KAN považuji Vaši stížnost za vyřízenou.

S pozdravem

Mgr. Daniela Kobilková

ředitelka odboru Kancelář ministra

podepsáno elektronicky





UNIVERZITA KARLOVA

Kvestor

V Praze dne 17. března 2021
Č.j. : UKRUK/68296/2021

Rozhodnutí

K žádosti pana Davida Šubíka, [redacted] o poskytnutí informací na základě zákona č. 106/1999 Sb. vydává kvestor Univerzity Karlovy v souladu s ustanovením čl. 2 odst. 1 Opatření rektora č. 41/2014 ve znění Opatření rektora č. 7/2020 toto rozhodnutí :

Žádost pana Davida Šubíka se odmítá.

Odůvodnění :

Pan David Šubík, [redacted] podal dne 24. 2. 2012 žádost podle zákona č. 106/1999 Sb., kterou požaduje poskytnutí

- „relevantní vědecké informace“ ve formě citace vědecké publikace k otázce, jakým způsobem byla získána kompletní makromolekula RNA genomu viru SARS-CoV-2,
- případně informace, na základě jaké vědecké publikace je možno považovat výsledek WGS – celogenomové sekvenace za skutečný genom patogenního viru,
- informace, na základě jaké vědecké publikace byla prokázána existence patogenu SARS-CoV-2 a jeho příčinná souvislost s onemocněním COVID-19,
- „relevantní vědecké informace“ dokládající skutečnost, že cílové sekvence RNA lze pokládat za součást genomu infekce schopného SARS-CoV-2, a konečně
- „relevantní vědecké informace“ dokazující skutečnost, že antigeny detekované antigenními testy byly řádně biochemicky určeny na základě izolace viru zmiňovaného viru.

K žádosti pana Davida Šubíka je třeba uvést, že jde o vysoce specializované odborné otázky, na něž sice existuje konsensuální vědecký názor, široce sdílený mezinárodní

vědeckou komunitou, ale rozhodně se nejedná o nějaký uzavřený soubor informací, který by byl v jakémkoli smyslu ve vlastnictví nebo dispozici University Karlovy, a který by bylo možno po veřejné instituci požadovat ve smyslu díky zákona č. 106/1999 Sb. Vědecké informace v odborných publikacích jsou intelektuálním vlastnictvím autora resp. autorů jednotlivých publikovaných článků, případně vydavatelů příslušných vědeckých publikací. Univerzita Karlova není však povinna informace uvedené v konkrétních publikacích (ani svých vlastních zaměstnanců) přezkoumávat a ani není oprávněna z nich vyvozovat další hypotézy a úvahy nebo je předávat jako potvrzené dalším osobám. Vědecké poznání není uzavřeným systémem pravd, ale dynamickým procesem směřování k pravdě, kde není nikdo "vlastníkem" konkrétních vědeckých závěrů. Je na každém, aby na základě kritického zkoumání a s erudiicí v oboru učinil závěry ze všech dostupných pramenů.

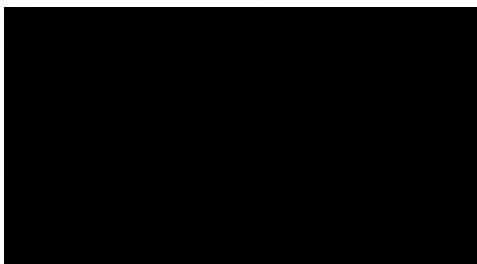
Dotazy, které žadatel pokládá, jsou ostatně zjevně založeny na dogmatickém pojetí tzv. Kochových postulátů a byly široce diskutovány již během kontroverzí kolem epidemie HIV a AIDS. Je třeba upozornit, že tento soubor pravidel, který Robert Koch před 140 lety aplikoval na detekci bacilu tuberkulózy, je už dávno překonaný. Díky moderním molekulárně biologickým metodám nepotřebujeme izolovat pathogenní mikroorganismus, abychom určili jeho molekulovou strukturu, přesnou sekvenci párů bází jeho DNA/RNA nebo i prostorovou strukturu všech jeho proteinů.

Existuje široký vědecký konsensus o tom, že chorobu COVID-19 způsobuje virus SARS-CoV-2, že tento virus lze specificky a citlivě detekovat pomocí řady biochemických metod včetně polymeázové řetězové reakce, je známa detailní chemická i prostorová struktura všech proteinů, z nichž se virus SARS-CoV-2 skládá, i struktura viru samotného a je známa přesná sekvence jeho dědičné informace, RNA. To vše může poučená, kvalifikovaná osoba snadno zjistit informovaným hledáním v otevřených informačních zdrojích. Univerzita Karlova však nemůže sdělit odpovědi na předmětné dotazy žadatele, které by mohly sloužit jako konečné, autoritativní a nesporné pravdy, resp. konečné vědecké informace.

Z těchto všech důvodů nelze žadateli vyhovět a Univerzitě Karlově nezbyvá než žádost odmítnout.

Poučení : Proti tomuto rozhodnutí lze podat odvolání nejpozději do 15 dnů ode dne jeho doručení podáním u rektorátu Univerzity Karlovy (ust. § 16 odst. 1 zák. č. 106/1999 Sb.).


JUDr. Tomáš Horáček, Ph.D.
kvestor Univerzity Karlovy





CHARLES UNIVERSITY
Bursar

Prague, 17 March 2021
Ref. No.: UKRUK/68296/2021

Decision

Regarding a request filed by Mr. David Šubík, [REDACTED], for the disclosure of information in accordance with Act No. 106/1999 Coll., the Bursar of Charles University hereby delivers the present Decision in accordance with Article 2, Paragraph 1 of Rectoral Decree No. 41/2014, as amended by Rectoral Decree No. 7/2020:

The request of Mr. David Šubík is rejected.

Explanation:

On 24 February 2021, Mr. David Šubík, [REDACTED], filed a request in accordance with Act No. 106/1999 Coll., in which he requested:

- "relevant scientific information" in the form of citation of a scientific publication regarding the method for obtaining a complete macromolecule of the RNA of the genome of the SARS-CoV-2 virus,
- alternatively, if applicable, information on a scientific publication based on which the outcome of full-genome WGS sequencing can be considered to coincide with the actual genome of a pathogenic virus,
- information on what scientific publication has been the basis for demonstrating the existence of the SARS-CoV-2 pathogen and the causal link between SARS-CoV-2 and the COVID-19 disease,
- "relevant scientific information" proving that the target RNA sequences can be considered part of the genome of infection-causing SARS-CoV-2, and, lastly
- "relevant scientific information" proving that the antigens detected by antigen tests have been duly established in biochemical terms based on the isolation of the aforementioned virus.

Regarding the request filed by Mr. David Šubík, it needs to be said that the issues in question are highly specialized, and that although scientific consensus, broadly shared across the international scientist community, exists in this regard, the issues can in no way be considered to constitute an integral body of knowledge that would in any sense whatsoever be the property or at the disposal of Charles University, and information regarding which could be requested from a public organization within the meaning of Act No. 106/1999 Coll. Scientific information presented in specialized publications are the intellectual property of the author, or authors, of specific published articles, or, as the case may be, the publishers of the relevant scientific publications. However, Charles University is under no obligation to review information stated in specific publications, including those published by its own employees. Likewise, Charles University has no right to use such information as a basis for formulating hypotheses and considerations or to convey such information, as verified facts, to third

parties. As opposed to being a closed system of truths, scientific knowledge is a dynamic process leading toward truth, where no entity is the "owner" of specific scientific conclusions. It is up to everyone to use critical examination and relevant erudition to draw conclusions, using all available resources.

The questions asked by the applicant clearly stem from the dogmatic concept of the so-called Koch's Postulates, and they have been widely debated already in connection with the controversies surrounding the HIV/AIDS epidemic. It needs to be pointed out that the ensemble of rules applied by Robert Koch 140 years ago in the detection of the tuberculosis bacillus has now been long considered obsolete. Thanks to modern molecular and biological methods, it is not necessary to isolate a pathogenic micro-organism to be able to determine its molecular structure, the exact sequence of the base pairs of its DNA/RNA, and the spatial structure of all of its proteins.

There exists broad scientific consensus that the COVID-19 disease is caused by the SARS-CoV2 virus, that this virus can be specifically and sensitively detected using a number of biochemical methods, including polymerase chain reaction, that the detailed chemical and spatial structure of all of the proteins constituting the SARS-CoV-2 virus is known, as is the structure of the virus itself, and that the exact sequence of the hereditary information, RNA, of the virus is known as well. Information on all of the foregoing can be easily obtained by an informed, qualified person through an informed search in open information sources. Charles University, however, cannot provide answers to the applicant's questions, which could serve as the final, authoritative, and indisputable truth or ultimate scientific information.

For these reasons, the applicant's request cannot be accepted, and Charles University has no choice but to reject it.

Note: This Decision may be appealed to the Charles University Rectorate within 15 days after the delivery hereof (Section 16, Paragraph 1 of Act No. 106/1999 Coll.).

Tomáš Horáček
Bursar, Charles University

[resetheus.org](https://www.facebook.com/resetheus)
<https://www.facebook.com/resetheus>



translated by Paul Novotný

Alex Holmstedt
alex@panteon.dk

STATENS
SERUM
INSTITUT



J. nr.: 20/08162
10. september 2020

Anmodning om aktindsigt

Kære Alex Holmstedt

Du har den 10. august 2020 via e-mail anmodet om aktindsigt på følgende måde:

”I forlængelse af Statens Serum Instituts aktindsigtsbesvarelse af 8. juli 2020 hvor styrelsen har meddelt den ”ikke er ibesiddelse ” af:

”Litteraturlister, ... hvori der forekommer artikler hvor man har separeret og oprenset SARS-CoV-2.

*Som ”oprenset” forstås efter principper som beskrevet her:
<https://www.news-medical.net/life-sciences/Virus-Purification-Methods.aspx>”*

Søges i henhold til lov om offentlighed i forvaltningen fuld aktindsigt i flg.:

Dokumentation der har overbevist Statens Serum Institut om den reelle eksistens af SARS-CoV-2, den påståede årsag til COVID-19 – da det må antages at der må foreligge uomtvisteligt bevis til grund for de tiltag der er blevet påført det danske samfund.”

Statens Serum Institut kvitterede den 11. august 2020 for modtagelse af din anmodning og anførte i den forbindelse, at vi under hensyn til de særlige omstændigheder, der gjorde sig gældende for Statens Serum Instituts vedkommende, ikke kunne oplyse, hvornår der ville blive truffet endelig afgørelse i din sag.

Den 25. august 2020 oplyste Statens Serum Institut, at vi forventede at kunne besvare din henvendelse inden for 14 arbejdsdage.

Vi beklager meget, at vi under hensyn til de særlige omstændigheder, der gør sig gældende for Statens Serum Institut, ikke formåede at træffe endelig afgørelse i din sag før nu.

Statens Serum Institut har nu gennemgået sagen.

1. AFGØRELSE

Statens Serum Institut kan oplyse, at vi nu har fortaget en journalsøgning efter dokumentation der har overbevist Statens Serum Institut om den reelle eksistens af SARS-CoV-2, den påståede årsag til COVID-19 og desuden har vi på anden vis forsøgt, at lokalisere relevante dokumenter. Statens Serum Institut kan

konstatere, at vi ikke er i besiddelse af de ønskede dokumenter. Statens Serum Institut kan derfor ikke imødekomme din anmodning om aktindsigt, jf. offentlighedslovens § 7, stk. 1, modsætningsvist.

2. KLAGEVEJLEDNING

Klage over denne afgørelse om aktindsigt kan ske til Sundheds- og Ældreministeriet. Du skal dog indledningsvis sende din klage til Statens Serum Institut, Direktionssekretaria@ssi.dk. Hvis din klage ikke giver Statens Serum Institut anledning til at ændre afgørelsen, sender Statens Serum Institut klagen samt sagens dokumenter og herunder afgørelsen til Sundheds- og Ældreministeriet snarest og som udgangspunkt senest syv arbejdsdage efter modtagelsen af klagen ved Statens Serum Institut, jf. offentlighedslovens § 37, stk. 1 og 2.

Med venlig hilsen

Søren Østergaard

Senior Legal Counsel

Direktionssekretariatet

T (direct) +45 3268 8266 | E SOEG@ssi.dk | B 33/201 | W ssi.dk

Address: Artillerivej 5 | 2300 Copenhagen S | Denmark

