



VETERINARIANS AND VETERINARY MEDICINES

Veterinarians must be registered in the relevant state or territory and must comply with state, territory and Commonwealth legislation.

In Australia, veterinary chemicals that are supplied for use in the prevention and treatment of animal diseases, must be registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

The registration process ensures that chemicals on the market have been rigorously assessed and meet high standards for safety, quality and efficacy. The assessment, registration, manufacture, importation, promotion and supply of veterinary chemicals are regulated by the laws comprising the national registration scheme for agricultural and veterinary chemicals (NRS). The centrepiece of this scheme is the Agricultural and Veterinary Chemicals Code, commonly called the Agvet Code.

During the course of practice, veterinarians make professional judgements about the best and most effective treatment for a particular animal. This may involve obtaining veterinary chemicals, which are not available in Australia, and preparing substances that do not require registration.

Veterinarians may also make treatment recommendations, which are inconsistent with the instructions on labels of registered veterinary chemical products. The Agvet Code allows for these actions provided the veterinarian is registered in his or her relevant state or territory and complies with state and territory laws.

Indeed, veterinarians must be aware of legislation dealing with veterinary chemicals (eg health, quarantine and control of use legislation). Prescribing rights for veterinarians are governed under state and territory legislation. Veterinarians should obtain details of state and territory laws and operate within the limitations of the prescribing rights specified in those laws. Prescribing rights may not extend to use in food producing species.

How the APVMA legislation affects veterinarians

There are a number of practices undertaken by veterinarians which are impacted by the NRS legislation and it is important for veterinarians to be aware of the following:

- **Importation** - The Agricultural and Veterinary Chemicals Administration Act 1992 prohibits the importation of unregistered veterinary chemicals. Veterinarians must obtain consent to import unregistered veterinary chemicals.
- **Supply** - It is an offence under the Agvet Code to supply an unregistered veterinary chemical. However veterinarians may supply certain unregistered veterinary chemicals if permitted under state and territory legislation.
- **Therapeutic claims** - It is an offence under the Agvet Code to make a therapeutic claim that is inconsistent with an instruction on an approved label for a veterinary chemical. However veterinarians may make such claims when dispensing a veterinary chemical if permitted under state and territory legislation.

Commercial manufacture, supply and importation of veterinary chemicals

Veterinarians are permitted to prepare substances for veterinary treatment in the course of their practice provided they comply with relevant state and territory laws, including those relating to prescribing rights. Veterinarians are otherwise not permitted to manufacture and supply veterinary chemicals. Veterinary chemicals supplied in circumstances outside the course of normal veterinary practice must be registered and all the steps of manufacture licensed by the APVMA. The APVMA has prosecuted veterinarians for the supply of unregistered veterinary chemicals prepared outside the course of normal veterinary practice.

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A manufacturer who supplies unregistered veterinary chemicals, including to veterinarians, is committing an offence under the Agvet Code. Similarly, importation of unregistered veterinary chemicals is illegal unless a consent to import has been obtained from the APVMA. To obtain consent to import, the following information must be provided before the expected arrival of the veterinary chemical in Australia:

- name of the veterinary chemical
- company responsible for importation
- quantity of veterinary chemical to be imported
- port of entry
- the reason for importation
- name and address of importing agent
- estimated time of arrival.

Evidence is required to demonstrate that the veterinary chemical to be imported is not already available in Australia, will be used to treat a condition or disease in an animal and that such treatment does not contravene other laws. The APVMA may require the veterinarian to produce records (such as prescription details or consultation records), which demonstrate that the veterinary chemical was used in accordance with the conditions of a consent to importation.

Under state and territory laws, prescribing rights generally require veterinarians to have "animals under their care". This requirement is generally satisfied if a veterinarian is engaged by a client and accepts responsibility for the health of the animal in question. The veterinarian is usually expected to have either examined or have a recent history of consultation for the animal(s) concerned to be able to supply or recommend unregistered veterinary chemicals. The veterinarian must also make appropriate emergency arrangements in the event of an adverse reaction or ineffective treatment. The care must therefore be real not nominal.

CONTACTING THE APVMA

Want more information?

If you would like to know more about the APVMA or any of its services please contact us.

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