New Zealand House of Representatives
Te Whare Māngai o Aotearoa

Petitions Committee
Komiti Whiriwhiri Take Petihana

54th Parliament
October 2025

Petition of Helen Duyvestyn: Micronutrient supplements for people with mental health disorders

Presented to the House of Representatives
by Greg O'Connor, Chairperson

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Recommendation

The Petitions Committee has considered the petition of Helen Duyvestyn—Micronutrient supplements for people with mental health disorders—and recommends that the House take note of its report.

Request to re-classify Daily Essential Nutrients

This petition was signed by 290 people. It was presented to the House by Dr Tracey McLellan on 10 December 2024, and requests:

> That the House of Representatives urge the Government to reallow the sale and distribution of micronutrient formulas, specifically Daily Essential Nutrients (DENs), for those experiencing mental distress and provide them on prescription for free.

How dietary supplements are regulated

This petition concerns a dietary supplement. Medsafe, the New Zealand Medicines and Medical Devices Safety Authority, administers the Medicines Act 1981 and Medicines Regulations 1984. It is responsible for regulating therapeutic products in New Zealand. The specifics of the regulations are set by the relevant legislation.[1]

Since 2010, Medsafe has also been responsible for administering the Dietary Supplement Regulations 1985, which are enabled under the Food Act 1985. No therapeutic purpose can be claimed for a product marketed as a dietary supplement. Sections 3 and 4 of the Medicines Act and section 11 of the Dietary Supplement Regulations state that products that are intended to be used for therapeutic purposes must be regulated as medicines, medical devices, or related products.

Regulations placed on dietary supplements include maximum daily doses, where accumulation of the vitamin or mineral in the body may produce harmful effects to the individual.

About Daily Essential Nutrients

Daily Essential Nutrients (DEN) is a supplement product marketed as assisting with mental health and psychiatric disorders such as ADHD, depression, anxiety, PTSD, and other similar conditions. The supplement contains nutrients associated with brain function including B12, zinc, and lithium. Two forms of DEN have been available in New Zealand: DEN, which contains less than 1mg of lithium orate, and DEN-V, which contains no lithium. The supplement is available for purchase in most countries.[2]

1 More information about Medsafe is available on its website.

2 More information about Daily Essential Nutrients is available here.

Complaint about DEN

In 2019, Medsafe received a complaint about DEN. The current supplier was advised by Medsafe that DEN contained substances that would qualify it as a medicine and that it was in breach of the Medicines Act. The supplier stated that it would take steps to comply with regulations, and Medsafe did not take any further action at that time.

In 2024, Medsafe received a second complaint regarding a potential negative reaction to DEN. The standard form of DEN available in New Zealand contains lithium, which is a prescription medicine. Both DEN and DEN-V contain dosages of zinc and B12 that, when taken as directed, exceed the regulated maximum daily dose. In addition, both DEN products are marketed as having therapeutic purposes as they claim to be a treatment option for a variety of mental health conditions. By virtue of the ingredients contained in DEN, and the claims being made for it, Medsafe determined that DEN was a medicine under the Medicines Act. This meant that the product was not legally compliant, and the New Zealand supplier was informed that supply as a dietary supplement would need to cease. Medsafe has outlined potential pathways under the regulations for those who need to access DEN products.

Comments from the petitioner

Ms Duyvestyn is a registered comprehensive nurse with a Master's degree in Health Science and an Advanced Diploma in Nursing (Mental Health). The petitioner has worked as a registered nurse, a clinical nurse specialist, and a health improvement practitioner.

The petitioner told us she believes removing DEN from the shelves will make this treatment harder to access. The petitioner said the treatment is helpful, and she believes that Medsafe has ignored research indicating the absence of negative side effects.

Ms Duyvestyn said that the recommended maximum daily dosages have not been properly considered. She told us that B12 has no upper tolerance limit, and the zinc has been properly balanced with copper. In her opinion, this removes the risk of copper deficiency, commonly associated with high dosages of zinc.

The petitioner told us she believes individuals who rely on these supplements for mental health stability may have more difficulty accessing them. She is concerned that the change in accessibility will contribute to mental health relapses.

With DEN designated as a medicine, individuals will require a diagnosis and prescription from a general practitioner or other qualified professional. Ms Duyvestyn maintains that this will create stress on the healthcare system, increase costs for both patients and the system, and limit accessibility overall. She said that general practitioners are not trained about the impact that nutrition has on mental health, and that DEN is widely unknown by practitioners.

The petitioner recommends unrestricted access to DEN without a prescription, and that the cost of the product should be subsidised. She also recommends amending the Medicines Regulations and Dietary Supplement Regulations to raise daily allowable limits for zinc, remove a cap on vitamin B12, and change the regulations on lithium to focus on lithium carbonate.

Ms Duyvestyn provided case studies and testimonies from users of DEN. These testimonies include accounts which state that DEN products have assisted the users with conditions including:

- sleep problems
- suicidal ideation
- bipolar disorder
- depression
- ADHD
- anxiety
- Crohn's disease
- childhood trauma PTSD.

Comments from Medsafe

Medsafe told us it contacted the New Zealand supplier of DEN in 2024 to communicate that the product was not legally compliant. Despite an earlier warning to the supplier in 2019, the version containing lithium had remained on the market.

Medsafe said it recognises that many individuals have been reliant on this treatment for some time. It also recognised that Professor Julia Rucklidge of the University of Canterbury has been undertaking research into the use of micronutrient formulations, DEN in particular. It said the supply to participants in an approved clinical trial was not affected.

Medsafe said it has worked with the supplier, manufacturer, and other parties to create a path forward. Medsafe has shared four options with the New Zealand supplier, the Canadian manufacturer, and other parties including Professor Rucklidge:

- Importers/suppliers could apply to have their products approved as medicines, with Medsafe facilitating this process.
- A medical practitioner could authorise the supply of these products, and they could be supplied under section 29 of the Act from a supplier within New Zealand.
- An authorised prescriber could import the product for a specific patient under their care under section 25 of the Act.
- For the version that does not contain lithium, the patient could purchase it from overseas and import it with no regulatory requirements at all.

Medsafe told us that some supply to New Zealand is occurring under the second of these options.

Medsafe also informed us that it understands the Ministry for Primary Industries is working to update the Dietary Supplement Regulations, and noted that the Government is developing legislation regarding natural health products.

Our response to the petition

We thank the petitioner for bringing this matter to our attention. We recognise that poor mental health is an issue that affects many New Zealanders, and we appreciate the time and effort Ms Duyvestyn has put into this important matter.

However, the current legislation is intended to protect the public from risks associated with unregulated medicines. We accept Medsafe's explanation that, because DEN contains dosages of ingredients that exceed the regulated maximum for supplements, and is marketed as having therapeutic purposes, it is required to be regulated as a medicine. We note that the petitioner herself makes significant therapeutic claims for DEN products in her submission.

Medsafe has outlined several ways that patients can still access this treatment. We encourage the petitioner and other involved parties to work with Medsafe to gain approval to supply DEN as medicine available on prescription, or to access it by one of the other potential options outlined by Medsafe.

Appendix

Committee procedure

The petition was signed by 290 people on the Parliament website. It was presented to the House by Dr Tracey McLellan on 10 December 2024 and referred to us. We met between 20 February and 23 October 2025 to consider it. We received written submissions from the petitioner and Medsafe.

Committee members

Greg O'Connor (Chairperson)
Kahurangi Carter
Greg Fleming
Paulo Garcia

Related resources

The documents we received as evidence in relation to this petition are available on the Parliament website.