

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., Hatchette, 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>

Kirtsman, M., Diambomba, Y., Poutanen, S. M., Malinowski, A. K., Vlachodimitropoulou, E., Parks, W. T., Erdman, L., Morris, S. K., & Shah, P. S. (2020). Probable congenital SARS-CoV-2 infection in a neonate born to a woman with active SARS-CoV-2 infection. *CMAJ : Canadian Medical Association journal = journal de l'Association medicale canadienne*, 192(24), E647–E650. <https://doi.org/10.1503/cmaj.200821>

[The impact of thermal pasteurization on viral load in human milk and other matrices: A rapid review](#)

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

<https://www.medrxiv.org/content/10.1101/2020.05.23.20111369v2>



[Sensitivity of nasopharyngeal swabs and saliva for the detection of severe acute respiratory syndrome coronavirus 2 \(SARS-CoV-2\)](#)

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

<https://www.medrxiv.org/content/10.1101/2020.05.01.20081026v1>

[Evidence for sustained mucosal and systemic antibody responses to SARS-CoV-2 antigens in COVID-19 patients](#)

Baweleta Isho, Kento T Abe, Michelle Zuo, Alainna J Jamal, Bhavisha Rathod, Jenny H Wang, Zhijie Li, Gary Chao, Olga L Rojas, Yeo Myong Bang, Annie Pu, Natasha Christie-Holmes, Christian Gervais, Derek Ceccarelli, Payman Samavarchi-Tehrani, Furkan Guvenc, Patrick Budylowski, Angel Li, Aimee Paterson, Yue Feng Yun, Lina GMarin, Lauren Caldwell, Jeffrey L Wrana, Karen Colwill, Frank Sicheri, Samira Mubareka, Scott D Gray-Owen, Steven J Drews, Walter L Siqueira, Miriam Barrios-Rodiles, Mario Ostrowski, James M Rini, Yves Durocher, Allison J McGeer, Jennifer L Gommerman, Anne-Claude Gingras

<https://www.medrxiv.org/content/10.1101/2020.08.01.20166553v1>

[Comparison of SARS-CoV-2 Indirect and Direct Detection Methods](#)

Joel D. Pearson, Daniel Trcka, Sharon J. Hyduk, Marie-Ming Aynaud, J. JavierHernández, Filippas Peidis, Suying Lu, Kin Chan, Jim Woodgett, Tony Mazzulli, Liliana Attisano, Laurence Pelletier, Myron I. Cybulsky, Jeffrey L. Wrana, Rod Bremner

<https://www.biorxiv.org/content/10.1101/2020.05.12.092387v1>

[A simple protein-based SARS-CoV-2 surrogate neutralization assay](#)

Kento T. Abe, Zhijie Li, Reuben Samson, Payman Samavarchi-Tehrani, Emelissa J.Valcourt, Heidi Wood, Patrick Budylowski, Alan Dupuis, Roxie C. Girardin, Bhavisha Rathod, Karen Colwill, Allison J McGeer, Samira Mubareka, Jennifer L.Gommerman, Yves Durocher, Mario Ostrowski, Kathleen A. McDonough, Michael A. Drebot, Steven J. Drews, James M. Rini, Anne-Claude Gingras

<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



Christine Massey <cmssyc@gmail.com>

FOI Request #20-03

Christine Massey <cmssyc@gmail.com>

Wed, Aug 26, 2020 at 3:24 PM

To: "McFadden, Jesstina" <Jesstina.McFadden@sinaihealth.ca>

Hello Jesstina,

My apologies for the delay in responding to you. During the last month I moved, then was on vacation, and have been sick with migraines a couple of times.

In response to your query dated August 5th, yes my request is intended for records that include a description of the methods used to "isolate the covid-19 virus". I had in mind scientific research papers, but am open to receiving other types of records that might fit my description.

I am not seeking any private health information.

I am not interested in papers claiming that "the virus" was isolated if they don't include a clear description of the methodology used (since it's impossible to evaluate a claim that doesn't describe the methodology), or papers that involve an adulterated patient sample (i.e. a sample mixed with monkey kidney cells, antibiotics and fetal bovine serum), or papers that claim to have "isolated the virus" but in fact did only other things (i.e. sequencing of supernatant, PCR tests, inoculation of a cell line with something claimed to contain "the virus").

In the pdf letter that you sent me yesterday, you stated that:

"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."

To my knowledge, there is nothing in the *Freedom of Information and Protection of Privacy Act* requiring a request to conform to current scientific (or in this case, unscientific) processes. And if an institution has no responsive records, they are required under *FIPPA* to state this explicitly.

Nine other institutions, including 6 from Canada, have already responded to the exact same request. None claimed that they were unable to process my request as worded. In fact, the FOI coordinator for Health Canada advised that I also submit my request to the National Research Council and the Public Health Agency of Canada, as worded (which I did). None of the institutions had any responsive records and they simply stated this.

Please be advised that responses from institutions, including any refusals to process my request, are being made public and shared around the world.

Thank you and best wishes,
Christine Massey, M.Sc.

[Quoted text hidden]

2 attachments

image006.png
1K

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:

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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