

Subject: OFFICIAL: RE: Data request
From: WNCov.virology <WNCov.virology@phe.gov.uk>
Date: 28-Apr-20, 17:45

CC: Maria Zambon <Maria.Zambon@phe.gov.uk>, WNCov.virology <WNCov.virology@phe.gov.uk>

OFFICIAL

Professor Zambon asked that we respond to your request for data, as below.

i) RT-PCR tests –

- the gold standard for PCR tests is not virus isolation
- PCR tests are developed using synthetic transcripts; field use data are not widely available yet
- Typically specificity exceeds 95%

ii) antibody tests –

- There is a pre-publication manuscript available at <https://www.medrxiv.org/content/10.1101/2020.04.15.20066407v1.full.pdf> in which the authors describe testing plasma for SARS-Cov-2 IgM and IgG antibodies by ELISA and using nine different commercially available lateral flow immunoassay (LFIA) devices. Their findings were that “Point estimates for the sensitivity of LFIA devices ranged from 55-70% versus RT-PCR and 65-85% versus ELISA, with specificity 95-100% and 93-100% respectively. Within the limits of the study size, the performance of most LFIA devices was similar.”
- No commercial kits have yet been validated for use in the UK – work is ongoing.

Virology Cell,
PHE Incident Response

From: Kevin Corbett [REDACTED]
Sent: 25 April 2020 19:32
To: Maria Zambon <Maria.Zambon@phe.gov.uk>
Subject: Data request

Dear Professor Maria Zambon

I wonder if you could help me?

I am writing to you in your role as director of the Reference Microbiology Service at Public Health England (and SAGE member).

I am preparing an educational presentation on COVID-19 and need some data to illustrate the PPVs for teaching purposes.

In relation to the SARS-CoV-2, I need data for:

- i) RT-PCR test(s); and
ii) antibody test(s)
used in England and Wales, or in all of the UK countries, if available.

I've included the respective matrices below for each test methodology.

Would you be able to provide me with some actual numbers or signpost me to as source, as I have not been able to find any.

Perhaps they are in the manufacturers' test kit packet inserts, which I also cannot find.

I'd be most grateful for any assistance you can give in this difficult time.

Kind regards

Kevin Corbett

--

Kevin P.Corbett MSc PGCE PhD

Test Result	Virus isolated	Virus not isolated	Totals
RT-PCR POSITIVE	A	B	A+B
RT-PCR NEGATIVE	C	D	C+D

Test Result	Virus isolated	Virus not isolated	Totals
Anitbody POSITIVE	A	B	A+B
Antibody NEGATIVE	C	D	C+D

Image
removed by
sender. AVG
logo

This email has been checked for viruses by AVG antivirus software.

www.avg.com

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Christine Massey <cmssyc@gmail.com>

Decision // Our File 20-130

ZZG-FOI <zzg-foi@peelregion.ca>
To: "cmssyc@gmail.com" <cmssyc@gmail.com>

Thu, Jun 11, 2020 at 10:54 AM

Dear Requester,

A search has been conducted and no responsive records were located pertaining to your request under the [Municipal Freedom of Information and Protection of Privacy Act](#).

The official responsible for making this decision is Bart Danko, Manager, Access to Information & Privacy.

You may request the [Information and Privacy Commissioner](#) to review this decision within 30 days of the date of this email.

If you have any questions, please contact foi@peelregion.ca.

jc

Decision // Our File 20-130

ZZG-FOI <zzg-foi@peelregion.ca>
To: "cmssyo@gmail.com" <cmssyo@gmail.com>

Fri, Jun 12, 2020 at 2:36 PM

Good Afternoon,

Thank you for your email. During the current COVID-19 environment we have revised our process to eliminate the use of any personal information where we can as to minimize the associated risks, this includes removing the requesters name and the nature of the request from our email correspondence. We differentiate requests by referencing the file number associated with your request (20-130).

That being said, we can take your email as consent to share this information with you via email.

Request 20-130 was submitted by Christine Massey, by email on May 19, 2020. The \$5.00 application was received on May 28, 2020. The description of the request is as follows:

"All records in the possession, custody or control of the Region of Peel (for example: downloaded to a computer, printed in hard copy, etc.) describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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 only to:

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

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

If you have any further questions, please don't hesitate to contact foi@peelregion.ca

Kind Regards,

Jenna Charlton

Statutory Specialist, Access to Information & Privacy

Region of Peel



Our file: A-2020-000208 / BH

Christine Massey
221 - 93 George St. S
Brampton, Ontario
L6Y 1P4

Dear Christine Massey:

This is in response to your request made under the *Access to Information Act* (the Act) for the following information:

All records describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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.**

To clarify, I am requesting all such records that are in the possession, custody or control of Health Canada (for example:downloaded to a computer, printed in hard copy, etc.).

Having completed a thorough search, we regret to inform you that we were unable to locate any records responsive to your request.

Should you have any questions or concerns about the processing of your request, please do not hesitate to contact Barbara Haase, the analyst responsible for this file, either by phone at 613-859-9073, by email at barbara.haase@canada.ca or by fax at 613-941-4541, with reference to our file number cited above.

Please be advised that you are entitled to complain to the Office of the Information Commissioner of Canada concerning the processing of your request within 60 days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint can be made online at: <https://www.oic-ci.gc.ca/en/submitting-complaint> or by mail to:

Office of the Information Commissioner of Canada
30 Victoria Street
Gatineau, Quebec K1A 1H3

Yours sincerely,



Digitalement signé(e) par Smith, Christine N.
Détails de la signature: Christine N. Smith, Christine N.
Remarque: Cliquez sur le lien pour vérifier la signature.
Date: 2020-05-24 07:50:34
Email: christinen@oic-ci.gc.ca

Christine Smith

Team Leader, Access to Information and Privacy
Health Canada and the Public Health Agency of Canada / Government of Canada
christinen.smith@canada.ca / Tel: 613-862-6063

Chef d'équipe, Accès à l'information et de la protection des renseignements personnels
Santé Canada et Agence de la santé publique du Canada / Gouvernement du Canada
christinen.smith@canada.ca / Tél: 613-862-6063



Caisleán an Ruabhoic,
An Coláiste Ollscoile, Baile Átha Cliath,
Belfield, Baile Átha Cliath 4, Eire

Roebuck Castle,
University College Dublin,
Belfield, Dublin 4, Ireland

corporate.legal@ucd.ie
www.ucd.ie/corpsec

T +353 1 716 8708

Mr James McCumiskey
By email: jl_mccumiskey@yahoo.ie

22 June 2020

Reference: FOI12_1_544 Internal Review

Dear Mr McCumiskey,

I refer to your application for an internal review under the Freedom of Information Act 2014 of a decision by Ms Debbie Scanlan, dated 22 May 2020, concerning item 1 of your request for access to records of the National Virus Reference Laboratory (NVRL), as follows: *"1) I am looking for a scientific paper, which demonstrates how the Novel Coronavirus was purified? Surely, if the NVRL is able to detect the Novel Coronavirus, it should also be able to demonstrate how it is purified?"*

In the original decision, Ms Scanlan refused part 1 of your request on grounds that the University do not hold records to answer your request (Section 15 (1) (a)).

I have now conducted an internal review in accordance with Section 21 of the Act. I wish to inform you that I affirm the original decision.

The University's position is that matters of academic debate cannot be conducted under FOI and we would not regard academic research material as administrative records of an FOI body that would make them available for release under the legislation. The NVRL have advised that they do not culture live SARS-CoV-2 or purify SARS CoV 2 antigens. They detect SARS-CoV-2 RNA in diagnostic samples, as per the PCR assay that was shared with you previously. As such, there are no relevant records held and no further searches that may be taken for records that would provide an answer to your query. Section 15 (1) (a) of the FOI applies.

The University is committed to its obligations under the Act to provide requesters with access to records held by it and with reasons for its decisions that affect them. In this case, we regret that we cannot assist you further.

Under the Act, the University is required to advise you of your right, following receipt of your internal review decision, to make a further review application by writing to the Information Commissioner, 18 Lower Leeson Street, Dublin 2.

Yours sincerely,

Mr Julian Bostridge
Director of Legal Services



Bartholomeus Lakeman

By email: request-666330-641ae299@whatdotheyknow.com

FOI Reference: FOI2020/06375

22/06/2020

Dear Bartholomeus Lakeman

I refer to your request where you asked:

"1) Is there an electron micrograph of the pure and fully characterised virus (SARS-CoV-2)?

2. What is the name of the primary specialist peer reviewed paper in which said virus is illustrated and its full genetic information described?

3. What is the name of the primary specialist peer reviewed paper which provides unequivocal proof that the 'Covid-19' virus is the sole cause of a particular disease?

4. Where is (if there is proof of SARS-CoV-2) its antibody test that fulfils the Koch postulates and has a false positive below 30%; that can confirm being infected by SARS-CoV-2?"

I am writing to advise you that following a search of our paper and electronic records, I have established that the information you requested is not held by the Cabinet Office.

You may wish to try contacting Public Health England at the following link: FOI@phe.gov.uk, who may be able to help you with your request.

If you are unhappy with the service you have received in relation to your request or wish

to request an internal review, you should write to:

Eirian Walsh Atkins
Cabinet Office
70 Whitehall
London
SW1A 2AS

email: foi-team@cabinetoffice.gov.uk

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eirian Walsh Atkins', written over a light grey circular stamp.

FOI Team
Cabinet Office



National Research Council
Canada

Conseil national de recherches
Canada

ATIP Office
1200 Montreal Road
Building M-55
Ottawa, Canada
K1A 0R6

ATIP.AIPRP@nrc-cnrc.gc.ca

Bureau de l'AIPRP
1200 chemin Montréal
Édifce M-55
Ottawa, Canada
K1A 0R6

NRC · CNRC

July 14, 2020

Our file: A2020-0010
PROTECTED

Christine Massey, M.Sc.
#221 - 93 George St. S.
Brampton, ON
L6Y 1P4

Dear Christine Massey:

This letter is in response to the request you made to the National Research Council (NRC) under the *Access to Information Act* for records pertaining to:

***“All records in the possession, custody or control of the National Research Council of Canada (NRC) describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).*”**

Please note that 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 NRC or that pertain to work done by the NRC. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the NRC 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).”

Your request was received by the NRC on June 13, 2020, and your application fee was received and processed on June 19, 2020.

A thorough search of NRC's records has now been completed, and we regret to inform you that no records responsive to your request were identified.

Please note that in the processing of your request, NRC's Access to Information and Privacy (ATIP) Office confirmed that it was not possible to generate a list of publications as specified within the above-cited text. Specific details regarding access to publications by NRC researchers have not been centrally documented by NRC's Human Health Therapeutics Research Centre, nor by the Library team responsible for NRC's electronic collections and journal subscriptions.

If you are not satisfied with this response, you are entitled to file a complaint with the Information Commissioner of Canada within 60 days (<https://www.oic-ci.gc.ca/en/submitted-complaint>) after the day on which you will have received this letter.

Yours sincerely,

2020-07-14

 Maria Krioutchkova

Signed by: Krioutchkova, Maria

Maria Krioutchkova
ATIP Coordinator

Decision to the Requester Regarding an Access Request

VIA EMAIL

July 14, 2020

Request Number 2020-0004

Christine Massey
#221 – 93 George St. S.
Brampton, ON L6Y 1P4

Dear Ms. Massey:

I am responding to your request for access to records under *the Freedom of Information and Protection of Privacy Act* as submitted to the University of Toronto on May 18, 2020. On June 2, 2020, the University transferred the request to Sunnybrook Health Sciences Centre (Sunnybrook) after determining that Sunnybrook had a greater interest in the responsive records. We received the \$5.00 application fee on July 8, 2020.

You requested access to the following information:

All records in the possession, custody or control of the Dalla Lana School of Public Health or any other department of the University of Toronto (for example: downloaded to a computer, printed in hard copy, etc.) describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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 only to:

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

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

A search has been conducted by Sunnybrook's Freedom of Information and Privacy Office for records responsive to your request. No records corresponding to your request were identified. Consequently, the file is closed.

You may request this decision be reviewed by the Information and Privacy Commissioner of Ontario within 30 days of receipt of this letter. The Commissioner can be reached at:

Information and Privacy Commissioner/Ontario
Suite 1400, 2 Bloor Street East
Toronto, ON M4W 1A8
Telephone: 416 326-3333, 1-800-387-0073 (within Ontario).

The Commissioner will require a copy of your original request, a copy of this decision letter and an appeal fee in the amount of \$25.00, payable to the Minister of Finance.

Please contact me at 416-480-6100 ext. 85046 with any questions.

Sincerely,



Jeffrey Cutler
Privacy and Freedom of Information Coordinator

**Sunnybrook Freedom of Information Office: FOI Request
2020-0004**

Cutler, Jeffrey <jeffrey.cutler@sunnybrook.ca>

Wed, Jul 15, 2020 at 1:07
PM

To: Christine Massey <cmssyc@gmail.com>

Hello M. Massey,

In determining whether to transfer the request, the University of Toronto would have searched for and identified any responsive records. No responsive records were identified by them. A search by Sunnybrook also did not identify any responsive information. In summary, neither Sunnybrook nor the University of Toronto identified any responsive records.

Please contact me if you wish to discuss.

Sincerely,

Jeffrey Cutler, LL.B., CIPP/C

Privacy and Freedom of Information Coordinator, Sunnybrook Health Sciences Centre

2075 Bayview Ave., Toronto ON M4N 3M5

Email Sent: Monday, May 25, 2020 2:33 PM
To: NIAID NEWS (NIH/NIAID)
From: Ron Bublitz

Subject: a basic and serious question.

I see that you have released images of the electron microscope view of C19 virus. I would like to know how you are certain that is the virus? How was it isolated? Have you followed Koch's Postulates in order to be completely certain that is the pathogen that causes disease?

Thanks.

Email Sent: Jul 15, 2020, 1:26 PM
To: Ron Bublitz
From: NIAID NEWS (NIH/NIAID)

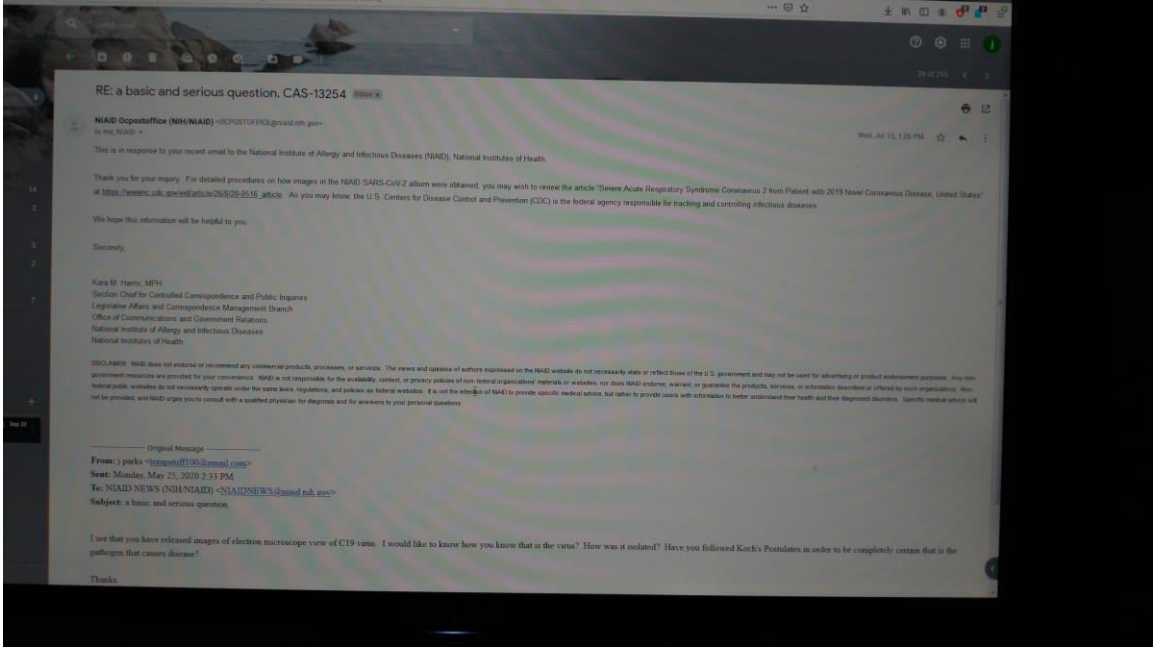
Subject: RE: a basic and serious question. CAS-13254

This is in response to your recent email to the National Institute of Allergy and Infectious Diseases (NIAID), National Institutes of Health.

Thank you for your inquiry. For detailed procedures on how images in the NIAID SARS-CoV-2 album were obtained, you may wish to review the article "Severe Acute Respiratory Syndrome Coronavirus 2 from Patient with 2019 Novel Coronavirus Disease, United States" at https://wwwnc.cdc.gov/eid/article/26/6/20-0516_article. As you may know, the U.S. Centers for Disease Control and Prevention (CDC) is the federal agency responsible for tracking and controlling infectious diseases.

We hope this information will be helpful to you.

Sincerely,
Kara M. Harris, MPH
Section Chief for Controlled Correspondence and Public Inquiries
Legislative Affairs and Correspondence Management Branch
Office of Communications and Government Relations
National Institute of Allergy and Infectious Diseases
National Institutes of Health



RE: a basic and serious question, CAS-13254

NIAID Ocpstaff@niaid.nih.gov

This is in response to your recent email to the National Institute of Allergy and Infectious Diseases (NIAID), National Institutes of Health

Thank you for your inquiry. For detailed procedures on how images in the NIAID SARS-CoV-2 album were obtained, you may wish to review the article "Severe Acute Respiratory Syndrome Coronavirus 2 from Patient with 2019 Novel Coronavirus Disease, United States" at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6929491/>. As you may know, the U.S. Centers for Disease Control and Prevention (CDC) is the federal agency responsible for tracking and controlling infectious diseases.

We hope this information will be helpful to you.

Sincerely,

Kara M. Harris, MPH
Section Chief for Controlled Correspondence and Public Inquiries
Legislative Affairs and Correspondence Management Branch
Office of Communications and Government Relations
National Institute of Allergy and Infectious Diseases
National Institutes of Health

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Original Message
From: j park <[mailto:jpark@niid.nih.gov]>
Sent: Monday, May 25, 2020 2:35 PM
To: NIAID NEWS (NHNIAID) <[mailto:NIAIDNEWS@niaid.nih.gov]>
Subject: a basic and serious question

I see that you have released images of electron microscope view of C19 virus. I would like to know how you know that is the virus? How was it isolated? Have you followed Koch's Postulates in order to be completely certain that is the pathogen that causes disease?

Thanks

7 August 2020

[REDACTED]
By email: [REDACTED]
Ref: H202005599

Dear [REDACTED]

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 30 July 2020 to the Ministry of Health (the Ministry) for:

"All records in the possession, custody or control of the Ministry 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 The Ministry of Health or that pertain to work done by the Ministry of Health. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Ministry 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 Ministry does not hold records that describe the isolation of a SARS-COV-2 virus. As such, we are refusing this request under section 18(e) of the Act. The Institute of Environmental Science and Research (ESR), has provided scientific expertise to support the national response to COVID-19 on behalf of the Ministry, primarily in health intelligence and diagnostic testing.

We contacted ESR, on your behalf, to ask if they held any information within the scope of your request. ESR confirmed they do not hold any information in scope of your request. As such, we have decided not to transfer your request to ESR.

Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request.

Please note that this response, with your personal details removed, may be published on the Ministry website

Yours sincerely

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

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

← Marc Horn 25 July 2020

✓ [Delivered](#)

Dear House of Lords,

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of "something".

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

I remind you full, accurate and complete disclosure is required.

Yours faithfully,

Marc Horn

1 Attachment



FOI 3462 Response.pdf

78K [Download](#) [View as HTML](#)

Dear Mr Horn,

Please find attached our response to your request (copied below) to the House of Lords Administration.

You may, if dissatisfied with the treatment of your request, ask the House of Lords to conduct an internal review. This should be addressed to [1][\[email address\]](#) and explain clearly the nature of your complaint in terms of compliance with the Freedom of Information Act 2000. Arrangements will be made for someone who has not been involved in dealing with your request to conduct an internal review within 20 working days.

You should note that we will not normally accept an application for internal review if it is received more than two months after the date our response was sent. Any such request received after this time will only be considered in exceptional circumstances.

If, following this review, you remain dissatisfied with the House's treatment of your request for information you may then take your complaint to the Information Commissioner using the contact details available [2]here.

Please note that due to the Covid-19 pandemic our office is temporarily closed, and the FOI team are currently unable to receive correspondence sent by post.

The Information Commissioner's Office has also advised that their office is closed for the foreseeable future and that they are currently unable to receive correspondence by post.

Yours sincerely,

Kimberley Swift

Information Compliance Team

House of Lords

List of records describing the isolation of a SARS-COV-2 virus

Request:

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

Response:

The Freedom of Information Act 2000 (“the FOIA”) provides a right of access, subject to specified exemptions, to recorded information held by a public authority. In the case of the House of Lords, the rights of access apply to recorded information held by the House of Lords Administration.

The House Administration does not hold any information matching the description set out in your request.

Outside the scope of your request, you may be interested in the House of Lords Science and Technology Committee’s current inquiry into the science of COVID-19. Information relating to the inquiry, including oral and written evidence that has been submitted to the Committee, is published on our website here:

<https://committees.parliament.uk/work/293/the-science-of-covid19/>

WhatDoTheyKnow

Full, accurate and complete disclosure of records showing that the claimed SARS-COV-2 virus causes the symptoms of COVID-19

[Marc Horn](#) made this Freedom of Information request to [House of Lords](#)

The request was **successful**.

Marc Horn 28 July 2020

Delivered

Dear House of Lords,

Please provide a full, accurate and complete list of records held within your office, and / or under your authority, supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19, including but not limited to isolation of SARS-COV-2 virus and its identification method as confirmation.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring to, and hence not requesting, isolation meaning the culture of something else or the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

I remind you full, accurate and complete disclosure is required.

Yours faithfully,

Marc Horn

HL External Communications Office, House of Lords 28 July 2020

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References

Visible links

1. <http://www.parliament.uk/lordsHouse>
2. [mailto:\[email address\]](mailto:[email address])
3. <https://www.supremecourt.uk/>
4. <http://lordsappointments.independent.gov...>
5. <http://www.parliament.uk/lords>
6. <http://lords-subscriptions.parliament.uk/>
7. <https://twitter.com/UKHouseofLords>
8. <https://www.facebook.com/UKHouseofLords>
9. <http://www.youtube.com/user/ukhouseoflords>

HL FOI & Information Compliance, House of Lords 11 August 2020

1 Attachment

FOI 3464 Response.pdf

79K [Download](#) [View as HTML](#)

Dear Mr Horn,

Please find attached our response to your request (copied below) to the House of Lords Administration.

You may, if dissatisfied with the treatment of your request, ask the House of Lords to conduct an internal review. This should be addressed to [1][\[email address\]](#) and explain clearly the nature of your complaint in terms of compliance with the Freedom of Information Act 2000.

List of records supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19

Request:

Please provide a full, accurate and complete list of records held within your office, and / or under your authority, supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19, including but not limited to isolation of SARS-COV-2 virus and its identification method as confirmation.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring to, and hence not requesting, isolation meaning the culture of something else or the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

Response:

The Freedom of Information Act 2000 (“the FOIA”) provides a right of access, subject to specified exemptions, to recorded information held by a public authority. In the case of the House of Lords, the rights of access apply to recorded information held by the House of Lords Administration.

The House Administration does not hold specific records matching the description in your request. However, you may find some relevant information in the oral and written evidence that has been submitted so far to the Science and Technology Committee, which is currently conducting an inquiry into the science of COVID-19. Evidence submitted to the inquiry starts from the premise (which so far as we know is uncontested) that the SARS-COV-2 virus causes the COVID-19 illness. The oral and written evidence is published on our website here:

<https://committees.parliament.uk/work/293/the-science-of-covid19/>

Dear House of Commons,

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of "something".

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

I remind you full, accurate and complete disclosure is required.

Yours faithfully,

Marc Horn

1 Attachment



image001.png

16K [Download](#)

Dear Mr Horn,

Freedom of Information Request F20-347

Thank you for your request for information as copied below. You have asked for information describing the isolation of a SARS-COV-2 virus.

This information is not held by the House of Commons.

It may help you to understand that the House of Commons is an organisation that forms part of the UK's legislature. Our role it is to make and debate laws, scrutinise the work of the Government and debate the issues of the day. Whilst this may involve carrying out research into those issues, it does not extend to practical scientific investigation. You are seeking information which might instead be held by the Department of Health and Social Care or Public Health England, and therefore you may wish to consider submitting your request under the Freedom of Information Act to them. Contact details can be found at [1]<https://www.gov.uk/government/organisati...> and [2]<https://www.gov.uk/government/organisati...>.

However, it may interest you to know that the House of Commons Library and the Parliamentary Office of Science and Technology have undertaken research on the Covid-19 outbreak, for the purpose of informing Members of Parliament. This has information on the subject in general which you may find helpful and is publicly available at

[3]<https://commonslibrary.parliament.uk/cor...> and

[4]<https://post.parliament.uk/category/anal...>

You may, if dissatisfied with the handling of your request, complain to the House of Commons. Alternatively, if you are dissatisfied with the outcome of your request you may ask the House of Commons to conduct an internal review of any decision regarding your request. Complaints or requests for internal review should be addressed to: Information Rights and Information Security Service, Research & Information Team, House of Commons, London SW1A 0AA or [5][House of Commons request email]. Please ensure that you specify the full reasons for your complaint or internal review along with any arguments or points that you wish to make.

If you remain dissatisfied, you may appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, [6]www.ico.gov.uk.

Yours sincerely,

IRIS Officer
Information Rights and Information Security

House of Commons, London SW1A 0AA

[7][IMG]

Ms Christine Massey
221-93 George St. St.
Brampton, Ont. L6Y 1P4

August 13, 2020

cmssyc@gmail.com

Dear Christine:

**Re: Freedom of Information Request 2020-GR-010 (the “Request”)
Freedom of Information and Protection of Privacy Act (RSO 1990)**

1. The Request

I am writing regarding your access request under the *Freedom of Information and Protection of Privacy Act* (hereafter, ‘the Act’) received by our office on July 7, 2020.

We confirm your Request provided as follows:

For the period November 1, 2019 to July 17, 2020:

All records in the possession, custody or control of McMaster University 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; 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, 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 McMaster University researchers, or*
- pertain to work done by McMaster University researchers, or*
- pertain to work done at McMaster University.*

My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that McMaster University 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).

2. Responsive Record

A search has been conducted, and we have found no responsive records to your request. At this time, the research related to this request is in progress, and so no records have been produced at McMaster University.

3. Decision

While our search resulted in no responsive records, we have identified a publication that may be of interest to you:

Banerjee A, Nasir JA, Budyłowski P, et al. Isolation, Sequence, Infectivity, and Replication Kinetics of Severe Acute Respiratory Syndrome Coronavirus 2 [published online ahead of print, 2020 Jun 19]. *Emerg Infect Dis.* 2020;26(9):10.3201/eid2609.201495. doi:10.3201/eid2609.201495

In compliance with the terms of McMaster's subscription to this journal, we cannot provide you with the article. You can find this article here: <https://pubmed.ncbi.nlm.nih.gov/32558639/>

4. Fees

There are no further fees required to complete this process.

5. Party Responsible for Decision

The official responsible for making final access decisions on your request is Ms Andrea Thyret-Kidd, University Secretary and Privacy Officer.

6. Appeal

You may request the Information and Privacy Commissioner to review this decision and fee within thirty days from the date of this letter. The Commissioner's address is Suite 1400, 2 Bloor Street East, Toronto, Ontario, M4W 1A8. A request for appeal must be accompanied by a \$25.00 fee and should include the following:

- the file number assigned to this request (2020-GR-010)
- a copy of this decision letter
- a copy of the original request for information

Sincerely,



Ms Andrea Thyret-Kidd
University Secretary and Designated Head of Institution

cc: File

WhatDoTheyKnow

Full, accurate and complete disclosure of records showing that the claimed SARS-COV-2 virus causes the symptoms of COVID-19

[Marc Horn](#) made this Freedom of Information request to [House of Commons](#)

[House of Commons](#) **did not have** the information requested.

Marc Horn 28 July 2020

[Delivered](#)

Dear House of Commons,

Please provide a full, accurate and complete list of records held within your office, and / or under your authority, supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19, including but not limited to isolation of SARS-COV-2 virus and its identification method as confirmation.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring to, and hence not requesting, isolation meaning the culture of something else or the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

I remind you full, accurate and complete disclosure is required.

Yours faithfully,

Marc Horn

FOI Commons, House of Commons 29 July 2020

1 Attachment

FOI Commons, House of Commons 12 August 2020

1 Attachment

image001.png

16K [Download](#)

Dear Mr Horn,

Freedom of Information Request F20-353

Thank you for your request for information as copied below. You have asked for records supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19.

Some information is held by the House of Commons in relation to your request.

The House of Commons Library and the Parliamentary Office of Science and Technology have undertaken research on the Covid-19 outbreak, for the purpose of informing Members of Parliament. This includes research about testing for and the transmission of the virus.

However, this information is already available from a public source. This information is exempt from disclosure in accordance with section 21(1) and (2)(a) of the Freedom of Information Act 2000 (FOIA), which removes a public authority from the obligation to provide access to information which is already in the public domain. This is an absolute exemption and the public interest test does not apply.

However, it may help you to know that information relevant to your request can be found at [1]<https://commonslibrary.parliament.uk/cor...> and

[2]<https://post.parliament.uk/category/anal...>

You may, if dissatisfied with the handling of your request, complain to the House of Commons. Alternatively, if you are dissatisfied with the outcome of your request you may ask the House of Commons to conduct an internal review of any decision regarding your request. Complaints or requests for internal review should be addressed to: Information Rights and Information Security Service, Research & Information Team, House of Commons, London SW1A 0AA or [3][House of Commons request email]. Please ensure that you specify the full reasons for your complaint or internal review along with any arguments or points that you wish to make.

If you remain dissatisfied, you may appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF, [4]www.ico.gov.uk.

Yours sincerely,

IRIS Officer
Information Rights and Information Security

House of Commons, London SW1A 0AA
[5][IMG]

[6]House of Commons Privacy Notice for the public

The House of Commons welcomes feedback. If you have any compliments, complaints or comments, about the service that you have received please send an email to [7][\[email address\]](#)

From: Marc Horn <[FOI #680375 email]>
Sent: 28 July 2020 19:11
To: FOI Commons <[\[email address\]](#)>
Subject: Freedom of Information request - Full, accurate and complete

Marc Horn 12 August 2020

Delivered

Dear House of Commons,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of House of Commons's handling of my FOI request 'Full, accurate and complete disclosure of records showing that the claimed SARS-COV-2 virus causes the symptoms of COVID-19'.

In your response you have claimed to have some of the information, and enclosed 2 links to support your claim. Neither of the links have any information supporting the claimed SARS-CoV-2 virus causes the symptoms of COVID-19.

As requested in my original FOI please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it). I remind you full, accurate and complete disclosure is required.

A full history of my FOI request and all correspondence is available on the Internet at this address:

<https://www.whatdotheyknow.com/request/f...>

Yours faithfully,

Marc Horn

FOI Commons, House of Commons 13 August 2020

1 Attachment

image002.png

16K [Download](#)

Dear Mr Horn,

Freedom of Information Request F20-353

Thank you for your request for an internal review, copied below. In the first instance, I thought it may be quicker and more helpful to provide

some additional information about the House's position, rather than undertaking a full review.

You asked the House of Commons for records supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19. We advised you that the only information we held that related to that subject were two briefing papers from the House of Commons Library, for which we provided links. The Library routinely produces these briefings for the purpose of keeping Members up to date on a whole range of subjects.

I am very sorry that these papers did not contain the information you were looking for. They were supplied in good faith, and represent the only information the House of Commons holds on the matter.

The role of the House of Commons is to make laws and to scrutinise the work of the Government. The records we hold directly relate to that role (for example, records of Chamber debates, or minutes of Committee meetings) or to the day-to-day administration of the House services (such as catering menus and staff rotas).

We are not part of the Government, nor do we routinely have access to their documents and records. Where a Government Department commissions scientific studies or research, that information will be held by them. In the case of any research on the SARS-COV-2 virus, we assume that any studies, research or other advice would have been commissioned by the Government's Department of Health and Social Care, so you may wish to request the information from them. Contact details can be found here: [1]<https://www.gov.uk/government/organisati...>

I hope this helps you better understand our position – we simply don't hold the detailed information you seek and this is why. However, if you would still like us to carry out a full review of the House of Commons handling of your request, please let me know, detailing your further complaint.

Yours sincerely,



Cabinet Office

Room 405
70 Whitehall
London, SW1A 2AS

foi-team@cabinetoffice.gov.uk
www.cabinetoffice.gov.uk

Marc Horn

By email :Request-679848-f291cd75@whatdotheyknow.com

FOI Reference: FOI2020/10121

18/08/2020

Dear Marc Horn

I refer to your request where you asked:

“Freedom of Information request - Full, accurate and complete disclosure of SARS-COV-2 virus isolation records

Dear Cabinet Office,

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”. If any records match the above description and are available to the public elsewhere,

please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

I remind you full, accurate and complete disclosure is required.”

I am writing to advise you that following a search of our paper and electronic records, I have established that the information you requested is not held by the Cabinet Office.

You may wish to try contacting Public Health England, who may be able to help you with your request. at FOI@phe.gov.uk

With respect to your request we have been advised on the following:

Coronavirus Disease, or Covid-19, is caused by a new virus called SARS-CoV-2. Most infectious diseases are caused by viruses, bacteria or fungi. Some bacteria or fungi have the capacity to grow on their own in isolation, for example in colonies on a petri dish. Viruses are different in that they are what we call “obligate pathogens” – that is, they cannot survive or reproduce without infecting a host. An explainer of these different types of pathogen (disease causing agents) can be found from *BMC Biology* here: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5648414/>

For some diseases, it is possible to establish causation between a microorganism and a disease by isolating the pathogen from a patient, growing it in pure culture and reintroducing it to a healthy organism. These are known as “Koch’s postulates”, and were developed in 1884. However, as our understanding of disease and different disease-causing agents has advanced, these are no longer the method for determining disease causation. It has long been known that viral diseases cannot be identified in this way as viruses cannot be grown in ‘pure culture’. When a patient is tested for a viral illness, this is normally done by looking for the presence of antigens, or viral genetic code in a host with molecular biology techniques.

If you have any queries about this letter, please contact the FOI Team quoting the reference number above.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to:

Eirian Walsh Atkins
Cabinet Office
70 Whitehall
London
SW1A 2AS

email: foi-team@cabinetoffice.gov.uk

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued. If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

A handwritten signature in black ink, appearing to be 'A. Khan', written in a cursive style.

*FOI Team
Cabinet Office*

– Marc Horn 25 July 2020

✓ [Delivered](#)

Dear Prime Minister's Office,

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of "something".

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

I remind you full, accurate and complete disclosure is required.

Yours faithfully,

Marc Horn

Dear Mr Horn

You request - FOI2020/10121 - was replied to on the 18/8/2020 - on behalf of the Cabinet Office as a whole.

Regards

FOI Team

Room 405

70 Whitehall,

London, SW1A 2AS

E-mail -[1][Number 10 request email]

On Sat, 22 Aug 2020 at 06:50, Marc Horn

<[2][FOI #679701 email]> wrote:

Dear Prime Minister's Office,

You are in breach of your legal duties and obligations of providing the required information by the 21 August 2020 to allow full accountability of your actions to the public.

Please immediately correct your breach within the next 3 working days.

Yours faithfully,

Marc Horn

Public Accountability Unit
T 020 8327 6920
Wellington House

133-155 Waterloo Road

London SE1 8UG
www.gov.uk/phe

By email

xxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxxxx.xxx

Our ref: 24/07/hf/872
20 August 2020
Dear Andrew Johnson,

Re: Documents held showing SARS-COV2 has been isolated and Causes COVID-19

Thank you for your email dated 24 July 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England (PHE) does not hold the information you have specified.

Your Request

All records in the possession, custody or control of Public Health England describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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 PHE or that pertain to work done by the PHE. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the PHE has downloaded or printed.

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)."

Response

PHE can confirm it does not hold information in the way suggested by your request.

Under section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to the below links which contain information on taking COVID-19 swabs.

<https://www.gov.uk/government/publications/covid-19-guidance-for-taking-swab-samples>

<https://www.gov.uk/government/publications/types-and-uses-of-coronavirus-covid-19-tests/types-and-uses-of-coronavirus-covid-19-tests>

Additionally, the below publication contains some information on virus isolation:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483>

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing xxx@xxx.xxx.xx.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,
FOI Team

2



By email

request-679711-9694b4f1@whatdotheyknow.com

Our ref: 25/07/hf/878

20 August 2020

Dear Marc Horn,

Re: Full, accurate and complete disclosure of SARS-COV-2 virus isolation records

Thank you for your email dated 25 July 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England (PHE) does/does not the information you have specified. I have set out PHE's response to your questions below.

Your Request

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

Response

PHE can confirm is does not hold information in the way suggested by your request.

Under section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to the below links which contain information on taking COVID-19 swabs.

<https://www.gov.uk/government/publications/covid-19-guidance-for-taking-swab-samples>

<https://www.gov.uk/government/publications/types-and-uses-of-coronavirus-covid-19-tests/types-and-uses-of-coronavirus-covid-19-tests>

Additionally, the below publication contains some information on virus isolation:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483>

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing foi@phe.gov.uk.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,
FOI Team

August 24, 2020

Christine Massey
#221 - 93 George St. S.,
Brampton ON L6Y 1P4
via e-mail: cmssyc@gmail.com

Dear Christine:

RE: Freedom of Information Request # 20-03

I am writing regarding your access request under the *Freedom of Information and Protection of Privacy Act* ("FIPPA"), received on July 17, 2020, as follows:

All records in the possession, custody or control of Mount Sinai Hospital 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 Mount Sinai Hospital researchers, or*
- *pertain to work done by Mount Sinai Hospital researchers, or*
- *pertain to work done at Mount Sinai Hospital.*

My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Mount Sinai Hospital 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.



I have been engaging with our experts at Sinai Health regarding your request. We are not clear on the records that you are requesting, as we are not aware that isolation of a virus in the manner that you have described is possible for any virus; it is not within the scope of current scientific processes.

On this basis, we are not able to process your request as it is currently worded.

We wrote to you on July 30 and August 8, 2020 seeking clarification of your request, however you declined to speak with us and did not provide a substantive response. We would be pleased to assist you in reformulating your request in a way that would allow us to respond.

For your interest, we are pleased to share with you the following articles and pre-prints, which are demonstrative of the research on Sars-Cov-2 being done at Sinai Health:

Jamal AJ, Mozafarihashjin M, Coomes E, et al. Sensitivity of nasopharyngeal swabs and saliva for the detection of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) [pub. online ahead of print, 2020 Jun 25]. *Clin Infect Dis*. 2020; ciaa848. <https://doi.org/10.1093/cid/ciaa848>

Banerjee, A., Nasir, J. A., Budyłowski, P., Yip, L., Aftanas, P., Christie, N., Ghalami, A., Baid, K., Raphenya, A. R., Hirota, J. A., Miller, M. S., McGeer, A. J., Ostrowski, M., Kozak, R. A., McArthur, A. G., Mossman, K., & Mubareka, S. (2020). Isolation, Sequence, Infectivity, and Replication Kinetics of Severe Acute Respiratory Syndrome Coronavirus 2. *Emerging infectious diseases*, 26(9), 2054–2063. <https://doi.org/10.3201/eid2609.201495>

LeBlanc, J. J., Gubbay, J. B., Li, Y., Needle, R., Arneson, S. R., Marcino, D., Charest, H., Desnoyers, G., Dust, K., Fattouh, R., Garceau, R., German, G., Hachette, T. F., Kozak, R. A., Krajden, M., Kuschak, T., Lang, A., Levett, P., Mazzulli, T., McDonald, R., ... COVID-19 Pandemic Diagnostics Investigation Team of the Canadian Public Health Laboratory Network (CPHLN) Respiratory Virus Working Group (2020). Real-time PCR-based SARS-CoV-2 detection in Canadian laboratories. *Journal of clinical virology : the official publication of the Pan American Society for Clinical Virology*, 128, 104433. <https://doi.org/10.1016/j.jcv.2020.104433>

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Michael A. Pitino, Deborah L. O'Connor, Allison J. McGeer, Sharon Unger

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Alainna J Jamal, Mohammad Mohammad, Eric Coomes, Jeff Powis, Angel Li, Aimee Paterson, Sofia Anceva-Sami, Shiva Barati, Gloria Crawl, Amna Faheem, Lubna Farooqi, Saman Khan, Karren Prost, Susan Poutanen, Lily Yip, Zoe Zhong, Allison J McGeer, Samira Mubareka

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<https://www.biorxiv.org/content/10.1101/2020.07.10.197913v1>

I trust that this is of some assistance to you.

Yours very truly,

A handwritten signature in cursive script that reads "Jesstina McFadden".

Jesstina McFadden

Director, Privacy and Information Access (Interim)

416-586-4800 x 5886

Jesstina.McFadden@sinaihealth.ca



Department
of Health &
Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London
SW1H 0EU

www.gov.uk/dhsc

[REDACTED]

24 August 2020

Dear [REDACTED]

Freedom of Information Request Reference FOI-1244462 and FOI-1244664

Thank you for your two requests dated 27 July 2020 in which you asked the Department of Health and Social Care (DHSC):

FOI-1244462

Covid-19 / SARS-Cov-2 Coronavirus

Please provide a copy of all records in the possession, custody or control of the Department of Health and Social Care or any of its associated organisations describing the isolation of a SARS-COV-2 / Covid-19 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any source of other genetic material (e.g. monkey kidney cells aka vero cells, liver cells or suchlike).

Please note that the term "isolation" is used in the everyday sense of the word, i.e. the act

of separating a thing or things from everything else. I am not requesting records where "isolation of SAR-COV-2 / Covid-19" refers instead to the culturing of something, the performance of an amplification test (e.g. a PCR test), or the sequencing of something. This request is not limited to records that were authored by, or work commissioned by the UK Government, but includes any sort of record such as, but not limited to, any published peer reviewed study that the DHSC has downloaded, printed or has otherwise been supplied with.

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 it can be identified and accessed (e.g. title, author(s), date, journal, etc) where it can be accessed by the public.

FOI-1244664

Please provide a copy of all records in the possession, custody or control of the Department of Health and Social Care or any of its associated organisations describing and/or demonstrating how the SARS-COV-2 / Covid-19 virus meets the requirements of Koch's postulates that were formulated to establish a causative relationship between a microbe and a disease; or any records that describe why Koch's postulates do not apply in the case of SARS-COV-2 / Covid 19.

This request is not limited to records that were authored by, or work commissioned by the UK Government, but includes any sort of record such as, but not limited to, any published peer reviewed study that the DHSC has downloaded, printed or has otherwise been supplied with.

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 it can be identified and accessed (e.g. title, author(s), date, journal, etc) where it can be accessed by the public.

Your requests have been handled under the Freedom of Information Act (FOIA).

Where more than one request is received for the same or similar information, section 5(2) of the FOI and Data Protection (Appropriate Limit and Fees) Regulations 2004 allows public authorities to aggregate requests and respond to them together, and I have therefore aggregated your requests.

DHSC does not hold this information.

However, outside of the scope of the FOIA, and on a discretionary basis, the following information has been advised to us, which may be of interest. Most infectious diseases are caused by viruses, bacteria or fungi. Some bacteria or fungi have the capacity to grow on their own in isolation, for example in colonies on a petri dish. Viruses are different in that they are what we call "obligate pathogens" – that is, they cannot survive or reproduce without infecting a host. An explainer of these different types of pathogen (disease causing agents) can be found from BMC Biology here: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5648414/>

For some diseases, it is possible to establish causation between a microorganism and a disease by isolating the pathogen from a patient, growing it in pure culture and reintroducing it to a healthy organism. These are known as "Koch's postulates" and were developed in 1884. However, as our understanding of disease and different disease-causing agents has advanced, these are no longer the method for determining disease causation. It has long been known that viral diseases cannot be identified in this way as viruses cannot be grown in 'pure culture'. When a patient is tested for a viral illness, this is normally done by looking for the presence of antigens, or viral genetic code in a host with molecular biology techniques.

If you have any queries in relation to the above discretionary information, we suggest that you may wish to contact the Government Office for Science (Go-Science). FOI requests may be submitted to Go-Science at contact@go-science.gov.uk.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

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

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London
SW1H 0EU

www.gov.uk/dhsc

Mr Horn
[request-679704-
a9f26e86@whatdotheyknow.com](mailto:request-679704-a9f26e86@whatdotheyknow.com)

24 August 2020

Dear Mr Horn,

Freedom of Information Request Reference FOI-1243364

Thank you for your request dated 25 July 2020 in which you asked the Department of Health and Social Care (DHSC):

Subject: Freedom of Information request - Full, accurate and complete disclosure of SARS-COV-2 virus records

Please provide a full, accurate and complete list of records held within your office, and or under your authority, describing the isolation of a SARS-COV-2 virus, directly taken from a symptomatic patient of COVID-19 where the sample was not first combined with any other source of genetic material (not limited but by way of example monkey kidney cells, aka vero cells, liver cancer cells) thereby eliminating contamination as a possible alternative source of sampling.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring, and hence not requesting, to isolation meaning the culture of something else, the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it). I remind you full, accurate and complete disclosure is required.

Your request has been handled under the Freedom of Information Act (FOIA).

DHSC does not hold information on the isolation of a SARS-COV-2 virus.

However, outside of the scope of the FOIA, and on a discretionary basis, the following information has been advised to us, which may be of interest. Most infectious diseases are caused by viruses, bacteria or fungi. Some bacteria or fungi have the capacity to grow on their own in isolation, for example in colonies on a petri dish. Viruses are different in that they are what we call “obligate pathogens” – that is, they cannot survive or reproduce without infecting a host. An explainer of these different types of pathogen (disease causing agents) can be found from BMC Biology here: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5648414/>

For some diseases, it is possible to establish causation between a microorganism and a disease by isolating the pathogen from a patient, growing it in pure culture and reintroducing it to a healthy

organism. These are known as “Koch’s postulates” and were developed in 1884. However, as our understanding of disease and different disease-causing agents has advanced, these are no longer the method for determining disease causation. It has long been known that viral diseases cannot be identified in this way as viruses cannot be grown in ‘pure culture’. When a patient is tested for a viral illness, this is normally done by looking for the presence of antigens, or viral genetic code in a host with molecular biology techniques.

If you have any queries in relation to the above discretionary information, we suggest that you may wish to contact the Government Office for Science (Go-Science). FOI requests may be submitted to Go-Science at contact@go-science.gov.uk.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

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

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner’s Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Dorothy Crowe

Freedom of Information Officer
E: freedomofinformation@dhsc.gov.uk



By email

request-680379-1a327a9f@whatdotheyknow.com

Our ref: 28/07/cs/904

25 August 2020

Dear Marc Horn,

Re: Documents held showing SARS-COV2 has been isolated and Causes COVID-19

Thank you for your email dated 28 July 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England (PHE) does not hold the information you have specified.

Your Request

Please provide a full, accurate and complete list of records held within your office, and / or under your authority, supporting the claim that the SARS-COV-2 virus causes the symptoms of the disease called COVID-19, including but not limited to isolation of SARS-COV-2 virus and its identification method as confirmation.

Please note isolation is used in the normally understood meaning of the word – the act of separating a thing from another. I am not referring to, and hence not requesting, isolation meaning the culture of something else or the performance of an amplification test (eg PCR test which only detect mRNA or DNA) or the sequencing of “something”.

If any records match the above description and are available to the public elsewhere, please provide enough information so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, and weblink or location where the public may access it).

Response

Evidence that SARS-COV-2 causes the symptoms of COVID-19 is widely and publicly available.

Under section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to publications that contain information on virus isolation:

www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483

www.nature.com/articles/s41586-020-2196-x

[www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)30154-9/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)30154-9/fulltext).

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing foi@phe.gov.uk.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,
FOI Team



September 4, 2020

Christine Massey
221-93 George St. S.
Brampton ON L6Y 1P4

via email: cmssyc@gmail.com

Dear Ms. Massey,

Re: Access to Information Request 2020-006

Thank you for your access to information request received DATE, requesting access to:

All records in the possession, custody or control of the Vaccine and Infectious Disease Organization-International Vaccine Centre (VIDO-InterVac) 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 VIDO-InterVac or that pertain to work done by the VIDO-InterVac. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the VIDO-InterVac has downloaded or printed.

This is to advise you that the record(s) you wish to access do not exist. For your information, this notification has been provided pursuant to clause 7(2)(e) of *The Local Authority Freedom of Information and Protection of Privacy Act*. If you would like to request a review of this decision, you may do so by completing a "Request for Review" form and forwarding it to the Saskatchewan Information and Privacy Commissioner within one year of this notice. Your completed form can be sent to 503-1801 Hamilton Street, Regina, Saskatchewan, S4P 4B4 or webmaster@oipc.sk.ca. This form is available from this office or online at www.oipc.sk.ca.

If you have questions or concerns, please contact the writer at rayelle.johnston@usask.ca.

Sincerely,

Rayelle Johnston
Access and Privacy Officer



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London SW1H 0EU

www.gov.uk/dhsc

[REDACTED]

4 September 2020

Dear [REDACTED]

Freedom of Information Request Reference FOI-1247803

Thank you for your request dated 9 August, in which you asked the Department of Health and Social Care (DHSC):

“All records in the possession, custody or control of The Department of Health and Social Care 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 The Department of Health and Social Care or that pertain to work done by The Department of Health and Social Care. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Department of Health and Social Care 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).

Format:

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

Your request has been handled under the Freedom of Information Act (FOIA).

DHSC does not hold the information you have requested.

You may wish to direct your request to Public Health England (PHE) and the Government Office for Science (Go-Science). FOI requests can be submitted to PHE at FOI@phe.gov.uk, and to Go-Science at contact@go-science.gov.uk.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

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

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner's Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Lauren Der
Freedom of Information Officer
FreedomOfInformation@dhsc.gov.uk

Translated sections:

FOI request

1) With this FOI request I would like you to provide me with the following information: A scientific research (no review document) that shows that the virus SARS-CoV-2 exists. The research should comply with the “state-of-the-art” isolation of the virus and prove that the coronavirus has a unique structure and consists of a unique viral genetic substance / genetic sequence. Control experiments must have been executed and documented in accordance with the scientific guidelines, to prove that non-typical cellcomponents have not been misinterpreted as viral components.

Response to FOI request

2) The obligation to publish documents according to the FOI act does not apply to information that is already public. The requested information has already been published and can be found on different websites such as:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7159086/> and

<https://pubmed.ncbi.nlm.nih.gov/31978945>

Objection letter

3) However, none of the 2 scientific publications provide proof of the existence of SARS-CoV-2. There is no report of purification of the virus and control experiments have not been executed.

Response to objection letter

4) Following your request I have inquired with the RIVM. From this inquiry it follows that the RIVM relies on public information resources, of which the two in my letter of the 2nd of juli 2020 are examples. According to the RIVM these two publications provide proof of the existence of the virus SARS-CoV-2.

FOI request proof of the existence of sars-cov-2

Ministerie van Volksgezondheid, Welzijn en Sport
t.a.v. Wob-eenheid, directie Wetgeving en Juridische Zaken
Postbus 20350
2500 EJ Den Haag

Rotterdam, 12 mei 2020

Betreft: Wob-verzoek bewijs bestaan SARS-CoV-2

Geachte heer / mevrouw,

In dit Wob-verzoek zou ik u willen vragen mij de volgende informatie te doen toekomen:

Een wetenschappelijk onderzoek (geen overzichtsdocument) waarin is aangetoond dat het virus SARS-CoV-2 bestaat. Het onderzoek dient te voldoen aan de "state-of-the-art" isolatie van het virus en bewijzen dat het coronavirus een unieke structuur heeft en beschikt over een unieke virale genetische substantie / genetische sequens. Controle-experimenten dienen te zijn uitgevoerd en gedocumenteerd in overeenstemming met de wetenschappelijke richtlijnen, die duidelijk bewijzen dat niet-typische celcomponenten als componenten van het vermoedelijke virus verkeerd zijn geïnterpreteerd.

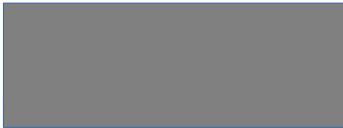
Bijvoorbaat dank en met vriendelijke groet,

1

Response to FOI



Objection letter



20-7-2020 08:37

Bezwaarschrift



Beste heer/mevrouw [REDACTED]

Met dit schrijven dien ik een bezwaarschrift in met betrekking tot uw brief met kenmerk 2020.089 1712361-207520-WJZ.

De brief is een antwoord op mijn wob-verzoek van 12 mei 2020. In mijn verzoek vraag ik naar een document waaruit blijkt dat SARS-CoV-2 bestaat.

In het antwoord geeft de heer/mevrouw [REDACTED] aan dat de wob geen betrekking heeft tot informatie die reeds openbaar is en verwijst naar 2 wetenschappelijke publicaties waarin de informatie waarnaar ik heb gevraagd reeds openbaar zou zijn gemaakt.

Echter, in geen van de twee wetenschappelijke publicaties is sprake van een bewijs voor het bestaan van SARS-CoV-2. Er heeft namelijk geen purificatie van een virus plaatsgevonden en zijn er geen controle experimenten uitgevoerd.

U heeft dus niet voldaan aan mijn wob verzoek. Ik verzoek u daarom om mij alsnog de gevraagde informatie toe te sturen. Indien u niet over een document beschikt dat bewijst dat SARS-CoV-2 bestaat, wat ook mogelijk is, kunt u mij dat ook bevestigen.

Ook, zou ik u er op willen wijzen dat in de wet openbaarheid bestuur de volgende definitie is omschreven van een document: een bij een bestuursorgaan berustend schriftelijk stuk of ander materiaal dat gegevens bevat; Aangezien in deze definitie niet specifiek vermeld dat het document al dan niet egens anders is gepubliceerd kan het dus ook gaan om een document dat al eerder is gepubliceerd, maar bij u aanwezig is. Een verwijzing naar een peer-reviewed wetenschappelijk tijdschrift is dan ook mogelijk, allen als die verwijzing een antwoord is op mijn vraag.

Met vriendelijke groet,



3



Retouradres Postbus 20350 2500 EJ Den Haag



Alleen per e-mail:



**Secretaris Generaal / plv.
Secretaris Generaal**
Directie Wetgeving en
Juridische Zaken
Cluster 1

Bezoekadres:
Parnassusplein 5
2511 VX Den Haag
T 070 340 79 11
F 070 340 78 34

www.rijksoverheid.nl

Inlichtingen bij



Kenmerk
DWJZ-2020000372
1737238-209457-WJZ

Bijlage(n)

-

*Correspondentie uitsluitend
richten aan het retouradres
met vermelding van de datum
en het kenmerk van deze
brief.*

Datum **- 4 SEP. 2020**
Betreft Beslissing op bezwaar

Geachte heer



Bij e-mailbericht van 20 juli 2020 heeft u een bezwaarschrift ingediend tegen mijn brief van 2 juli 2020, met kenmerk 2020.089 – 1712361-207520-WJZ in reactie op uw verzoek op grond van de Wet openbaarheid van bestuur (hierna: Wob).

Met deze brief beslis ik op uw bezwaar.

Besluit

Ik verklaar het bezwaar niet-ontvankelijk, omdat de brief van 2 juli 2020 geen besluit is. Ik heb namelijk terecht geconstateerd dat de documenten waar u om vraagt, al openbaar zijn en dat daarom de Wob niet van toepassing is. De brief heeft daardoor geen rechtsgevolg.


Ik licht mijn besluit hieronder voor u toe.

Verloop van de procedure

Bij brief van 12 mei 2020 heeft u een verzoek ingediend. U vraagt mij om u op basis van de Wob een wetenschappelijk onderzoek te doen toekomen waarin is aangetoond dat het virus SARS-CoV-2 bestaat.

Bij brief van 2 juli 2020 heb ik u laten weten dat de plicht tot openbaarmaking op grond van de Wob geen betrekking heeft op informatie die al openbaar is. De informatie waar u om vraagt is openbaar en ik heb u verwezen naar een tweetal websites.

Met uw e-mail van 20 juli 2020 heeft u bezwaar gemaakt tegen mijn brief van 2 juli 2020. Op dezelfde dag heb ik de ontvangst van uw bezwaar aan u bevestigd.

Op 23 juli 2020 heeft één van mijn medewerkers, mevrouw  een e-mail gestuurd over de bezwaarprocedure.



Beoordeling van het bezwaar

Algemene toelichting

Voordat ik op uw bezwaren inga, wil ik in het algemeen iets zeggen over de regels die in dit geval gelden. Ik heb uw bezwaar beoordeeld op grond van de Algemene wet bestuursrecht (hierna: Awb) en de Wob.

Op grond van artikel 1, aanhef en onder a, van de Wob, wordt onder document verstaan een bij een bestuursorgaan berustend schriftelijk stuk of ander materiaal dat gegevens bevat.

Op grond van artikel 3, eerste lid, van de Wob kan een ieder een verzoek om informatie, neergelegd in documenten over een bestuurlijke aangelegenheid, richten tot een bestuursorgaan of een onder verantwoordelijkheid van een bestuursorgaan werkende instelling, dienst of bedrijf.

Op grond van artikel 3, tweede lid, van de Wob vermeldt de verzoeker bij zijn verzoek de bestuurlijke aangelegenheid of het daarop betrekking hebbende document, waarover hij informatie wenst te ontvangen.

Gronden van uw bezwaar

In uw bezwaarschrift heeft u aangevoerd dat ik niet heb voldaan aan uw Wob-verzoek, omdat volgens u in geen van de twee door mij genoemde wetenschappelijke publicaties sprake is van een bewijs voor het bestaan van SARS-CoV-2. Er heeft namelijk geen purificatie van een virus plaatsgevonden en er zijn geen controle-experimenten uitgevoerd. U vraagt mij de verzochte informatie alsnog toe te sturen of, als ik hier niet over beschik, dat te bevestigen. U verwijst naar de definitie van document in de Wob, waaruit volgens u niet blijkt dat een document dat al eerder is gepubliceerd, niet onder de Wob valt.

Overwegingen ten aanzien van de gronden van bezwaar

Over uw bezwaren overweeg ik het volgende.

Voordat ik inhoudelijk op uw bezwaren kan ingaan, moet ik beoordelen of uw bezwaar aan de wettelijke vereisten voldoet. Daarover overweeg ik als volgt.

Gelet op de artikelen 8:1 en 7:1, eerste lid, van de Awb kan een belanghebbende bezwaar maken tegen een besluit. Een besluit is gelet op artikel 1:3, eerste lid, van de Awb een schriftelijke beslissing van een bestuursorgaan, inhoudende een publiekrechtelijke rechtshandeling. Met het begrip rechtshandeling wordt een handeling van een bestuursorgaan bedoeld die is gericht op rechtsgevolg. Dit betekent dat door de desbetreffende handeling een wijziging in een recht of een plicht moet plaatsvinden.

Uit de rechtspraak volgt dat de plicht tot openbaarmaking op grond van de Wob geen betrekking heeft op informatie die al openbaar is.¹ In zoverre slaagt uw

¹ Onder meer de uitspraken van de Afdeling Bestuursrechtspraak van de Raad van State van 11 september 2019 (ECLI:NL:RVS:2019:3100) en 18 december 2019 (ECLI:NL:RVS:2019:4257).

**Secretaris Generaal / plv.
Secretaris Generaal**
Directie Wetgeving en
Juridische Zaken
Cluster 1

Kenmerk
DWJZ-2020000372
1737238-209457-WJZ



bezwaar dat uit de definitie van document niet blijkt dat de Wob geen betrekking heeft op openbare informatie, dus niet.

**Secretaris Generaal / plv.
Secretaris Generaal**
Directie Wetgeving en
Juridische Zaken
Cluster 1

Een reactie op een verzoek om stukken openbaar te maken die al openbaar zijn, is niet op rechtsgevolg gericht en daarom geen besluit in de zin van artikel 1:3, eerste lid, van de Awb. Tegen een dergelijke mededeling kan een verzoeker, zoals u in dit geval heeft gedaan, wel bezwaar maken. In de bezwaarprocedure kan dan worden beoordeeld of het bestuursorgaan op goede gronden stelt dat de gevraagde informatie openbaar is. Ik ben van oordeel dat ik op goede gronden heb gesteld dat de door u gevraagde informatie al openbaar is. Daarom acht ik uw bezwaar niet-ontvankelijk. Dit betekent dat ik niet toekom aan een verdere inhoudelijke beoordeling van uw bezwaar. Wel licht ik hierna toe hoe ik tot de conclusie ben gekomen dat de informatie al openbaar is.

Kenmerk
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4

Naar aanleiding van uw verzoek heb ik navraag gedaan bij het RIVM. Uit deze navraag is mij gebleken dat het RIVM zich baseert op openbare informatiebronnen, waarvan de twee in mijn brief van 2 juli 2020 genoemde artikelen voorbeelden zijn. Volgens het RIVM wordt in deze twee publicaties het bestaan van het virus SARS-CoV-2 aangetoond. In mijn brief heb ik hier dan ook naar kunnen verwijzen. Er zijn overigens nog veel meer wetenschappelijke artikelen over het virus SARS-CoV-2 openbaar beschikbaar, maar op grond van de Wob ben ik niet gehouden om naar aanleiding van uw verzoek een literatuuronderzoek te doen in openbare publicaties. De Wob ziet namelijk op een bij een bestuursorgaan berustend schriftelijk stuk of ander materiaal dat gegevens bevat (artikel 1, aanhef en onder a, van de Wob). Bovendien geldt dat als vaststaat dat de gevraagde informatie al openbaar is, ook niet meer hoeft te worden nagegaan of de informatie onder het bestuursorgaan berust.²

Dat u van mening bent dat in de genoemde artikelen geen bewijs wordt geleverd van het bestaan van het virus, wat daar verder ook van zij, doet er niet aan af dat het RIVM onder meer uitgaat van de twee genoemde artikelen. Het valt buiten de reikwijdte van de Wob om hierover met u een (medisch) wetenschappelijke discussie te voeren.

Conclusie

Gelet op het voorgaande kom ik tot de conclusie dat uw bezwaar niet-ontvankelijk is.

Horen

Ik kan op grond van artikel 7:3, aanhef en onder c, van de Awb afzien van horen als de belanghebbende heeft verklaard geen gebruik te willen maken van het recht te worden gehoord.

² Uitspraak van de Afdeling Bestuursrechtspraak van de Raad van State van 18 december 2019 (ECLI:NL:RVS:2019:4257).



Per e-mail van 21 juli 2020 heeft u laten weten geen gebruik te willen maken van de mogelijkheid om uw bezwaren mondeling toe te lichten. Dit betekent dat ik een beslissing neem op grond van het door u ingediende bezwaarschrift. Op grond van het bepaalde in artikel 7:3, aanhef en onder c, van de Awb zie ik af van het houden van een hoorzitting.

Hoogachtend,

de minister van Volksgezondheid,
Welzijn en Sport,
namens deze,
de secretaris-generaal,

Secretaris Generaal / plv.
Secretaris Generaal
Directie Wetgeving en
Juridische Zaken
Cluster 1

Kenmerk
DWJZ-2020000372
1737238-209457-WJZ

U kunt tegen deze beschikking beroep instellen bij de sector bestuursrecht van de rechtbank binnen het rechtsgebied waarvan u uw woonplaats in Nederland heeft.

Het beroepschrift moet binnen zes weken na de dag waarop de beschikking u is toegezonden aan de rechtbank worden gestuurd. U kunt ook digitaal beroep instellen via <http://loket.rechtspraak.nl/bestuursrecht>. Daarvoor moet u wel beschikken over een elektronische handtekening (DigiD).

Het beroepschrift moet op grond van artikel 6:5 van de Algemene wet bestuursrecht zijn ondertekend en bevat ten minste de naam en adres van de indiener, de dagtekening, de omschrijving van het besluit waartegen het beroep is gericht, zo mogelijk een afschrift van dit besluit, en de gronden waarop het beroepschrift rust.

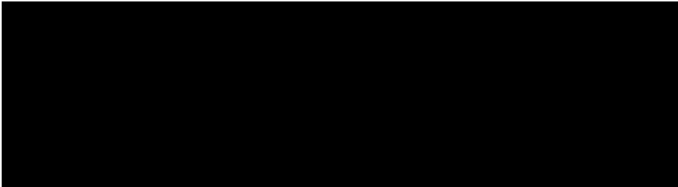
Van de indiener van het beroepschrift wordt griffierecht geheven door de griffier van de rechtbank. Nadere informatie over de hoogte van het griffierecht en de wijze van betalen wordt door de griffie van de rechtbank verstrekt.



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

A handwritten signature in blue ink that reads "KBishop".

K. Bishop
Principal Lawyer
Legal Advice & Legislation Branch

9 September 2020

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 Instituttet 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



2-9-2020 08:55

document request SARS-CoV-2

Aan access.to.documents@ecdc.europa.eu <access.to.documents@ecdc.europa.eu>

Dear sir/madam,

Please provide me with the following:

- 1) A single document that proves, scientifically, that SARS-CoV-2 exists and that proves that the genetic sequence of SARS-CoV-2, used in the RT-PCR tests is specific for SARS-CoV-2 only.
- 2) A document (name, number, date) that describes the scientific procedure, or methodology that is required to be followed by the ECDC as part of the quality standard to prove that a virus exists.
- 3) A document that provides an assessment by the ECDC that shows that 1) complies with 2) for SARS-CoV-2

kind regards,





Stockholm, 16 September 2020
Our ref.: DPR-2020-OUT-3176-KEEIKh

Dear Mr [REDACTED],

Re: Your application for access to documents – Ref 20-3696

We refer to your email dated 31 August 2020 in which you make a request for access to documents, registered on 1 September 2020 under the above mentioned reference number, and your follow up email on 2 September 2020 that has been handled under the same reference number as well.

We regret to inform you that no documents were found that would correspond to the description given in your application.

Indeed, as specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that Regulation applies only to existing documents in the possession of the institution.

Given that no such documents have been identified, ECDC is not in a position to handle your request.

However, in the spirit of The European Code of Good Administrative Behaviour, we take the liberty of suggesting the following links to some information on this topic that you might find useful:

- Regarding the "aetiology of SARS: Koch's postulates fulfilled":

<https://covid19.elsevierpure.com/de/publications/the-aetiology-of-sars-kochs-postulates-fulfilled>

- About how to detect and show the sequence phylogeny:

<https://www.ecdc.europa.eu/en/novel-coronavirus/laboratory-support>

Additionally, among others, we would like to refer to two relevant seminal papers; on the virus discovery and on the first RT-PCR development, which also includes an investigation of specificity, which excludes unspecific detection of e.g. seasonal coronaviruses. Please see the links below:

<https://www.nature.com/articles/s41586-020-2012-7>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6988269/>

1/2

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting ECDC's Director to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following address:

ECDC
Legal Services
Gustav III:s Boulevard 40
16973 Solna
Sweden

or by email to: confirmatory.requests@ecdc.europa.eu.

Yours faithfully,



Karl Ekdahl
Head of Unit Disease Programmes

1-10-2020 09:25

confirmatory application Ref 20-3696

Aan confirmatory.requests@ecdc.europa.eu <confirmatory.requests@ecdc.europa.eu>

Dear sir/madam,

In your response to my information request, which has been registered under reference number Ref 20-3696, i would like to ask for a confirmatory application and request the ECDC's Director to review the position stated in you letter with reference DPR-2020-OUT-3176-KEEIKh.

First, you have not answered any of my questions and have send me references to research papers that do not answer any of my questions. I would like therefore to ask you for a truthful answer to the following.

In question 1) I have asked for a single document that proves, scientifically, that SARS-CoV-2 exists and that proves that the genetic sequence of SARS-CoV-2, used in the RT-PCR tests is specific for SARS-CoV-2 only.

A) Can you please confirm that at present, the ECDC does not have any scientific proof of the existence of SARS-CoV-2?

B) If you do have the opinion that SARS-CoV-2 exists, please provide me with a reference from which the ECDC considers that this has been proven. Please also provide a thorough assessment, based on the quality standards of the ECDC, why this scientific paper fulfills the requirements of having discovered a new virus.

In question 2) I ask for a document (name, number, date) that describes the scientific procedure, or methodology that is required to be followed by the ECDC as part of the quality standard to prove that a virus exists.

C) Please confirm that the ECDC does not have a quality standard in which the methodology of proving the existence of a virus and the procedures to quantify the biochemical properties of the new virus has been defined. If you do have a quality standard, please send it to me.

3) A document that provides an assessment by the ECDC that shows that 1) complies with 2) for SARS-CoV-2

D) If not available, please confirm that the ECDC has not executed an assessment to verify whether or not SASRS-CoV-2 exists.

Kind regards,





Stockholm, 21 October 2020
Our ref.: DIR-2020-OUT-3783-AAEIKh

Dear Mr [REDACTED],

Re: Your confirmatory application for access to documents – Ref 20-3696-1

We refer to your email dated 1 October 2020 registered on the same day under the above mentioned reference number. In your email you make a confirmatory application with regards to our letter DPR-2020-OUT-3176-KEEIEKh of 16 September 2020, replying to your initial application of 31 August and 2 September 2020.

I can confirm that ECDC does not hold any document corresponding to the description you made in your initial application.

In your confirmatory application, you also ask ECDC to provide additional information to you, or to confirm certain assumptions that you make (points A, B, C and D of your email). Such request falls outside the scope of the confirmatory application and in general of Regulation 1049/2001, and I will deal with them instead as a request for information, processed in accordance with the ECDC Code on Good Administrative Behaviour.

On this respect, I bring your attention to the fact that, in accordance with paragraph 76 of the Judgment of the Court of first Instance of 25 April 2007 in case T-264/04, WWF European Policy Programme v Council,

The public's right of access to the documents of the institutions covers only documents and not information in the wider meaning of the word and does not imply a duty on the part of the institutions to reply to any request for information from an individual

The same paragraph explicitly states that access to information *may be granted only if that information is contained within documents, which presupposes that such documents exist.*

While ECDC strives to be close to the European citizens, in line with the Code of Good Administrative Behaviour, the principle of sound administration obliges me, in particular in this time of pandemic, to focus all the resources of the Agency to tasks that I believe can have a significant impact for public health, in accordance with the ECDC mission.

In view of all the above, and taking into account that ECDC already provided you with relevant information in our letter of 16 September, I decided that ECDC will not reply to the further questions that you included in your email of 1 October 2020, and that ECDC shall discontinue any further correspondence with you

1/2

related to the issues that you mention, as I consider that any further correspondence would be repetitive and pointless.

Remedies

You can bring an action to the Court of Justice of the European Union against the part of this decision concerning the confirmatory application, in accordance with art. 263 of the Treaty on the Functioning of the European Union. You also can lodge a complaint to the European Ombudsman, in accordance with art. 228 of the Treaty on the Functioning of the European Union.

Yours faithfully,



Andrea Ammon

Director

September 18, 2020

Christine Massey
#221 - 93 George St. S.
Brampton ON L6Y 1P4
via e-mail: cmssyc@gmail.com

Dear Christine:

RE: Freedom of Information Request # 20-03 – Decision Letter

I am writing regarding your access request under the *Freedom of Information and Protection of Privacy Act* (“FIPPA”), received on July 17, 2020, as follows:

All records in the possession, custody or control of Mount Sinai Hospital 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 Mount Sinai Hospital researchers, or*
- *pertain to work done by Mount Sinai Hospital researchers, or*
- *pertain to work done at Mount Sinai Hospital.*

My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Mount Sinai Hospital 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.



I have again reviewed your request, as well as your e-mail of August 26, 2020 clarifying the records that you are seeking, with experts at Sinai Health who have significant knowledge and experience in respect of the isolation of viruses as well as SARS-CoV-2. We do not interpret the clarification that you have provided to change the substance of your request.

As set out in my letter of August 25, 2020, isolation of a virus in the manner that you have described is not possible for any virus, including SARS-CoV-2; it is not within the scope of current scientific processes. For this reason, and based on a reasonable search for responsive records, Sinai Health is satisfied that the records you are seeking do not exist.

You may request the Information and Privacy Commissioner to review this decision. The Commissioner can be reached at:

Information and Privacy Commissioner/Ontario
1400 - 2 Bloor Street East
Toronto, Ontario, M4W 1A8

The appeal fee is \$25.00, payable by cheque or money order to the Minister of Finance and must be included with your correspondence. Please note that you have 30 days from the receipt of this letter to request a review by the Commissioner.

Yours very truly,

A handwritten signature in blue ink that reads "Jesstina McFadden".

Jesstina McFadden

Director, Privacy and Information Access (Interim)
416-586-4800 x 5886
Jesstina.McFadden@sinaihealth.ca



By email

[REDACTED]

Our ref: 04/09/kl/1184

21 September 2020

Dear [REDACTED]

Re: Freedom of Information Request: Studies re Isolation of SARS-COV-2

Thank you for your email dated 4 September 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England (PHE) does not hold the information you have specified.

Your Request

All records in the possession, custody or control of Public Health England 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 Public Health England or that pertain to work done by Public Health England. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Public Health England 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).

Response

PHE can confirm it does not hold information in the way suggested by your request.

Under Section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to the below links which contain information on taking COVID-19 swabs:

<https://www.gov.uk/government/publications/covid-19-guidance-for-taking-swab-samples>

<https://www.gov.uk/government/publications/types-and-uses-of-coronavirus-covid-19-tests/types-and-uses-of-coronavirus-covid-19-tests>

Additionally, the below publication contains some information on virus isolation:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483>

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing foi@phe.gov.uk.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,
FOI Team



FOI: re Isolation of SARS-COV-2

1 message

 Sat, Sep 12, 2020 at 12:06 PM

To: doherty-reception@unimelb.edu.au

This is a Freedom of Information Act Request to The Peter Doherty Institute for Infection and Immunity.

Description of Requested Records:

All records in the possession, custody or control of The Peter Doherty Institute for Infection and Immunity 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 Peter Doherty Institute for Infection and Immunity or that pertain to work done by The Peter Doherty Institute for Infection and Immunity. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that The Peter Doherty Institute for Infection and Immunity 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).

I will accept PDFs or links to PDFs.

Can you also please prepare your response as a signed PDF?

Kind Regards



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



Government Office for Science

Government Office for Science
10 Victoria Street
London
SW1H 0NN

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

Date 2/10/20
Ref no: GOS-COV-040920-0068

Thank you for your email of 4/9/20 where you requested the following information:

"All records in the possession, custody or control of the Government Office for Science 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 Government Office for Science or that pertain to work done by the Government Office for Science. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Government Office for Science 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"

Response

We do not hold the information you have requested. This information may be available from DHSC ([contact](#)) or PHE ([contact](#)).

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal

review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to:

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

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

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

Yours Sincerely

Government Office for Science



OIA: re Isolation of SARS-COV-2

1 message

Tue, Sep 8, 2020 at 11:53 AM

To: mc@otago.ac.nz

This is an Official Information Act Request to The University of Otago.

Description of Requested Records:

All records in the possession, custody or control of The University of Otago 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 University of Otago or that pertain to work done by The University of Otago. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that The University of Otago 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).

I will accept PDFs or links to PDFs.





6 October 2020



I write in response to your Official Information Act request of 8 September 2020, which sought: "All records in the possession, custody or control of The University of Otago 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)".

I can confirm that the University holds no records which fall within the scope of your request, as SARS-CoV-2 is not isolated in the way you describe. However, I attach a letter from one of our research staff, Professor Miguel E. Quiñones-Mateu, which may be of interest to you. This explains how SARS-CoV-2 is detected and isolated from patient-derived specimens in a laboratory environment.

I trust this information is helpful.

Kind regards

Chris Stoddart
Registrar and Secretary to the Council
University of Otago

October 5, 2020

Professor Richard Blaikie
Deputy Vice-Chancellor
Research & Enterprise
University of Otago

Miguel E. Quiñones-Mateu, Ph.D.
Professor, Webster Family Chair in Viral Pathogenesis
Associate Dean Research
Department of Microbiology & Immunology
School of Biomedical Sciences
University of Otago
PO Box 56
720 Cumberland Street
Dunedin 9016
New Zealand

RE: Information Act Request – Isolation of SARS-CoV-2

Dear Prof Blaikie,

I am writing to briefly describe - on lay terms - the process that we, and basically all virology laboratories across the world, have used to detect and isolate SARS-CoV-2 from patient-derived specimens. As you know, this is a relatively simple and standard procedure used for numerous virology groups to isolate viruses, starting with the first virus to be identified (tobacco mosaic virus, Olitsky & Northrop 1925 *Science* 61:544) as well as the first human virus (Yellow fever virus, Reed et al 1901 *JAMA* 36:431). In the case of SARS-CoV-2, we followed protocols described in the literature to originally isolate the virus in China (Zhu et al 2020 *NEJM* 382:727) and Australia (Caly et al 2020 *Med J Aust* 212:459). Briefly,

- Patient-derived nasopharyngeal (NSP) swabs were collected and stored in universal transport medium (UTM) at 4°C
- UTM aliquots were transported to our laboratory where we (i) used 140 microliters to isolate total RNA and (ii) added 500 microliters to a tissue culture flask containing Vero (*Cercopithecus aethiops*, kidney epithelial) cells
- RNA samples were used to (i) detect SARS-CoV-2 by RT-PCR amplification and (ii) identify all the microorganisms present in the sample using metagenomics sequencing
- Vero cells were closely monitored for cytopathic effects (CPE), usually a sign of viral infection
- Once CPE was observed, the cell-free supernatant from the “positive” culture was collected and total RNA isolated (cell-free supernatant from Vero cells not exposed to UTM aliquots were also collected, as negative control)
- As described above, the cell culture-derived RNA samples were used to (i) detect SARS-CoV-2 by RT-PCR amplification and (ii) identify all the microorganisms present in the sample using metagenomics sequencing

As expected, RT-PCR results showed that the NSP samples were positive for SARS-CoV-2, as well as the cell-free supernatant samples obtained from the Vero cell cultures. None of the negative controls were positive by RT-PCR. In addition, metagenomics analysis of the patient-derived NSP samples identified SARS-CoV-2 as the only sequences from eukaryotic viruses present in the samples. Similar analysis of the viral isolates (cell-free supernatant) produced an average of 1.3 million sequences corresponding to SARS-CoV-2. More importantly, whole genome sequences (close to 30,000 nucleotides) from the virus isolates matched exactly those found in the patient-derived samples (obtained without cultivation in Vero cells), indicating that the SARS-CoV-2 isolates obtained in our laboratory came directly from the patient NSP samples.

In summary, we have no doubt that the SARS-CoV-2 isolates cultured in our laboratory were obtained from patients infected with this new coronavirus in New Zealand. Please do not hesitate to contact me if you need any further information.

Sincerely,

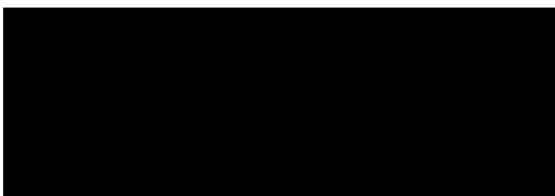


Miguel E. Quiñones-Mateu, Ph.D.
Professor, Webster Family Chair in Viral Pathogenesis
Associate Dean Research
Department of Microbiology & Immunology
University of Otago

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.

Rebecca Ewert <r.ewert@auckland.ac.nz>

Wed, Sep 9, 2020 at 2:31 PM

To: [REDACTED]

Dear [REDACTED]

I refer to your request of 7 September 2020 below. I understand you have made similar requests to other units within the University. For the purposes of the Official Information Act, the University is one organisation and accordingly all requests for official information are managed centrally. Could you send all your requests for official information under the Official Information Act to my email address, r.ewert@auckland.ac.nz, or to the generic address legal@auckland.ac.nz. The University will respond to your requests as soon as reasonably practicable, but no longer than 20 working days after receipt, in accordance with the Act.

Yours sincerely,

Rebecca Ewert

General Counsel

University of Auckland

From: [REDACTED]

Sent: Monday, 7 September 2020 12:54 PM

To: Peter Hunter <p.hunter@auckland.ac.nz>

Subject: OIA Request: re Isolation of SARS-COV-2

This is an Official Information Act Request to Auckland University's 'Auckland Bioengineering Institute'.

Description of Requested Records:

All records in the possession, custody or control of Auckland Bioengineering Institute 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 Auckland Bioengineering Institute or that pertain to work done by Auckland Bioengineering Institute. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Auckland Bioengineering Institute 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).

I will accept PDFs or links to PDFs.

King Regards

--

Rebecca Ewert <r.ewert@auckland.ac.nz>

Thu, Sep 17, 2020 at 2:34 PM

To: [REDACTED]

Dear [REDACTED]

I refer to your requests of 7 September 2020. The University's response follows:

"All records in the possession, custody or control of Auckland Bioengineering Institute 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 also note that my request is not limited to records that were authored by Auckland Bioengineering Institute or that pertain to work done by Auckland Bioengineering Institute. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Auckland Bioengineering Institute has downloaded or printed."

No such records have been authored by Auckland Bioengineering Institute staff or pertain to work done by Auckland Bioengineering Institute staff. Your request for these documents is refused under section 18(e) of the Official Information Act 1982, as the requested documents do not exist. Your request for any other such records – including published studies by third parties that Auckland Bioengineering Institute staff have downloaded or printed – would require substantial collation or research to provide, and unless this part of your request is amended or withdrawn the University would likely refuse it under section 18(f) of the Official Information Act. Please advise by 24 September 2020 whether you wish to amend or withdraw this part of your request.

"All records in the possession, custody or control of Auckland University's Science Department 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 also note that my request is not limited to records that were authored by Auckland University's Science Department or that pertain to work done by Auckland University's Science Department. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Auckland University's Science Department has downloaded or printed."

No such records have been authored by University staff in the Faculty of Science or pertain to work done by staff in the Faculty of Science. Your request for these documents is refused under section 18(e) of the Official Information Act 1982, as the requested documents do not exist. Your request for any other such records – including published studies by third parties that University staff in the Faculty of Science have downloaded or printed – would require substantial collation or research to provide, and unless this part of your request is amended or withdrawn the University would likely refuse it under section 18(f) of the Official Information Act. Please advise by 24 September 2020 whether you wish to amend or withdraw this part of your request.

You have the right to make a complaint to an Ombudsman if you are dissatisfied with this response.

[Quoted text hidden]

Fri, Sep 18, 2020 at 8:25 AM

Reply-To: [REDACTED]
To: Rebecca Ewert <r.ewert@auckland.ac.nz>

Dear Rebecca,

"Your request for any other such records – including published studies by third parties that Auckland Bioengineering Institute staff have downloaded or printed – would require substantial collation or research to provide..."

"Your request for any other such records – including published studies by third parties that University staff in the Faculty of Science have downloaded or printed – would require substantial collation or research to provide..."

The first sentence of my request reads "***All records in the possession, custody or control of Auckland Bioengineering Institute ...***" and "***All records in the possession, custody or control of Auckland University's Science Department describing the isolation of a SARS-COV-2 virus***".

I have clearly **not** requested the University of Auckland to conduct research or do a literature search on the topic.

Given that:

- devastating lockdown measures have been imposed based on reports of "confirmed COVID-19 cases" and "COVID-19 deaths" said to be caused by a novel coronavirus called "SARS-COV-2", and
- isolation is one of the essential steps in determining scientifically whether a suspected pathogen causes any disease, and
- The Bioengineering Lab claims to have designed face shields that "... provide another layer of protection, to be worn over surgical face masks, to reduce the viral load that healthcare workers can be exposed to." (<https://www.auckland.ac.nz/en/abi/our-research/covid-19-research/face-shield-fast-effective-protection/about-our-face-shields.html>), and
- The Bioengineering Lab are researching the modeling of transmission and infection which would require background research (<https://www.auckland.ac.nz/en/abi/our-research/covid-19-research/covid-19-modelling-at-abi.html>), and
- The Bioengineering Lab is actively recruiting staff to research SARS-COV-2/COVID-19 (<https://www.auckland.ac.nz/en/abi/our-research/covid-19-research/join-abi.html>)

I would expect scientists and engineers at the University who are doing COVID-19 research to have all responsive records at their fingertips.

Thus I am **not** amending my request, and I look forward to the University's final, formal response.

Can I also please have the University's response in a signed PDF?

Thank you

[Quoted text hidden]

Rebecca Ewert <r.ewert@auckland.ac.nz>

Fri, Sep 18, 2020 at 4:16 PM

To: [REDACTED]

Dear [REDACTED]

I refer to your email of 18 September 2020.

"The first sentence of my request reads *"All records in the possession, custody or control of Auckland Bioengineering Institute ..."* and *"All records in the possession, custody or control of Auckland University's Science Department describing the isolation of a SARS-COV-2 virus"*.

I have clearly **not** requested the University of Auckland to conduct research or do a literature search on the topic."

Section 18(f) of the Official Information Act allows requests for official information to be refused where "the information requested cannot be made available without substantial collation or research". "Research" here means the work in finding the requested information held by the University; it does not mean conducting research to obtain new information (as the Official Information Act only applies to official information held by organisations). "Collation" refers to bringing the requested information together.

I note that you have identified particular projects which are of interest to you. If you wish to amend your request to be limited to records held by staff carrying out specified projects, so that we can narrow the search to a small number of staff, rather than records held by the Science Faculty and the Bioengineering Institute, then we may be able to proceed with your request rather than refuse it under section 18(f) as requiring substantial collation or research. Please advise whether you wish to amend your request in this way.

You should be aware, however, that if the substantial collation or research issue is addressed there are other potential issues which may result in all or part of your request being refused. For example:

1. The definition of "official information" excludes library material held for reference purposes, and this may exclude material obtained from our Library databases by our researchers.
2. Providing the requested material may breach agreements under which the material was supplied; for example, journal articles are copyright material and it may breach the University's licensing agreements with publishers to provide these to you.

Yours sincerely,

Rebecca Ewert

General Counsel

University of Auckland

Fri, Sep 18, 2020 at 4:44 PM

Reply-To: [REDACTED]
To: Rebecca Ewert <r.ewert@auckland.ac.nz>

Greetings Rebecca,

"Section 18(f) of the Official Information Act allows requests for official information to be refused where "the information requested cannot be made available without substantial collation or research". "Research" here means the work in finding the requested information held by the University; it does not mean conducting research to obtain new information (as the Official Information Act only applies to official information held by organisations). "Collation" refers to bringing the requested information together.

I note that you have identified particular projects which are of interest to you. If you wish to amend your request to be limited to records held by staff carrying out specified projects, so that we can narrow the search to a small number of staff, rather than records held by the Science Faculty and the Bioengineering Institute, then we may be able to proceed with your request rather than refuse it under section 18(f) as requiring substantial collation or research. Please advise whether you wish to amend your request in this way."

I have submitted and received responses from many organizations from the UK, Australia, and New Zealand. None of these organizations had any problem with responding. For instance, I submitted an OIA to the New Zealand Ministry of Health. Not only did the Ministry respond but they also inquired with ESR. ESR responded that they too did not have any responsive records.

I assume that each university department has an email list; it surely doesn't require 'research' to send an email to such lists. I hardly think that 'substantial collation' is required for reading the email responses and summarizing those responses. But maybe you can ask The Ministry of Health for help in responding to this request?

You should be aware, however, that if the substantial collation or research issue is addressed there are other potential issues which may result in all or part of your request being refused. For example:

1. The definition of "official information" excludes library material held for reference purposes, and this may exclude material obtained from our Library databases by our researchers.
2. Providing the requested material may breach agreements under which the material was supplied; for example, journal articles are copyright material and it may breach the University's licensing agreements with publishers to provide these to you.

I understand that my OIA is for publicly available information.

I would be extremely surprised if the most important research of our lifetime is hidden away behind a paywall. Again, none of the other organizations mentioned paywalls or IP issues when responding to my requests.

I won't be modifying my OIA as the Ministry of Health had no trouble providing a response of 18(e) as they had no records. I will certainly object to a response with an 18(f) rejection with the Ombudsmen as The Ministry of Health responded which has already set the precedence for this OIA request if you decide to go this route.

Regards

[Quoted text hidden]

Landon Watt <landon.watt@auckland.ac.nz>

Tue, Oct 6, 2020 at 8:40 PM

To: [REDACTED]

Dear [REDACTED]

I refer to your email of 18 September 2020, which clarifies that your Official Information Act request is for publicly available information. Accordingly, to the extent that the University holds the requested information, your request is refused under section 18(d) of the Official Information Act, on the basis that the information requested is publicly available. You have the right to make a complaint to an Ombudsman if you are dissatisfied with this response.

Yours sincerely,

Landon Watt
Legal Advisor

Office of the Vice Chancellor

University of Auckland

[REDACTED]
To: Landon Watt <landon.watt@auckland.ac.nz>

Tue, Oct 6, 2020 at 8:51 PM

Greeting Landon Watt,

Can you please provide links to the publicly available information according to 18(d) that satisfies my OIA request?

If you fail to provide this information, then I will be left with no other choice but to file against the university for fraudulently refusing my request.

Thank you.

[Quoted text hidden]

Date 7 October 2020]
Our Ref 2020-000133
Enquiries to p hs.foi@nhs.net

Dear Athanasios Kandas

Freedom of Information Reference: 2020-000133

I refer to your request of 9 September 2020 under the above legislation for information about:

All records in the possession, custody or control of Public Health Scotland, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

*Please note that 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 PHS or that pertain to work done by the PHS. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the PHS has downloaded or printed.

I am writing to advise you that following a search of our records, I have established that under Section 17(1) of the Freedom of Information (Scotland) Act 2002, Public Health Scotland (PHS) does not hold the information you requested.

PHS has not been involved in any studies where methods of isolation described have been performed. Such studies may have been performed in a number of Universities but PHS is not aware of any specific studies to be able to direct you to them for more information.

If you have any questions please contact me on p hs.foi@nhs.net.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this correspondence, and we will reply within 20 working days of receipt.

1 South Gyle Crescent, Edinburgh EH12 9EB

Glasgow office: 5 Cadogan Street, Glasgow G2 6QE

The review will be undertaken by a reviewer who was not involved in the original decision-making process. The reviewer can be contacted as follows:

The FOI Reviewer

Public Health Scotland
Gyle Square
1 South Gyle Crescent
Edinburgh
EH12 9EB
Email: p hs.foi@p hs.scot

If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

Yours sincerely

A handwritten signature in black ink that reads "Vicki Bibby". The signature is written in a cursive style with a large initial 'V'.

Vicki Bibby
Head of Strategy, Governance and Performance
Public Health Scotland

Ministry of Health
Ministry of Long-
Term Care

Access, Privacy & Corporate
Information
Corporate Services Division
99 Adesso Drive, Floor 1
Concord, ON L4K 3C7

Telephone : 416-327-7040
Facsimile : 416-327-7044

Ministère de la Santé Ministère des
Soins de longue durée

Accès à l'information, protection de la
vie privée et l'information ministérielle
Division des services ministériels
99, conduire Adesso, 1e etage
Concord, ON L4K 3C7

Téléphone : 416-327-7040
Télécopieur : 416-327-7044



Our File – Notre référence
A-2020-00064 / RK

Your File – Votre référence

October 8, 2020

Ms. Christine Massey
221 - 93 George St. S.
Brampton, ON L6Y 1P4

Dear Ms. Massey:

I am replying to your access request made under the *Freedom of Information and Protection of Privacy Act (the Act)*, for the following information:

All records describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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 (i.e. the culturing of supernatant in vero cells), or
- the performance of an amplification test (i.e. a PCR test on a patient sample adulterated with an enzyme to release genetic material from cells), or
- the sequencing of something.

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

Format:

Pdf documents sent to me via email; I do not want anything shipped to me.

This is to inform you that no responsive records were located. A reasonable search of the ministry was conducted, and no responsive records were found. Dr. David C. Williams, Chief Medical Officer of Health, is responsible for this decision.

.../2

The cost for the search in accordance to Regulation 460 are minimal and have been waived under section 57(4) of *the Act*.

You may wish to contact Public Health Ontario and Sunnybrook Hospital as they may have records responsive to your request. They may be reached at:

Public Health Ontario
661 University Avenue, Suite 1701
Toronto, ON M5G 1M1
privacy@oahpp.ca

Sunnybrook Hospital
Chief Privacy Officer
Sunnybrook Privacy Office
2075 Bayview Avenue, Room G326
Toronto, Ontario M4N 3M5
privacy@sunnybrook.ca

You may request a review of this decision by the Information and Privacy Commissioner 2 Bloor Street East, Suite 1400, Toronto ON M4W 1A8. Please note that you have 30 days from the date of this letter to request a review. In the event that you do seek a review, please provide the Commissioner's Office with:

1. The request file number: A-2020-00064 / RK
2. A copy of this decision letter.
3. A copy of your original request.
4. A cheque or money order in the amount of \$25.00 payable to the Minister of Finance.

If you have any questions, please contact me at 647-201-3015.

Sincerely,

Rachel Kukulewich
Consultant, Access and Privacy



MP for Manukau East

Minister for Building and Construction

Minister of Customs

Minister for Ethnic Communities

Associate Minister of Education

Associate Minister of Health

20 October 2020

Ref: 20-317

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the office of the Associate Minister of Health on 15 October 2020 for:

"All records in the possession, custody or control of the Associate Minister of Health Hon Jenny Salesa 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 Associate Minister of Health Hon Jenny Salesa or that pertain to work done by the Associate Minister of Health Hon Jenny Salesa. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Associate Minister of Health Hon Jenny Salesa 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)."

This office does not hold any information pertaining to your request. For this reason, I am refusing your request under section 18(e) of the Act, as the information requested does not exist.

Under section 28(3) of the Act you have the right to ask the Ombudsman to review my decision to refuse your request.

Yours sincerely



Hon Jenny Salesa
Associate Minister of Health

Hon Julie Anne Genter

Minister for Women

Associate Minister of Transport

Associate Minister of Health

Minita mō ngā Wāhine

Minita Tuarua mō ngā Take Waka

Minita Tuarua mō te Manatū Hauora



Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the office of the Associate Minister of Health on 15 October 2020 for:

"All records in the possession, custody or control of the Associate Minister of Health Hon Julie Anne Genter 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 Associate Minister of Health Hon Julie Anne Genter or that pertain to work done by the Associate Minister of Health Hon Julie Anne Genter. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Associate Minister of Health Hon Julie Anne Genter 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)."

This office does not hold any information pertaining to your request. For this reason, I am refusing your request under section 18(e) of the Act, as the information requested does not exist.

Under section 28(3) of the Act you have the right to ask the Ombudsman to review my decision to refuse your request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Julie Anne Genter'.

Hon Julie Anne Genter

Associate Minister of Health



MP for Tāmaki Makaurau

Minister of Civil Defence

Minister for Whānau Ora

Minister for Youth

Associate Minister of Health (Māori Health)

Associate Minister of Tourism

By email: [REDACTED]

Ref:

[REDACTED]
H202007852

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) to the office of the Associate Minister of Health on 15 October 2020 for:

"All records in the possession, custody or control of the Associate Minister of Health Hon Peeni Henare 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."*

This office does not hold any information pertaining to your request. For this reason, I am refusing your request under section 18(e) of the Act, as the information requested does not exist.

Under section 28(3) of the Act you have the right to ask the Ombudsman to review my decision to refuse your request.

Yours sincerely

A blue ink signature of Elly Amiri.

Elly Amiri
Senior Private Secretary
Office of Hon Peeni Henare



McGill

Secretariat
845 Sherbrooke Street West, Room 313
Montreal, Quebec H3A 0G4
Tel.: (514) 398-3948 / Fax.: (514) 398-4758

October 23, 2020



Sent by email

Subject: Access to documents request – Response

Dear 

This letter is in response to your request submitted October 5, 2020 under the *Act respecting Access to Documents Held by Public Bodies and the Protection of Personal Information* (the Act), for the following:

All records in the possession, custody or control of the McGill Secretariat or any other department of McGill University (for example, downloaded to a computer, printed in hard copy etc. describing the isolation of 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 (ie monkey kidney cells, aka vero cells, liver cancer cells etc.)

Please note that I am using the term "isolation" in the everyday sense of the word; the act of separating a thing from everything else. I am NOT requesting records where "isolation of SARS-COV-2" refers instead only to:

- the culturing of something and/or
- the performance of an amplification test (RT-PCR test) and/or
- the sequencing of something

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 the public may identify and access each record with certainty (ie: title, author, date, journal, where the public may access it).

Please be advised that McGill University does not hold any documents responsive to your request.

Please be advised that pursuant to article 135 of the Act (appended below) you may ask the Commission d'accès à l'information to review this decision within a period of 30 days from the date of this letter.

Sincerely,

Edyta Rogowska
Secretary-General

An Act respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, CQLR c A-2.1

135. Every person whose request has been denied, in whole or in part, by the person in charge of access to documents or of protection of personal information may apply to the Commission for a review of the decision.

Every person who has made a request under this Act may apply to the Commission for a review of any decision of the person in charge concerning the time prescribed for processing the request, the mode of access to a document or information, the application of section 9 or the fee payable.

The application must be made within thirty days of the date of the decision or of the time granted by this Act to the person in charge for processing a request. However, the Commission may, for any serious cause, release the applicant from a failure to observe the time limit.

1982, c. 30, s. 135.



Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

November 2, 2020



This letter is in response to your Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry (CDC/ATSDR) Freedom of Information Act (FOIA) request of August 9, 2020, for "All records in the possession, custody or control of The Centers for Disease Control (CDC) 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 CDC or that pertain to work done by The CDC. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the CDC has downloaded or printed.

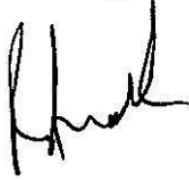
If any records match the above description of requested records and are currently available to the public elsewhere, please provide enough information about each record so that I may identify and access each record with certainty (i.e. title, author(s), date, journal, where the public may access it)."

A search of our records failed to reveal any documents pertaining to your request.

You may contact our FOIA Public Liaison at 770-488-6277 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal by writing to the Deputy Agency Chief FOIA Officer, Office of the Assistant Secretary for Public Affairs, U.S. Department of Health and Human Services, Hubert H. Humphrey Building, 200 Independence Avenue, Suite 729H, Washington, D.C. 20201. You may also transmit your appeal via email to FOIARequest@psc.hhs.gov. Please mark both your appeal letter and envelope "FOIA Appeal." Your appeal must be postmarked or electronically transmitted by Monday, February 1, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Andoh". The signature is fluid and cursive, with a prominent vertical stroke on the left side.

Roger Andoh
CDC/ATSDR FOIA Officer
Office of the Chief Operating Officer
(770) 488-6399
Fax: (404) 235-1852

#20-02166-FOIA

Official Information Act Request: re Isolation of SARS-COV-2

5 messages

Mon, Nov 2, 2020 at 12:03 PM

To: oiarequest@bopdhb.govt.nz

This is an Official Information Act Request to the Bay of Plenty District Health Board.

Description of Requested Records:

All records in the possession, custody or control of the Bay of Plenty District Health Board 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 Bay of Plenty District Health Board or that pertain to work done by the Bay of Plenty District Health Board. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Bay of Plenty District Health Board 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).

I will accept PDFs or links to PDFs.

Kind Regards

--

OIA Request - Isolation of SARS-COV-2

Maria Moller <Maria.Moller@bopdhb.govt.nz>

Fri, Nov 13, 2020 at 4:34 PM

On behalf of Debbie Brown, Senior Advisor Governance and Quality.

Dear [REDACTED]

I refer to your request of 2 November 2020.

Pursuant to clause 18(e) of the Official Information Act, the BOPDHB cannot provide this information on the grounds that the question refers to a practice that is not undertaken by our DHB, therefore the information does not exist at the BOPDHB.

Kind regards.

Maria Moller

PA to Senior Advisor Governance & Quality

Governance & Quality / CEO Office

Bay of Plenty District Health Board | Tauranga Hospital | Cameron Road | Private Bag 12024 | Tauranga 3143

T: 07 579 8545 | E: maria.moller@bopdhb.govt.nz | W: www.bopdhb.govt.nz



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By email

request-701311-306ec32d@whatdotheyknow.com

Our ref: 26/10/ld/1740

3 November 2020

Dear Athanasios Kandias,

Re: 1740 – FOI NIBSC records on SARS-COV-2

Thank you for your email dated 26 October 2020. In accordance with Section 1(1)(a) of the Freedom of Information Act 2000 (the Act), I can confirm that Public Health England does not hold the information you have specified.

Request

All records in the possession, custody or control of NIBSC, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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 NIBSC or that pertain to work done by the NIBSC. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the NIBSC has downloaded or printed.

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).

Response

PHE can confirm it does not hold the information you have specified.

Under Section 16 of the Act, public authorities have a duty to provide advice and assistance. I have signposted you to the below links which contain information on taking COVID-19 swabs:

<https://www.gov.uk/government/publications/covid-19-guidance-for-taking-swab-samples>

<https://www.gov.uk/government/publications/types-and-uses-of-coronavirus-covid-19-tests/types-and-uses-of-coronavirus-covid-19-tests>

Additionally, the below publication contains some information on virus isolation:

<https://www.eurosurveillance.org/content/10.2807/1560-7917.ES.2020.25.32.2001483>

If you have any queries regarding the information that has been supplied to you, please refer your query to in writing in the first instance. If you remain dissatisfied and would like to request an internal review, then please contact us at the address above or by emailing foi@phe.gov.uk.

Please note that you have the right to an independent review by the Information Commissioner's Office if a complaint cannot be resolved through the PHE complaints procedure. The Information Commissioner's Office can be contacted by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,
FOI Team

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



GIG
CYMRU
NHS
WALES

Iechyd Cyhoeddus
Cymru
Public Health
Wales

Freedom of Information request to Public Health Wales

FOI Reference:	FOI 453
Date request received	06 October 2020
Date information is due to be sent	03 November 2020

Information Requested:

Under the Freedom of Information Act 2000, I request all records in the possession, custody or control of Public Health Wales 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 (eg. monkey kidney cells, a.k.a vero cells; liver cancer cells etc).

Please note that I am using "isolation" in the everyday 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 RT-PCR test), or
- the genetic sequencing of something.

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

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).

Information provided for the answer:

Thank you for your recent request. Public Health Wales has not produced any of the above mentioned material. Any records that may be in possession of Public Health Wales would be material that is already in the public domain, which we would decline to supply under Section 21 of the Freedom of Information Act.

Under our duty to assist, we would ordinarily be willing to provide links or advise where you may be able to find such documentation if we held it within our systems, however the information above would prove to be too wide in terms of search parameters for us to identify any records with certainty that we hold.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Email: wales@ico.org.uk

https://www.whatdotheyknow.com/request/documents_held_showing_sars_cov2_2_incoming-1670059

Documents held showing SARS-COV2 has been isolated and Causes COVID-19

[Athanasios Kandias](#) made this Freedom of Information request to [Medicines and Healthcare products Regulatory Agency](#)

Actions ▾

Follow

3 followers

 We're waiting for [Athanasios Kandias](#) to read a recent response and update the status.

⊖ Athanasios Kandias 12 October 2020

✓ Delivered

Dear Medicines and Healthcare products Regulatory Agency,

As per my recent FOI request to PHS, ref 2020-000133 and another FOI request to Public Health England ref 24/07/hf/872, both PHS and PHE do not hold evidence of the virus, isolated by a deceased patient and in fact, no confirmation of its existence in the UK, at least. Under the FOI act can you please provide:

All records in the possession, custody or control of Medicines and Healthcare products Regulatory Agency, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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.

WhatDoTheyKnow Pro is a powerful, fully-featured FOI toolkit for journalists.

ACT ON WHAT YOU'VE LEARNT

- Tweet this request
- Share on Facebook
- Write about this on Medium
- Write to your politician

REQUESTS LIKE THIS

[Isolation, Purification and Identification of SARS-COV-2](#)
Public Health England

[Documents held showing SARS-COV2 has been isolated](#)

- the sequencing of something.

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

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.

Yours faithfully,
Athanasios Kandias

https://www.whatdotheyknow.com/request/documents_held_showing_sars_cov2_2#c

[Link to this](#)

[Report](#)

⊖ MHRA Customer Services, Medicines and Healthcare products Regulatory Agency 12 October 2020

Thank you for your email. This auto-response is to inform you that your email has been received and will be reviewed by our Customer Service Team shortly.

You can expect a reply from us within a few days for a straightforward request. Where a more detailed response or contribution from a specialist is required this is likely to take longer but we will inform you of this.

If your request is urgent, please call us on 020 3080 6000

Our opening hours are Mon – Fri 9am to 5pm (excluding UK Public Holidays)

Our opening hours are Mon – Fri 9am to 5pm (excluding UK Public Holidays)

Medicines and Healthcare products Regulatory Agency

10 South Colonnade,

Canary Wharf,

London

E14 4PU

[1][gov.uk/mhra](https://www.gov.uk/mhra)

[2]Stay connected

For information on how the Agency uses your personal data and your data protection rights, please see our three centres' Privacy Notices: [3]MHRA, [4]CPRD and [5]NIBSC.

References

Visible links

1. <https://www.gov.uk/government/organisati...>
2. <https://www.gov.uk/government/organisati...>
3. <https://www.gov.uk/government/publicatio...>
4. <https://www.cprd.com/transparency-inform...>
5. https://www.nibsc.org/about_us/privacy_n...

https://www.whatdotheyknow.com/request/documents_held_showing_sars_cov2_2#i

Link to this

Report

⊖ MHRA Customer Services, Medicines and Healthcare products Regulatory Agency 13 October 2020

Our Ref: FOI 20/404

Our Ref: FOI 20/404

Dear Athanasios Kandas,

RE: REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

Thank you for your enquiry which we received on 12 October 2020.

I confirm that your request is now being handled under the Freedom of Information Act and you should receive a reply within 20 working days from our date of receipt.

If you need to contact us again about this request, please quote the reference number above.

Kind Regards,

MHRA Customer Service Centre

Medicines and Healthcare products Regulatory Agency
10 South Colonnade, Canary Wharf, London E14 4PU
Telephone 020 3080 6000

[show quoted sections](#)

https://www.whatdotheyknow.com/request/documents_held_showing_sers_cov2_2#i

Link to this

Report

— MHRA Customer Services, Medicines and Healthcare products Regulatory Agency 5 November 2020

Our ref: FOI 20/404

Our ref: FOI 20/404

Dear Athanasios Kandas,

Thank you for your email of 12 October 2020, in which you requested the following information under the Freedom of Information (FOI) Act 2000:

As per my recent FOI request to PHS, ref 2020-000133 and another FOI request to Public Health England ref 24/07/hf/872, both PHS and PHE do not hold evidence of the virus, isolated by a deceased patient and in fact, no confirmation of its existence in the UK, at least. Under the FOI act can you please provide:

All records in the possession, custody or control of Medicines and Healthcare products Regulatory Agency, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased (we assume this is meant to say deceased as in sentence above) patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Response: There are no divisions in the Medicines and Healthcare products Regulatory Agency working on isolation of viruses directly from patients, and we therefore hold no records describing this activity.

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.

• 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 MHRA or that pertain to work done by the MHRA. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the MHRA has downloaded or printed.

Response: this request is for information that is already in the public domain and therefore exempt under section 21 of the FOI Act.

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.

If you have a query about the information provided, please reply to this email.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date you receive this response and addressed to: [1][MHRA request email]

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

If you were to remain dissatisfied with the outcome of the internal review, you would have the right to apply directly to the Information Commissioner for a decision. Please bear in mind that the Information Commissioner will not normally review our handling of your request unless you have first contacted us to conduct an internal review. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire

Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely

MHRA Customer Services

Date 6 November 2020
Our Ref 2020-000158
Enquiries to phs.foi@phs.scot

Freedom of Information Reference: 2020-000158

I refer to your request of 9th October 2020 under the above legislation for information about:

all records in the possession, custody or control of Public Health Scotland 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). This is not limited to records that were authored by Public Health Scotland or that pertain to work done by Public Health Scotland. The request includes any sort of record, for example (but not limited to) any published peer-reviewed study that Public Health Scotland has downloaded or printed.

I am writing to advise you that following a search of our records, I have established that under Section 17(1) of the Freedom of Information (Scotland) Act 2002, Public Health Scotland does not hold the information you requested.

If you are unhappy with our response to your request, you do have the right to request us to review it. Your request should be made within 40 working days of receipt of this correspondence, and we will reply within 20 working days of receipt. The review will be undertaken by a reviewer who was not involved in the original decision-making process. The reviewer can be contacted as follows:

The FOI Reviewer
Public Health Scotland
Gyle Square
1 South Gyle Crescent
Edinburgh
EH12 9EB
Email: PHS.FOI@phs.scot

If our decision is unchanged following a review and you remain dissatisfied with this, you then have the right to make a formal complaint to the Scottish Information Commissioner within 6 months of receipt of our review response. You can do this by using the Scottish Information Commissioner's Office online appeals service at www.itspublicknowledge.info/Appeal. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

Yours sincerely

Victoria A Bibby

Victoria Bibby
Head of Strategy, Governance and Performance
Public Health Scotland



9 November 2020

[REDACTED]

Reference: OIA-2020/21-0182

[REDACTED]

Official Information Act request relating to the Isolation of the SARS-COV-2 virus

Thank you for your Official Information Act 1982 (the Act) request received on 10 October 2020. You requested:

"All records in the possession, custody or control of the Department of the Prime Minister and Cabinet 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 the Prime Minister and Cabinet or that pertain to work done by the Department of the Prime Minister and Cabinet. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the Department of the Prime Minister and Cabinet 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).

I will accept PDFs or links to PDFs."

No specific information has been identified as being held by the Department of the Prime Minister and Cabinet (DPMC) relevant to your request. Accordingly, your request is refused under section 18(e) Act - *"that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found."*

I would note that the COVID-19 Response Group in DPMC has accessed a large volume of studies since the start of the pandemic and it is possible that some may have had information relevant to the request. However, these would be in public domain and to attempt to identify any such studies would involve substantial collation and research as records of all studies and research accessed by the group have not been retained. Although you may wish to search for this information yourself, for instance using Google Scholar.

Your request was for information in possession, custody or control of DPMC. If you have not done so already, you may wish to pursue your request with the Institute of Environmental Science and Research (ESR) (enquiries@esr.cri.nz) and/or the Ministry of Health (oiagr@health.govt.nz).

You have the right to ask the Ombudsman to investigate and review my decision under section 28(3) of the Act.

We do not intend to publish this response on the Department of the Prime Minister and Cabinet's website.

Yours sincerely



Cheryl Barnes
**Deputy Chief Executive,
COVID-19 Group**

18 November 2020

By email: [REDACTED]
Ref: H202007576

Dear [REDACTED]

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) on 5 October 2020 for information relating to Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2).

Under the Act, I will respond to each part of your request in turn.

1. *A valid peer reviewed empirical scientific study, confirming the identification, using either Koch's postulates or River's protocol, by isolation, visualisation and purification of SARS CoV-2 and/or Covid-19*

The following steps have been undertaken to provide assurance that SARS-CoV-2 is the virus that causes the severe respiratory illness known as COVID-19.

1. The full genome of the virus was sequenced which has enabled accurate identification of the type of virus as a coronavirus. Its RNA genome provides a way to explore its evolutionary links to other coronaviruses.
2. Culture of the virus (within a laboratory setting) was performed confirming the ability of the virus to infect and replicate in human cells.
3. Cell culture studies all demonstrated that the virus is able to cause damage to human cells (called the cytopathogenic effect or CPE)
4. Virus that is grown in culture is able to infect animals and cause disease.

Further information about studies into SARS-CoV-2 (with reference to Koch's postulates) can be found at the following link: www.biorxiv.org/content/10.1101/2020.02.07.939389v3.full.

2. *Scientific proof that an accurate diagnostic test is being used to identify a virus or disease (SARS CoV-2 and/or Covid-19) and not just RNA sequences, or Chromosome 8.*

The coronavirus SARS-CoV-2 has an RNA genome, therefore by definition it is "an RNA sequence". The published genome of the virus is distinct from other viruses and can easily be differentiated from Chromosome 8 if you are referring to the human genome. The 'scientific proof' is that the Polymerase Chain Reaction (PCR) test that has been designed to detect SARS-CoV-2 has been validated by labs around the globe to be specific for the viral target and not other genomic sequences. PCR tests have been sequenced to ensure they detect the intended target. The Institute of Environmental Science and Research (ESR) maintains the end-to-end system for testing, validating, analysing and reporting on COVID-19 in New Zealand. Further information on ESR's testing and validations can be found at the following link: <https://www.esr.cri.nz/our-services/testing/novel-coronavirus/>

3. *Proof that any test in use (Covid-19) has been compared to a gold standard.*

A 'gold standard' test is used in a laboratory setting to identify the best available test at the time. It is important to recognise that there is no perfect test. Each test will have been explored for its sensitivity and specificity.

In relation to COVID-19, the RT-qPCR test for viral RNA is considered as 'gold standard'. This test has been validated by several means including as a purified virus. However, the most definitive comparison is when PCR's are sequenced as they are mapped to the SARS-CoV-2 viral genome. This mapping is definitive proof that the test is picking up the target SARS-CoV-2 and no other samples.

Further information relating to SARS-CoV-2 and Koch's postulates is attached to this letter as Appendix One.

I trust this information fulfils your request. Under section 28(3) of the Act you have the right to ask the Ombudsman to review any decisions made under this request.

Please note that this response, with your personal details removed, may be published on the Ministry's website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rebecca Drew', with a large, sweeping flourish extending to the right.

Rebecca Drew
Group Manager, COVID-19 Science and Insights
COVID-19 Health System Response

SARS-CoV-2 is the virus that causes COVID-19

The science behind the association of a specific microorganism with a specific disease has evolved considerably since Koch's postulates were published. Changes to the concept of infectious diseases, the role that host immunity plays in the development of symptomatology, and the revolution in laboratory testing and genome sequencing have replaced the requirement for infectious agents to cause disease in healthy humans in order to prove causation. Taken together, there is an overwhelming body of evidence (including satisfying Koch's postulates) that the disease known as COVID-19 is caused by the SARS-CoV-2 virus.

The relationship between SARS-CoV-2 and COVID-19

In late 2019 a cluster of cases of severe pneumonia in Wuhan, China, was identified through a local severe illness reporting system which was set up after the SARS outbreak. On 31 December the WHO China country office was informed of the cases and on 3 January 2020, 44 cases of pneumonia of unknown cause were reported of whom 11 were very ill. At that time the infectious agent had not been identified. Respiratory samples from the symptomatic individuals were tested and a corona virus, similar to SARS-CoV was identified in all the patients. The virus was named SARS-CoV-2. The following steps have been undertaken to provide assurance that SARS-CoV-2 is the virus that causes the severe respiratory illness known as COVID-19.

- The full genome of the virus was sequenced which has enabled accurate identification of the type of virus as a coronavirus. Its RNA genome provides a way to explore its evolutionary links to other coronaviruses.
- Culture of the virus (within a laboratory setting) was performed confirming the ability of the virus to infect and replicate in human cells.
- Cell culture studies all demonstrated that the virus is able to cause damage to human cells (called the cytopathogenic effect or CPE).

- Virus that is grown in culture is able to infect animals and cause disease.

Koch's Postulates

Approximately 200 years ago, a German physician named Robert Koch proposed that four conditions were required to demonstrate the causal relationship between a particular microorganism and disease.

These became known as Koch's postulates, which are as follows:

1. The microorganism must be found in diseased but not healthy individuals;
2. The microorganism must be cultured from the diseased individual;
3. Inoculation of a healthy individual with the cultured microorganism must recapitulated the disease; and finally
4. The microorganism must be re-isolated from the inoculated, diseased individual and matched to the original microorganism.

These criteria were further updated in 1937 by Rivers for viral diseases to allow for the fact that viruses are unable to survive without a host [\[1\]](#).

1. Regarding the first postulate, the concept of an infectious agent has markedly changed over the last 100+ years. In particular it is increasingly recognised that different individuals will have different responses to a particular micro-organism. While some people develop a life threatening illness, others will remain without symptoms from a given illness. Koch himself recognised that there were asymptomatic cases of cholera. The risk of becoming ill from a particular microorganism then becomes a matter of probabilities, not an "all or none" phenomenon, as originally implied in Koch's postulates. Although not all individuals will develop symptoms of COVID-19, any individual infected with SARS-CoV-2 (asymptomatic or not) is able to pass the virus on to other individuals.

2. Most viruses can be cultured in specifically designed laboratory 'medium' that promotes their growth. Because viruses require a host cells to grow and reproduce, the type of cell required for culture will vary. However, viruses are not always easy to grow in culture and therefore to identify the presence of virus other means may be used which are more rapid, reliable and cost-effective. In particular, genetic tests are often used to identify sections of RNA which are unique to a specific virus.
3. The inoculation of a potentially deadly virus into healthy individuals is unnecessary to identify a particular virus as the cause of a disease. This step in Koch's postulates is usually determined by the observation of natural infection in groups of individuals, in cell culture or in animals. However, human challenge studies are being undertaken in young health individuals in order to accelerate the development of vaccines [2] and fulfils the third postulate.
4. The identification of the same virus in groups of infected individuals (clusters), as identified by genomic testing validates this point.

Supporting information/evidence

[1] Rivers TM. Viruses and Koch's Postulates. J Bacteriol. 1937;33(1):1-12. PubMed PMID: 16559982.

[2] Eyal N, Lipsitch M, Smith PG. Human Challenge Studies to Accelerate Coronavirus Vaccine Licensure. The Journal of Infectious Diseases. 2020;221(11):1752-6.



Department of Health & Social Care

Freedom of Information Team
Department of Health and Social Care
39 Victoria Street
London
SW1H 0EU

www.gov.uk/dhsc

Mr Athanasios Kandias
[request-701707-
135425ec@whatdotheyknow.com](mailto:request-701707-135425ec@whatdotheyknow.com)

23 November 2020

Dear Mr Kandias,

Freedom of Information Request Reference FOI-1266157

Thank you for your request dated 25 October 2020 in which you asked the Department of Health and Social Care (DHSC):

Subject: Freedom of Information request - Documents held showing SARS-COV2 has been isolated and causes COVID-19

Under the Freedom of Information Act, I wish to be provided with the following information: All records in the possession, custody or control of DHSC, describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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 DHSC or that pertain to work done by the DHSC. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the DHSC has downloaded or printed.

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).

Your request has been handled under the Freedom of Information Act (FOIA).

DHSC does not hold this information.

However, outside of the scope of the FOIA, and on a discretionary basis, the following information has been advised to us about the isolation of a SARS-COV-2 virus, which may be of interest:

Most infectious diseases are caused by viruses, bacteria or fungi. Some bacteria or fungi have the capacity to grow on their own in isolation, for example in colonies on a petri dish. Viruses are different in that they are what we call “obligate pathogens” – that is, they cannot survive or reproduce without infecting a host. An explainer of these different types of pathogen (disease

causing agents) can be found from BMC Biology here:
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5648414/>

For some diseases, it is possible to establish causation between a microorganism and a disease by isolating the pathogen from a patient, growing it in pure culture and reintroducing it to a healthy organism. These are known as “Koch’s postulates” and were developed in 1884. However, as our understanding of disease and different disease-causing agents has advanced, these are no longer the method for determining disease causation. It has long been known that viral diseases cannot be identified in this way as viruses cannot be grown in ‘pure culture’. When a patient is tested for a viral illness, this is normally done by looking for the presence of antigens, or viral genetic code in a host with molecular biology techniques.

If you have any queries in relation to the above discretionary information, we suggest that you contact the Government Office for Science (Go-Science). FOI requests may be submitted to Go-Science at contact@go-science.gov.uk.

You may be aware that Go-Science regularly publishes the scientific evidence supporting the UK Government response to Covid-19 on the GOV.UK website at this link

<https://www.gov.uk/government/organisations/government-office-for-science>

World Health Organisation research information is also available here (by following the links ‘Research and Development’ > ‘Global research database’):

https://www.who.int/emergencies/diseases/novel-coronavirus-2019?gclid=EAlalQobChMIv6Hs2pnF6QIVD-3tCh3KqwfMEAAAYASAAEgLuB_D_BwE

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter and sent to FreedomOfInformation@dhsc.gov.uk, or to the address at the top of this letter.

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

If you are not content with the outcome of your internal review, you may complain directly to the Information Commissioner’s Office (ICO). Generally, the ICO cannot make a decision unless you have already appealed our original response and received our internal review decision. You should raise your concerns with the ICO within three months of your last meaningful contact with us.

The ICO can be contacted at:

The Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/concerns/>

Yours sincerely,

Dorothy Crowe

Freedom of Information Officer
E: freedomofinformation@dhsc.gov.uk

November 23, 2020

SANTÉ ET SERVICES SOCIAUX

Daniel Desharnais
Sous-ministre adjoint de la coordination et des relations institutionnelles
1075, ch. Sainte-Foy, 3^e étage
Québec (QC) G1S 2M1
Tél. : 418 266-8850, Téléc. : 418 266-8855

responsable.acces@msss.gouv.qc.ca

AND/OR

INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC
Madame Julie Dostaler
Secrétaire générale
945, av. Wolfe, 3^e étage
Québec (QC) G1V 5B3
Tél. : 418 650-5115 #5302, Téléc. : 418 646-9328

julie.dostaler@inspq.qc.ca

SUBJECT : Request for document access

Dear Sir, Dear Madam,

I write to request access to information from :

le ministre de la Santé et des Services sociaux du Québec, and/or

Institut national de santé publique du Québec (INSPQ), and/or

Laboratoire de santé publique du Québec

As found on the Québec government website <https://www.inspq.qc.ca/institut/nous-joindre>;

Le rôle de l'Institut national de santé publique du Québec est de soutenir le ministère de la Santé et des Services sociaux (MSSS), les directions régionales de santé publique, ainsi que les établissements de santé dans l'exercice de leurs responsabilités, en émettant des avis et des recommandations basés sur les connaissances scientifiques disponibles.

Therefore, under section 9 of the Act respecting access to documents held by public bodies and the protection of personal information, I hereby request a copy of the following document(s):

All records describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells).

Please note that 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.

To clarify, I am requesting all such records that are in the possession, custody or control of SANTÉ ET SERVICES SOCIAUX and or INSTITUT NATIONAL DE SANTÉ PUBLIQUE DU QUÉBEC (for example: downloaded to a computer, printed in hard copy, etc.).

Thank you for your assistance in this matter and kindly confirm receipt of this request via return email.

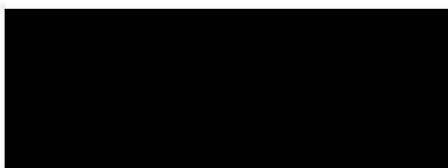
Sincerely,



Secrétariat général

PAR COURRIEL

Québec, le 26 novembre 2020




**OBJET : Réponse – Demande d'accès aux documents
N/Réf. (dossier) : 6410/2020-58**



En réponse à votre demande d'accès aux documents datée du 23 novembre 2020 relative à "All records describing the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient, where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells)", nous vous informons que l'Institut national de santé publique du Québec ne détient aucun document.

Par ailleurs, vous trouverez ci-annexée une note explicative concernant l'exercice du droit de recours en révision devant la Commission d'accès à l'information.

Veillez agréer,  l'expression de nos sentiments les meilleurs.

La responsable de l'accès aux documents,

Julie Dostaler
Secrétaire générale

p. j. Avis de recours

N/Réf. (correspondance) : 2020-7626

AVIS DE RECOURS EN RÉVISION

RÉVISION

a) Pouvoir

L'article 135 de la Loi prévoit qu'une personne peut, lorsque sa demande écrite a été refusée en tout ou en partie par le responsable de l'accès aux documents ou de la protection des renseignements personnels ou dans le cas où le délai prévu pour répondre est expiré, demander à la Commission d'accès à l'information de réviser cette décision.

La demande de révision doit être faite par écrit; elle peut exposer brièvement les raisons pour lesquelles la décision devrait être révisée (art. 137).

L'adresse de la Commission d'accès à l'information est la suivante :

QUÉBEC

Bureau 2.36
525, boul. René-Lévesque Est
Québec (Québec) G1R 5S9

Tél : (418) 528-7741
Télé : (418) 529-3102

MONTRÉAL

Bureau 18.200
500, boul. René-Lévesque Ouest
Montréal (Québec) H2Z 1W7

Tél : (514) 873-4196
Télé : (514) 844-6170

b) Motifs

Les motifs relatifs à la révision peuvent porter sur la décision, sur le délai de traitement de la demande, sur le mode d'accès à un document ou à un renseignement, sur les frais exigibles ou sur l'application de l'article 9 (notes personnelles inscrites sur un document, esquisses, ébauches, brouillons, notes préparatoires ou autres documents de même nature qui ne sont pas considérés comme des documents d'un organisme public).

c) Délais

Les demandes de révision doivent être adressées à la Commission d'accès à l'information dans les 30 jours suivant la date de la décision ou de l'expiration du délai accordé au responsable pour répondre à une demande (art. 135).

La loi prévoit spécifiquement que la Commission d'accès à l'information peut, pour motif raisonnable, relever le requérant du défaut de respecter le délai de 30 jours (art. 135).

APPEL DEVANT LA COUR DU QUÉBEC

a) Pouvoir

L'article 147 de la loi stipule qu'une personne directement intéressée peut porter la décision finale de la Commission d'accès à l'information en appel devant un juge de la Cour du Québec sur toute question de droit ou de compétence.

L'appel d'une décision interlocutoire ne peut être interjeté qu'avec la permission d'un juge de la Cour du Québec s'il s'agit d'une décision interlocutoire à laquelle la décision finale ne pourra remédier.

b) Délais

L'article 149 prévoit que l'avis d'appel d'une décision finale doit être déposé au greffe de la Cour du Québec, dans les 30 jours qui suivent la date de réception de la décision de la Commission par les parties.

c) Procédure

Selon l'article 151 de la loi, l'avis d'appel doit être signifié aux parties et à la Commission dans les dix jours de son dépôt au greffe de la Cour du Québec.



GIG
CYMRU
NHS
WALES

Iechyd Cyhoeddus
Cymru
Public Health
Wales

Freedom of Information request to Public Health Wales

FOI Reference:	FOI 532
Date request received	30th November 2020
Date information is due to be sent	29th December 2020

Information Requested:

Dear Public Health Wales,

All records in the possession , custody or control of Public Health Wales describing the the isolation of a SARS-COV-2 virus, directly from a sample taken from a diseased patient , where the patient sample was not first combined with any other source of genetic material (i.e. monkey kidney cells aka vero cells; liver cancer cells)

Please note that 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.

To clarify, I am requesting all such records that are in the possession, custody or control of Public Health Wales (for example:downloaded to a computer, printed in hard copy, etc.).

Please also note that my request is not limited to records that were authored by the PHW or that pertain to work done by the PHW. My request includes any sort of record, for example (but not limited to) any published peer-reviewed study that the NRC 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)."

Information provided for the answer:

Thank you for your recent request. Public Health Wales has not produced any of the above mentioned material. Under the Freedom of Information Act, we are not obliged to provide you with any documentation that is available in the public domain.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor
Churchill House
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Št. 074-4/2020-9

Ljubljana, 30. november 2020

UL Medicinska fakulteta izdaja na podlagi drugega odstavka 22. člena Zakona o dostopu do informacij javnega značaja (Uradni list RS, št. 51/06 – uradno prečiščeno besedilo, 117/06 – ZDavP-2, 23/14, 50/14, 19/15 – odl. US, 102/15 in 7/18), v nadaljevanju: ZDIJZ in skladno s 15. členom ZDIJZ v upravni zadevi presoje utemeljenosti zahteve prosilke [REDACTED], za dostop do informacij javnega značaja

ODLOČBO

1. Zahteva prosilke [REDACTED] za dostop do informacij javnega značaja se zavrne v delu, ki se nanaša na posredovanje znanstvenih dokazov o izolaciji virusa Sars-Cov-2 v skladu s Kochovimi postulati in posredovanja študije, ki bi dokazala vzročno zvezo med Sars-Cov-2 in domnevno nalezljivo boleznijo Covid-19.
2. Stroški postopka niso nastali.

Obrazložitev:

Organ je dne 23. 11. 2020 s strani Ministrstva za zdravje, Direktorata za javno zdravje prejel odstop zahteve prosilke [REDACTED] v delu glede 3., 4. in 5. točke zahteve, in sicer glede:

- 3. točke - znanstveni dokazi o izolaciji virusa Sars-Cov-2 v skladu s Kochovimi postulati in študije, ki bi dokazala vzročno zvezo med Sars-Cov-2 in domnevno nalezljivo boleznijo Covid-19,
- 4. točke - certifikati o ustreznosti PRC testa za odkrivanje okužbe s Sars-Cov-2 in
- 5. točke - podatek o številu amplifikacijskih ciklov, ki se jih uporablja v Sloveniji od začetka testiranja do danes, po mesecih.

Skladno s 4. členom ZDIJZ je informacija javnega značaja tista informacija, ki izvira iz delovnega področja organa, nahaja pa se v obliki dokumenta, zadeve, dosjeja, registra, evidence ali drugega dokumentarnega gradiva (v nadaljevanju: dokument), ki ga je organ izdelal sam, v sodelovanju z drugim organom, ali pridobil od drugih oseb. Iz navedene določbe izhajajo trije osnovni pogoji, ki morajo biti kumulativno izpolnjeni, da lahko govorimo o obstoju informacije javnega značaja, in sicer:

1. informacija mora izvirati iz delovnega področja organa,

2. organ mora z njo razpolagati in
3. nahajati se mora v neki materializirani obliki.

Prosilka v 3. točki zahteva posredovanje znanstvenih dokazov o izolaciji virusa Sars-Cov-2 v skladu s Kochovimi postulati ter posredovanje študije, ki bi dokazala vzročno zvezo med Sars-Cov-2 in domnevno nalezljivo boleznijo Covid-19. UL MF Inštitut za mikrobiologijo in imunologijo znanstvene študije, ki bi izpeljala dokaz o izolaciji virusa Sars-Cov-2 v skladu s Kochovimi postulati, ni izvajal. UL MF Inštitut za mikrobiologijo in imunologijo prav tako ni izvedel znanstvene študije, ki bi dokazovala vzročno zvezo med Sars-Cov-2 in domnevno nalezljivo boleznijo Covid-19. Organ tako z zahtevanim dokumentom ne razpolaga, zaradi česar je bilo potrebno glede 3. točke zahteve odločiti, kot izhaja iz izreka tega sklepa.

Glede 4. točke zahteve prosilki sporočamo, da je število amplifikacijskih ciklov, ki se jih uporablja v Sloveniji od začetka testiranja do danes, 40.

Glede 5. točke prosilki v prilogi pošiljamo certifikat o ustreznosti PCR testa za odkrivanje okužbe s Sars-Cov-2.

V zvezi z izdajo te odločbe niso nastali posebni stroški. Ta odločba je v skladu s 30. točko 28. člena Zakona o upravnih taksah (Ur. l. RS, št. 106/10 – uradno prečiščeno besedilo, 14/15 – ZUUJFO, 84/15 – ZzeIP-J, 32/16 in 30/18) oproščena plačila upravne takse.

Pouk o pravnem sredstvu:

Zoper to odločbo je v zavrnilnem delu dovoljena pritožba Informacijskemu pooblaščenцу RS, Zaloška 59, 1000 Ljubljana v roku 15 dni od dne prejema te odločbe. Pritožba se vloži pisno ali ustno na zapisnik pri UL Medicinski fakulteti, Vrazov trg 2, 1000 Ljubljana ali pošije priporočeno po pošti na ta isti naslov. V tem roku se lahko stranka pravici do pritožbe tudi odpove. Pritožba je takse prosta.

S spoštovanjem,

Prof. dr. Igor Švab, dr. med.
dekan



Priloga:

- Certifikat certifikati o ustreznosti PRC testa za odkrivanje okužbe s Sars-Cov-2

Poslati:

- [REDACTED], Stara ulica 8, 9000 Murska Sobota

Vrazov trg

University of Ljubljana 1000 Ljub,
Faculty of Medicine

Ljubljana, 30 November 2020

The Faculty of Medicine issues on the basis of the second paragraph of Article 22 of the Access to Public Information Act (Official Gazette of the Republic of Slovenia, No. 51/06 - official consolidated text, 117/6 - ZdavP-2, 23/14, 50/14, 19 / 15 - decisions US, 102/15 and 7/18), hereinafter: ZDIJZ and in accordance with Article 15 of ZDIJZ in the administrative case of assessing the merits of the request of the applicant [applicant name] for access to public information

DECISION

1, The request from [applicant name] for access to public information is rejected in so far as it relates to the provision of scientific evidence on the isolation of Sars-Cov-2 virus in accordance with Koch's postulates and the submission of a study proving a causal link between Sars-Cov-2 and suspected infectious disease Covid-19.

2. No costs have been incurred.

Justification:

On 23 November 2020, the Authority received from the Ministry of Health, Directorate for Public Health, the resignation of the request of the applicant [applicant name] in the part regarding points 3, 4 and 5 of the request, namely regarding:

- Point 3: scientific evidence on the isolation of Sars-Cov-2 virus according to Koch's postulates and studies proving a causal link between Sars-Cov-2 and the suspected infectious disease Covid-19,
- Point 4: certificates of suitability of the PRC test for the detection of Sars-Cov-2 infection and
- Point 5: data on the number of amplification cycles used in Slovenia from the beginning of testing until today by months.

In accordance with Article 4 of the ZDIJZ, information of a public nature is information that originates from the work area of the body and is in the form of a document, case, dossier, register, record or other documentary material (hereinafter: document) produced by the body itself, in cooperation with another body, or obtained from other persons. Three basic conditions derive from that provision, which must be cumulatively fulfilled in order to be able to speak of the existence of information of a public nature, namely:

1. the information must come from the scope of work of the body,
2. it must be at the disposal of the authority; and
3. it must be in some materialized form.

In point 3, the applicant requests the submission of scientific evidence on the isolation of Sars-Cov-2 virus in accordance with Koch's postulates and the transmission of a study

proving a causal link between Sars-Cov-2 and suspected infectious disease Covid-19. UL MF Institute of Microbiology and Immunology a scientific study to provide evidence of Sars-Cov-2 virus isolation according to Koch's postulates has not been performed. UL ME Institute of Microbiology and Immunology also did not conduct a scientific study, which would demonstrate a causal link between Sars-Cov-2 and the suspected infectious disease Covid-19. The authority thus does not have the required document at its disposal, which is why it was necessary regarding point 3 requirements to decide as follows from the operative part of this decision.

Regarding point 4 of the request, we inform the applicant that the number of amplification cycles used is in Slovenia from the beginning of testing until today, 40.

Regarding point 5, we are sending the applicant a certificate of suitability of the PCR test for the detection of infection with Sars-Cov-2.

No specific costs were incurred in issuing this decision. This decision is in accordance with point 30 of Article 28 Of the Administrative Fees Act (Official Gazette of the Republic of Slovenia, No. 106/10 - officially consolidated text, 14/15 – ZUUJFO, 84/15 - ZzeIP-J, 32/16 and 30/18) exempt from administrative fees.

Remedy instruction:

An appeal against this decision is allowed in the rejection part to the Information Commissioner of the Republic of Slovenia, Zaloška 59, 1000 Ljubljana within 15 days from the date of receipt of this decision. The appeal shall be lodged in writing or orally to the minutes at the UL Faculty of Medicine, Vrazov trg 2, 1000 Ljubljana or send by registered mail by post to that same address. Within this period, the party may also waive the right to appeal. Complaint is tax free.

With respect,

Prof. dr. Igor Švab, Ph.D. med.

Last Name*: Massey
Organization Name (optional):
Address line 1*: [REDACTED]
Address line 2 (optional):
City / Town*: Toronto
Province/State*: Ontario
Postal/ZIP Code*: [REDACTED]
Country*: Canada
Telephone No.*: [REDACTED]
Alternate No. (optional): [REDACTED]
E-Mail (optional): [REDACTED]

Description

Freedom Of Information Request \$5.00

Base Amount:\$5.00

Records Requested*: Description of Requested Records: All records in the possession, custody or control of Dr. Eileen de Villa, Toronto Public Health or any Department or Staff Member of the City of Toronto, 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 Dr. de Villa or the City of Toronto or that pertain to work done by Dr. de Villa or the City of Toronto. My request includes any sort of record authored at any time by anyone, for example (but not limited to) any published peer-reviewed study authored by anyone, anywhere, ever that Dr. de Villa or anyone working for the City of Toronto has downloaded or



City Clerk's Office
John Elvidge, Interim City Clerk

Corporate Information Management
Services
City Hall, West Tower, 13th Floor
100 Queen Street West
Toronto, Ontario M5H 2N2

Kristie Pratt
Deputy City Clerk

Tel: 416-392-9683
Fax: 416-392-4900
e-mail: Kristie.Pratt@toronto.ca

FOR FURTHER INFORMATION

Zoë Cliff
416-392-9692

December 21, 2020

Ms. Christine Massey


Dear Ms. Massey:

Subject: City of Toronto Access Request Number 2020-01757

I am replying to your access request under the *Municipal Freedom of Information and Protection of Privacy Act*.

You have requested access to all records in the possession, custody or control of Dr. Eileen de Villa, Toronto Public Health or any Department or Staff Member of the City of Toronto, 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).

Staff of Toronto Public Health has conducted a search for the requested records. This decision reflects the results of their search.

Decision

Toronto Public Health staff has advised that despite a thorough search, they were unable to locate any records related to your request. Access therefore, cannot be granted as the records do not exist.

Staff further advised that they do not have records related to the process of testing samples, as this is a function of Public Health Ontario. If you have not already, you may wish to reach out to staff of Public Health Ontario for further information.

Right to appeal our decision

You may ask for a review within 30 days as of the date of this decision by contacting: The Registrar, Information and Privacy Commissioner/Ontario, 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8, telephone: 416-326-3333, or toll free 1-800-387-0073.

Ms. Christine Massey

December 21, 2020

If you choose to appeal, please provide the Commissioner with the following:

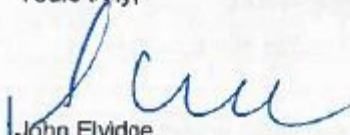
- the request number assigned to your request;
- a copy of this decision letter;
- a copy of your original request;
- the appeal fee for general records is \$25, payable by cheque or money order to the Minister of Finance.

For more information, you may wish to visit the IPC's website:

<http://www.ipc.on.ca/english/Home-Page/>

Should you have any questions, please contact **Zoë Cliff, Access and Privacy Officer**, at **416-392-9692** or zoe.cliff@toronto.ca.

Yours truly,



John Elvidge
Interim City Clerk