

Boardtalk

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President's Report

This year marks the 250th anniversary of veterinary education with the establishment of the first veterinary school in Lyon, France in 1761 and around the world the achievements of the veterinary profession are being acknowledged. In particular the contribution veterinarians have made to animal health and production, to public health, to animal welfare, to food safety and to biosecurity.

In March this year, when this anniversary was marked in Federal Parliament Canberra, veterinary graduates were spoken of in glowing terms

(i) are dedicated to preserving the bond between humans and animals by practising and promoting the highest standards of science-based, ethical animal welfare with all animals, large and small;

(ii) are on the front line maintaining Australia's status as free from exotic diseases which threaten the environment, human and animal health, providing extensive pro bono services annually through ethical treatment of unowned animals and wildlife;

(iii) are vital to ensuring the high quality of Australia's commercial herds and flocks and security of our food supply; and

(iv) Provide a valuable public health service through preventative medicine, control of zoonotic disease and scientific research;

Such accolades are wonderful to hear. But what is ahead for veterinary education and therefore the standards of veterinary science? Will the world class standards be able to be maintained at each of our veterinary schools?

Australia now has seven accredited veterinary schools with an eighth being developed. Accreditation is necessarily a very tough process and in Australia and New Zealand the system is managed by the Veterinary Schools Accreditation Advisory Committee (VSAAC) which reports to the Australasian Veterinary Boards Council. Accreditation isn't a "one off" process... all schools are visited by a highly qualified inspection team [with international members] on a regular basis looking at such things as facilities, staffing levels, research and curricula.

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President's report continued

We hear funds are being reduced to the University of Sydney, and too many of the other established veterinary faculties. For decades the full cost of veterinary training has been underfunded by government despite numerous reviews which expose this fact. Despite increases in enrolments and the opening of several new Schools, Veterinary Faculties nationwide are loss-making enterprises where the high, unrequited costs of clinical instruction particularly, are only partially offset from preclinical teaching. The problem is exacerbated by reductions in the remuneration for research and the need for cross-subsidies from other Faculty activities. Recent initiatives from the current Government to reduce shortfalls in research costs still leave the current base funding model insufficient for veterinary teaching.

With an eighth veterinary school being developed in this country of 22.5 million and with many schools increasing their intake in order to try to raise the funds to survive, the discussion comes up with colleagues about the possible looming oversupply of graduates. The CSU and JCU graduates were snapped up prior to graduation by eager and very impressed employers but can all the graduates expect employment in the years ahead?

You can not help but ask how our veterinary educators can maintain the high standards of education that we are celebrating at this time, with such restriction on their funding.

Advertising

When competition starts to get a bit fierce, advertising can get very colourful and inventive. It's worth remembering that in NSW there is no Hospital Licence system of A/B/C anymore... so advertising an "A" class hospital is no longer appropriate and should not occur.

Also when marketing your interests and abilities please ensure you don't use any term capable of implying specialist status. The NSW legislation is very clear about restricting the title or

description "specialist" or any abbreviation or derivative of that word in connection with the person's practice of veterinary science so no "special interest" unless you are a specialist.

Many practitioners feel this restriction is ludicrous but as a Board we simply work within the Act and ask that you do too.

Provision of records

Clients are also moving from practice to practice. Sometimes due to relocation, sometimes due to seeking a second opinion or simply wanting to use another vet. It's important to assist the client with the transfer of their animal's information when asked. While the Act states that you must retain your records for three years, hard copies of records such as radiographs could be sent to the new vet with a request for immediate return; while you could consider faxing or emailing the relevant or all history to the practice whose details the client gives you. Practitioners usually do not want to hand records directly to the owner and they are not required to do so. However we are required to facilitate the transfer of information to a colleague when requested.

The Board is privileged to have 2 consumer representatives [one urban and one rural] as Ministerial appointed members. They are not only users of veterinary services, they speak on behalf of the public in all the matters that arise that are not directly technical. Angela Haynes is retiring in the next couple of months after serving over 4 years on the VPB. Not only will we miss her financial and accounting wisdom but also her laughter and stories of her greyhounds, guineapigs and rabbits. On behalf of the profession Angela, thank you for devoting so much of your life in recent years to the veterinary profession, the animals and the public who use our services.

*Ruth Thompson
President*

Vet removed from the register by the Administrative Decisions Tribunal (ADT) for 4 years

In 2010, the Veterinary Practitioners Board of NSW applied to the ADT to remove Terrence (Terry) Johnson from the NSW register of veterinary practitioners.

The ADT made the decision to cancel Mr Johnson's registration on 30 December 2010; that he cannot reapply for registration for at least 4 years and he is to pay the costs of the Board.

The full text, history and decision of the ADT can be found on the ADT website at www.lawlink.nsw.gov.au – go to 'courts and tribunals', then 'Administrative Decisions Tribunal', then 'Decisions', then 'General Division' and finally click on the decision number '308'.

The Board recommends that veterinarians read the full ADT decision to understand all the issues involved in this case and to appreciate the legal processes regarding the removal of a veterinarian from the register in New South Wales.

For the purpose of this newsletter, an abbreviated set of events are as follows;

The Board received a complaint in 2008 concerning Mr. Terry Johnson (Mr J) involving a cat under his care at his veterinary clinic.

The Board received statements from staff at his practice, that Mr J left his practice despite repeated requests by staff to attend a seizing, distressed, hospitalized cat (diagnosed by Mr J as diabetic) which died in the care of his nurse, later that day. His nurse called Mr J and told him that the cat had died and he gave instructions for the disposal of the body.

Mr J submitted evidence to the Board that he euthanased the cat a few days following its actual death.

The day after the cat died, Mr J called the owner and left a phone message saying that he was

giving an update on the cat. Four days after the cat died, Mr J called the owner and informed them that he euthanased the cat because "its kidney had collapsed."

Mr. J submitted a clinical history to the Board and the Board submitted to the ADT that his records were fabricated.

The owner of the cat then went to the hospital to take the cat's body home but was told that it was gone. Mr. J said that he didn't know if the cat had gone to be cremated or to the council tip. At the ADT hearing Mr J admitted that he lied to the Board and that he had fabricated his records.

During the investigation the Board received information from veterinary wholesale companies that they had stopped supply of all products to Mr J due to outstanding accounts. Under such circumstances the Board could not understand how Dr J could adequately treat his patients. Consequently, representatives of the Board attended and attempted to inspect the veterinary premises of Mr J, however he refused to allow entry or any inspection of his veterinary hospital.

At that time, the Board imposed conditions on Mr J that he must have another full time veterinarian work with him or that he must work in a group practice until the investigation was resolved. However, Mr. J continued to work as a sole practitioner, breaching his conditions.

During this investigation, the Board and the ADT took evidence that Mr J's knowledge and skill as a veterinarian was inadequate. He administered dexamethasone to the cat on various occasions whilst knowing that the cat was a diagnosed diabetic, and provided no rationale for doing so. Mr J denied that dexamethasone use is contra-indicated in a diabetic cat.

The ADT heard expert advice from a veterinary practitioner in private practice [non specialist] that dexamethasone is contra-indicated for use in a diabetic cat and the expert was highly critical of its use in this case.

The Board received a second complaint against Mr J about the same time as it was investigating the initial complaint.

In this complaint, Mr J diagnosed a malignant tumor in a cat and recommended euthanasia. The complainant agreed to the euthanasia and requested to come in to the practice to collect the body. In the mean time, the cat's body was mistakenly taken to council disposal but Mr J informed the complainant that the body was taken for private cremation.

He informed the complainant that the cat's ashes would be delivered the following week. No ashes were delivered and Mr J dishonestly informed the complainant that there was a delay due to a problem at the crematorium.

A short time later Mr J spoke to the complainant and informed them that the ashes were now back from the crematorium. However the body of the cat was never at a crematorium, when questioned by the Board Mr J said the body had been disposed of elsewhere. A few days later, Mr J arranged for a person acting under his instructions to deliver to the complainant's home, a container falsely representing it to be the ashes of the cat. A few days later Mr J wrote a letter to the complainant, attempting to blame the complainant for the error he had made at his surgery.

The complainant, realising that the container was not a genuine ashes container and its contents were unlikely to be the remains of their cat, complained to the Board.

When Mr J became aware that the complaint had been lodged with the Board, Mr J arranged for a person to visit the elderly complainant at home and threatened to take legal action if the complaint was not withdrawn.

In cross examination by the Board's senior counsel in the ADT, Mr J admitted that he had lied to the Board during the investigation, had lied to his clients, had made false records and had breached the conditions on his registration. As stated earlier, the ADT made the decision to cancel Mr Johnson's registration on 30 December 2010; he cannot reapply for registration for at least 4 years and he is to pay the costs of the Board.

The ADT decision is enunciated in a detailed 36 page document which outlines the facts, evidence and law that was applied in this matter.

Many witnesses, detailed collection of evidence, overcoming obstructions placed by the practitioner, using only high quality legal advice and representation, this case involved the Board and their legal representatives in significant work over a two year period.

Despite the expenses, the profession can be reassured that the Board has the funds for this and any other legal matters that need to be pursued to ensure the reputation of the profession is protected and that users of veterinary services in NSW are protected by appropriate administration of the Veterinary Practice Act 2003.

Emergency - Animal Disease Watch Hotline

1800 675 888

Report Unusual Disease Signs, Abnormal
Behaviour or Unexplained Deaths

From the Registrar's Desk

CPD

2011 marks the start of a new 3 year cycle for the majority of practitioners, but not for those that have become registered in the last few years. Your annual return and registration invoice which was posted out mid April will indicate which year of the 3 year cycle you are currently in and the points reported to the Board to date. Remember that registration as a veterinarian is dependent on the submission of the annual return – if it is not submitted by the due date, the practitioner will be removed from the register by the Board until the annual return is submitted and the penalty fee of \$235 is paid (as well as the registration fee).

Registration fee

The registration fee remains at \$235.

I have included the fees payable for the various states and territories in Australia and you may notice that the NSW fee has not increased for the last 10 years.

The Board is still pursuing the introduction into NSW of National Recognition of Veterinary Registration (NRVR) with the NSW Government but this is now largely out of our hands.

Searching for a vet?

It's apparent that many vets don't know that you can search for every registered vet in NSW using the Board's website – this facility is updated on a regular basis.

Go to www.vpb.nsw.gov.au and you will see the big blue 'vet search' button on the homepage – you can search by simply filling out one search criteria, such as a surname.

All the registered specialists are searchable as are all NSW veterinary hospitals.

Why don't you have a quick look for an old colleague and check your own details while you are there!

Impaired practitioner processes

From time to time, the Board must deal with circumstances of a practitioner suffering from severe impairment.

Sometimes the veterinarian may disclose information or the Board may suspect impairment.

Impairment has many forms and may include, drug addiction, alcoholism or psychological issues.

Times have certainly changed from the past, when some issues that the Board is dealing with today may have once upon a time been perceived as misconduct in one sense or another.

Some registering authorities, such as the NSW Veterinary Practitioners Board, are bound to investigate the root causes of certain behaviour and this is often diagnosed after medical intervention, as impairment.

The Board is fortunate to have a relationship with the NSW Medical Board who has procedures and programs for medical doctors suffering impairment.

The Board now has its own procedures and programs which mirror that of the Medical Board. The cornerstone of both programs relies heavily on the recommendation of the appointed Health Practitioner. In some cases this may be an appropriately qualified and experienced psychiatrist recommended by the Medical Board. In cases of impairment, the psychiatrist will consult with the veterinarian over a period of time and provide reports and recommendations to the Board for consideration as to the best method of treating and monitoring the impairment.

The recommendations may include conditions to the veterinarian's registration to assist in the management of the impairment.

The ultimate goal for the veterinarian is to work their way through their impairment with the support of suitably qualified professionals and the Board.

The Board is bound by the legislation to pay for any report required by the Board to assess fitness to practice and is happy to do so.

For anyone who is interested, I am available to discuss this issue in confidence during office hours.

Glenn Lynch

Annual primary registration renewal fees - comparison table

Jurisdiction	Registration renewal fee	Additional specialist fee
Western Australia	\$ 365	\$ 440
South Australia	\$ 295	\$ Nil
ACT	\$ 290	\$ 180
Victoria	\$ 285	\$ 100
New South Wales	\$ 235	\$ Nil
Tasmania	\$ 201.60	\$ 201.60
Queensland	\$ 139.80	\$ 139.80
NT	\$ 102	\$ 153

NB: NSW has the lowest primary specialist renewal fee in Australia.

Glenn Lynch
Registrar

Report from the Veterinary Practitioners Board Complaints Committee

Since the last edition of Boardtalk in December 2010, the Board has investigated eighteen complaints made against veterinarians, and had made the following determinations: the Board reprimanded one practitioner, issued two cautions, dismissed four complaints with a recommendation, and dismissed the remaining eleven complaints.

- The reprimand for unsatisfactory professional conduct was issued to a practitioner because they were found to have lied to the Veterinary Practitioners Board Registrar and they failed to euthanase an animal that they had accepted for euthanasia under the directions of the owner.

The Board considers lying to the Board or its representatives as a very serious matter. Honesty is expected of all veterinarians whether dealing with clients or the Board. To emphasize the importance of this it is covered in the Code of Conduct in two areas

Schedule 2 Veterinary practitioners code of professional conduct

1 Basic principles of professional conduct

The basic principles of professional conduct for a veterinary practitioner are:

(b) the maintenance of professional standards to the standard expected by:

- (i) other veterinary practitioners, and*
- (ii) users of veterinary services, and*
- (iii) the public.*

6 Professional conduct

A veterinary practitioner must not mislead, deceive or behave in such a way as to have an adverse effect on the standing of any veterinary practitioner or the veterinary profession.

- A caution was issued to a practitioner for failing to keep adequate clinical records. The records related in particular to dispensing Prescription Animal Remedies/Prescription only Medicines (S4 medications) and the Board was of the opinion that the clinical records did not constitute appropriately detailed records of the consultations. The records lacked detail on clinical examination findings and there was insufficient detail to enable another veterinary practitioner to continue the treatment of the animal if required.

The Board have also referred this matter to the NSW Department of Industry & Investment because there was evidence that the practitioner was advertising Prescription Animal Remedies/ Prescription only Medicines (S4 medications) direct to the public.

- A caution was issued to a practitioner because they failed to provide an appropriate prognosis for a young dog with severe bilateral hip dysplasia.

- Some of the complaints investigated over the last few months involved the rehoming of patients. All veterinary practices should ensure that they have written procedures and policies relating to euthanasia, surrender and rehoming of patients and that all staff are aware of and follow.

- The Board also considered a complaint related to carrying out major surgery in an unlicensed premise. The definition of major surgery given in the act is any procedure which requires a general anaesthetic. (Section 64) or spinal anaesthetic, as such practitioners are reminded that this includes cat and dog speys and dog castrations. These procedures must be carried out in a licensed veterinary hospital.

When the Board is investigating complaints, practitioners are required to send in their records relating to the complaint requested by the Board.

Veterinary Practice Act 2003

44 (1) For the purposes of investigating or determining a complaint, the Board may summon a person to appear before the Board to give evidence and to produce such documents (if any) as may be referred to in the summons.

It is in the practitioner's interest to keep detailed records of all findings, differentials, investigative plans and treatment. This assists in allowing another veterinarian to take over treatment when necessary. There needs to be sufficient written detail to allow the second vet to understand precisely what has been diagnosed, what the treatment has been to date and plans for ongoing care. Also adopting a habit of recording a summary of all conversations with the clients will also help, alongside these records if a complaint does arise.

The minimum requirements for record keeping under the legislation are as follows;

Veterinary Practice Regulations 2006

15. Records

(1) A veterinary practitioner must ensure that a detailed record of any consultation, procedure or treatment is made as soon as practicable

(1) The record:

a) must be legible and in sufficient detail to enable another veterinary practitioner to continue the treatment of the animal, and

b) must include the results of any diagnostic tests, analysis, and treatments

- One of the complaints investigated related to dispensing Prescription Animal Remedies/Prescription only Medicines (S4 medications). All practitioners are reminded that to dispense Prescription Animal Remedies/Prescription only Medicines (S4 medications) to a client, they have to have physically examined the patient or be acting under the authority of another veterinarian who has. Again records including details of the examination, diagnosis and treatment plan relating to the medication dispensed need to be kept.

20. Supply of restricted substances

(1) A veterinary practitioner may supply restricted substances only:

a) to a person responsible for the care of an animal that the veterinary practitioner has physically examined and has under his or her direct care, and only in respect to that animal, or

b) with the authority of another registered veterinary practitioner who has physically examined the animal concerned or has it under his or her direct care and only in respect to that animal

The recent changes to the Veterinary Practice Act have allowed the Board to dismiss complaints with a 'recommendation'. This has allowed the Board to highlight to some of the practitioners, issues raised in the investigation of the complaint that the practitioner should review to ensure appropriate practice standards and knowledge, rather than dismissing the complaint with a caution.

The Facts .. Pesticides Training and Veterinarians

Lee G Cook
Biosecurity Business and Legislation
NSW Department of Primary Industries

Concerns about pesticide training for veterinarians have largely arisen because of incorrect publicity material provided by NSW Department of Primary Industries (DPI) in relation to its SMARTtrain chemical training course for veterinarians. That material has said that even if a veterinarian is only giving advice on pesticide use then they must undertake the training. This is not correct.

The NSW pesticide training regulation, administered by the new Office of Environment and Heritage (OEH), applies only to pesticide users, not persons giving advice about pesticides (such as sheep or cattle dips etc.).

Note that pesticides are defined in NSW legislation as products applied externally to animals to kill external parasites and thus include all dips, sprays, pour-ons, spot-ons and even ear tags and collars. (Note that a proposal has been developed to remove ready to use products from these restrictions.)

The training requirement captures veterinarians only as pesticide users, but administrative exemptions have also been applied to practitioners by OEH as follows:

“In essence most veterinarians in practice do not need to undertake the training if:

- They only use pesticides (e.g. pour-ons, spot-ons, companion animal washes) that are available to the public "over the counter", and
- They do not do it as part of agricultural production (e.g. cattle and sheep dips, pour-ons, sprays etc.).”

In other words, veterinarians – just like any farmer – require pesticides training if they use pesticides – which includes animal ectoparasiticides – in agricultural production.

They do not need to be trained if they only give advice about pesticide use.

In relation to whether it is valid to require pesticide training for veterinarians, as a veterinarian I agree with an old OEH statement that “The chemical-related training veterinarians take as part of their University degree has not been assessed as meeting these requirements”. As a veterinary student I learnt nothing at university about occupational hazards of pesticide use and how to use and manage pesticides appropriately – certainly nothing whatsoever about agricultural insecticides, herbicides and fungicides. I never learnt, for example, that a teaspoon of paraquat can kill someone. I doubt the veterinary course has changed in this regard. Being intelligent enough to do a veterinary degree does not mean one is necessarily appropriately aware of or willing to manage relevant hazards. The opposite is often true in regard to the latter.

That said, only NSW restricts veterinarians in the use of veterinary pesticides, not allowing any off-label use even by veterinarians. Legislation amendments to change that situation in regard to "low risk" pesticides have been developed and are expected to come through later this year, but use of sheep and cattle dip type products, or vertebrate pest poisons, will continue to be restricted. These restricted uses are hardly domestic, so there is no contradiction in their continuing to be restricted. The "domestic use" OEH administrative exemption should then no longer be necessary. It may even be that future national control of use legislation which is being discussed will extend the NSW position on the higher risk pesticide products nationally.

AQF4 is higher level training than what the OEH legislation requires. Level 4 covers planning chemical use and instructing other users. Only AQF2 is required by OEH for users. SMARTtrain has mapped the veterinary degree

against the chemical training requirements and only picks up material not covered by the degree, and at the higher AQF Level 4. It is specifically targeted at veterinarians, although the competencies achieved allow it to cover on-farm use of products such as herbicides. Other courses, such as ChemCert, are not known to have such specifically targeted content.

The NSW DPI/SMARTtrain program offers useful training for veterinarians who work with clients who use (large animal) pesticides, or I&I NSW or Livestock Health and Pest Authority veterinarians and livestock officers, to improve their sensitivity to relevant issues such as correct dosing, accurate measuring, or considering residue implications, when giving treatment advice.

For those interested in or requiring training, some providers of pesticide training are posted on the website of OEH at: <http://www.environment.nsw.gov.au/pesticides/trainers.htm>.

To repeat, no veterinarian who is not actually using pesticides is required to be trained under the pesticides regulation. Those covered by the domestic use exemption in the regulation do not require it either.

But if a veterinarian is spraying weeds on their farm they require training and, in the light of the paragraph above about the BVSc course, should be specifically trained. The SMARTtrain veterinary course is not necessary for this purpose.

If they are in practice and not treating farm animals but merely giving advice to clients about pesticide use, or using domestic pesticides like dog washes, they do not have to be trained. The revised DPI SMARTtrain promotional material now makes that clear.

Finally, anyone using S7 dangerous poisons in Victoria has to have a training certificate to purchase S7s, whether they are a veterinarian or not. This requirement has been in place for many years.

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Confidential Help for Veterinarians

Doctors Health Advisory Service

Independent and confidential service staffed by specially selected and trained medical practitioners who are able to offer personal and health assistance as well as referral to specialists. Veterinary practitioners / their families / their colleagues are able to make calls to the Help Line. Issues vary and all calls are unique but may involve depression, alcohol abuse, drug use, work related stress or marriage difficulties. This highly respected and leading health care advisory organization aims to assist veterinarians to maintain full personal, professional and social capability

The dedicated telephone service is available 24 hours a day.

(02) 9437 6552

Report from the Faculty of Veterinary Science, The University of Sydney.

Another academic year has ticked over and the Faculty is well into semester 1 teaching. Full intakes into both the Faculty's undergraduate courses i.e. the Bachelor of Veterinary Science (BVSc) and the Bachelor of Animal Veterinary Bioscience (BAnVetBioSc) have been achieved. Additionally, the Faculty has over 90 postgraduate research students most of whom are enrolled in PhD's and around 75 postgraduate coursework students who are enrolled in 'Advanced Learning' coursework Master's degrees.

Year 4 of the BVSc now occurs over both semesters at the Camden campus and is in the second year of its new curriculum. To cater for the increased numbers of BVSc, BAnVetBioSc and Agriculture students, during 2010, the University built additional accommodation for students and visitors. The new accommodation consists of 7 buildings each containing 14 units which house in total 70 students. Each unit consists of 5 single bedrooms; 2 shared bathrooms and a utility room, a large open plan kitchen, dining and lounge area with air conditioning that leads out to a balcony the full width of the building. The lodges are located a short walk from the main car park, Liz Kernohan Conference Centre and the General Teaching Building.

Over the last couple of months the Faculty has mourned the passing of some present and past academics. We mourned the passing of Professor Margaret Sabine who had been retired for a number of years but who was a preeminent scholar in Veterinary Virology. The Faculty also mourned the passing of Professor Robert Wrigley who had recently retired from his position of Professor of Diagnostic Imaging and the Faculty also keenly felt the death of Dr Robert Dixon. These people all were important contributors to the Faculty and will be sadly missed.

On another note there has been some discussion in the veterinary community about the various

degrees that are now being offered by Australian Veterinary Schools that are accepted as the qualification for registration for veterinary practice by Veterinary Boards. The only degree that is offered by The University of Sydney which is eligible for veterinary practice registration is the Bachelor of Veterinary Science. This is an undergraduate degree. Some students undertaking the BVSc may have completed another undergraduate degree. However some other Australian universities (The University of Melbourne and The University of Adelaide) are now offering a DVM which is the Doctor in Veterinary Medicine. How is a DVM different to a BVSc? The DVM is a 'postgraduate professional entry degree' it means that the student has undertaken an undergraduate degree usually (but not exclusively) in a Science based discipline and then enrolled in a further postgraduate coursework degree which on successful completion is considered registrable by Boards for the registrant to engage in veterinary practice. A DVM is not to be confused with a Doctor of Philosophy (which is the PhD). The PhD is a research degree which is based around the candidate conducting a cutting edge research project and which is examined by submission of a thesis. A PhD does not lead to veterinary registration. The University of Sydney also offers a DVSc which is a Doctor of Veterinary Science, and is known as a 'higher doctorate' and in this case, the candidate, a world renown researcher submits their research in the form of their publications which are examined by other world authorities in the respective field to determine whether the research is considered of world class standing. I hope this information is helpful in understanding some of the different degrees with 'veterinary' in their name offered presently in Australia.

Associate Professor Merran Govendir with assistance from Ms Marie Wildridge.

Faculty of Veterinary Science, The University of Sydney.

NEWS Relating to Stock Medicines

Lee G Cook
Biosecurity Business and Legislation
NSW Department of Primary Industries

Export Slaughter Intervals – Food Animals and You

Export markets are essential to the Australian economy but chemical residues detected in meat and edible offal by an importing country could jeopardise future trading with that country. Some countries have a zero tolerance to certain chemical residues in food while others may have a Maximum Residue Limit (MRL) that is lower than that in Australia. For this reason, many veterinary medicines now have an applicable Export Slaughter Interval (ESI) and the National Vendor Declaration (NVD), which producers must complete when selling livestock, requires them to indicate if the animal(s) are still within a Withholding Period (WHP) or ESI following treatment with a veterinary drug or chemical. The WHP is the length of time that must elapse between the last treatment of an animal with a veterinary chemical and when it may be slaughtered for human consumption.

Previously, emphasis has been placed on ensuring that producers observe all WHPs when treating livestock or exposing them to chemically treated crops or pasture. WHPs are used to ensure compliance with domestic MRLs and in some cases minimise exposure of people to unacceptable chemical residues. The WHP is stated on the label of all veterinary medicines used for food producing animals and must be included by veterinarians on the dispensing label of veterinary drugs (if it is not otherwise visible).

It is a legal requirement to indicate the actual WHP on the dispensing label, including 'Nil Withholding Period' if that is the case. This is enforceable and producers must be informed of all applicable WHPs when treating livestock so that they can observe them, record them, and notify prospective purchasers if the animals are still within that period.

The Export Slaughter Interval (ESI) is the

minimum period of time that must elapse between treatment of livestock and their slaughter for export for human consumption. ESIs are possibly even more important than WHPs, as loss of an export market due to unacceptable chemical residues in meat can have serious repercussions for the affected industry and beyond. ESIs are often considerably longer than WHPs, although they may be the same.

At this time very few veterinary medicines have an ESI stated on the label. Some labels recommend that the veterinarian contact the manufacturer for more information. Newer products generally do have an ESI and most of the external and internal parasiticides have one. Where they have been developed they are published on the Australian Pesticides and Veterinary Medicines Authority (APVMA) website.

There have been no ESIs produced for many veterinary chemicals, such as common antibiotics or anthelmintics, which are routinely used internationally and for which MRLs are in place in most importing countries.

However, veterinarians should make themselves aware of both WHPs and relevant ESIs when treating livestock, and provide this information in writing to producers. It should be remembered when contemplating off label treatments that there is probably little or no scientific data on which to base a WHP or ESI, so sufficient time must be allowed to ensure there are no significant residues. This is particularly important when treating flocks or herds as opposed to individual animals.

If there is any likelihood the herd or flock could be slaughtered for export, and no ESI is published, advice should be obtained from the manufacturer or sought from I&I NSW or the APVMA. Failure by a producer to observe ESIs and WHPs could result in residue detections either in Australia or by an importing country.

Warts vaccine permit

A permit PER12736 has been re-issued to Allied Biotechnology of King's Park to allow them to manufacture and supply custom warts vaccine for use in cattle, horses and dogs. While the Stock Medicines Act allows veterinarians to make their own autogenous vaccines for use in horses and dogs, any unregistered product for use in more than one major species of food animal such as a cattle must be authorised under permit as in this case. The permit can be found on the APVMA website by entering the permit number at <http://www.apvma.gov.au/permits/search.php>.

Items submitted by:

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Annual Registration

DEADLINE MAY 31st

Annual Returns and invoices were posted out in April and are due back to the Board by 31st May 2011.

If the Annual Return and payment is not submitted by the due date, the Act requires the Board to remove the person's name from the register. This is not an option for the Registrar but a requirement by law so please ensure **Annual Return and Fee** is at the office by the deadline of May 31st 2011.

Stray dogs and cats and the role of the vet

The non injured cat and dog are the legal responsibility of Local Government and are not the responsibility of vets. Consequently if the non injured 'stray' is surrendered by a member of the public to a vet, the vet needs to contact the council pound or equivalent and arrange for the animal to be transferred as soon as practical [unless mutually agreeable arrangements have been made eg a vet saying I will keep it overnight or over the weekend at a pre negotiated fee for instance.]

The Companion Animal Act [and this is not an Act the Board works with] does not spell out who is responsible for the movement of the dog/cat to the pound but the Guidelines 2010 speak of the vet 'making arrangements for movement.' No council has a right to refuse to accept a stray animal. Local councils have a legal obligation to keep the animal for 7 days if not microchipped and 14 days if chipped.

If the vet is an approved person under section 62A and therefore authorised to have access to the Register, they should search the Register and make any necessary enquiries to find out who the owner of the animal is and reunite the animal with its owner. Vets who are not 'approved persons' can apply to the dept of local Government to become an approved person.

The Questions and Answers below have been provided by the Department of Local Government

When is a dog a "stray"?

Under the Companion Animals Act 1998 any dog which is in a place (other than where it is ordinarily kept) unaccompanied by a responsible person is a "stray". Any person (including a council officer) may seize a stray dog in the following circumstances as provided under the Act:

- If a dog is found in a public place and is not

under the effective control of some competent person (section 13)

- If a dog is in a public place prohibited under the Act (eg children's play area or food preparation/consumption area) (section 14)
- If seizing the dog is reasonable and necessary for the protection of any person or animal or to prevent damage to property (section 22).
- If the dog has attacked a person or animal and the dog is on property owned or occupied by the person seizing the dog. (section 18)
- In addition, council officers and police have powers to seize a dog which has attacked from the owner's property if the owner is not present and the dog cannot be adequately secured on the property (section 18).

When is a cat a "stray"

Unlike dogs, cats are allowed to roam public places and onto private property.

Under the Companion Animals Act 1998 a cat may only be seized in the following circumstances:

- If a cat is in a public place prohibited under the Act (eg food preparation/consumption area or wildlife protection area) (section 30)
- If seizing the cat is reasonable and necessary for the protection of any person or animal (section 32).

What are some examples of when a dog or a cat is a "stray"?

- A dog which is walking along the footpath, not causing any threat to anyone, may be seized as a "stray" under section 13; a cat doing the same thing may not be seized as there is no offence under the Companion Animals Act.
- A dog which comes onto your own property and digs up the garden (damaging property) may be seized under section 22; a cat doing the same thing may not be seized as there is no offence under the Companion Animals Act (however a nuisance order could be issued).
- A dog which is on the road in the way of traffic may be seized under section 22 (as it may cause an accident resulting in either injury to persons or to itself); a cat doing the same thing may be seized under section 32 (as it may cause an accident resulting in either injury to persons or to itself).

What does a person do with a stray or "seized" animal?

A person who seizes a dog or cat under the Companion Animals Act must cause it to be delivered as soon as possible to its owner (if the owner can be identified) or to the council pound or other authorised council officer (eg ranger) (section 62). A person who does not comply with this is guilty of an offence and may be liable for a penalty of up to \$2200. **Strictly speaking, delivering an uninjured animal seized under the Companion Animals Act to a vet is an offence.** However, it is acknowledged that in practice many people deliver animals to their local vet surgery because it is not practicable for them to deliver the animal to a pound (eg they can walk to the vet and may not have a car to transport the animal to the pound). In this circumstance, a vet may choose not to accept the animal (which is, strictly speaking, complying with the Companion Animals Act) and advise the person to call the council ranger or take it to the council pound. If the vet does choose to accept the animal, they do so in the same context as "any person" under the Act, and must return the animal to its owner or contact the council as soon as possible. Vets should not undertake to hold the animal and re-house it themselves – there is no legal basis for the vet to give the animal to a new owner and if the original owner should come forward at some future time a vet may find themselves subject to civil legal action.

What do the public do with an injured animal?

Any animal which is injured is not seized under the Companion Animals Act but under the Prevention of Cruelty to Animals Act 1979 (POCTA). POCTA provides that where a cat or dog has been injured in a vehicle accident, the driver of the vehicle is responsible for ensuring that it receives appropriate treatment to alleviate pain. The driver must also, as soon as practicable, inform the owner of the animal, or an officer of the RSPCA, AWL or a police officer (section 14)

In any circumstance where an animal is injured (for example, as the result of an attack by another animal), if a person seizes or takes charge of the

animal, that person is responsible for ensuring that the animal receives any necessary veterinary treatment (section 5(3)). Where an animal is so severely injured that a vet takes possession of the animal to euthanase it, the vet may recover from the owner of the animal the reasonable costs incurred in euthanasing the animal (section 26A). If the owner for an injured animal cannot be located, under the Companion Animals Act, the council should be notified. Once the animal's condition is stabilised and it no longer requires veterinary supervision, the animal should be transferred to the council pound. Council is not liable for any costs of treatment up to this point in time (unless of course it was council who delivered the injured animal to the vet in the first place). Nor is council under any obligation to inform the vet of the owner's details if they succeed in locating the owner (in fact this could be a breach of privacy legislation). As a courtesy council could inform the owner that the animal was treated by a particular vet and there are outstanding costs – but there's no obligation to do so; and if the owner chooses to ignore this information there's nothing more a council can do.

Do councils have to collect stray dogs and cats?

The Companion Animals Act requires a council to accept into the pound any cat or dog which is delivered to the pound or other authorised person of the council (such as a ranger). However, the Act does not require a council to collect a "stray" animal from any public or private place. Some councils do provide this as an additional service to their community, others do not. It is a discretionary matter for the particular council to decide. Whether an individual council provides a "pick up" service for animals, and if so, in what circumstances, should be indicated in a formally adopted council management plan (this may be a specific animal management plan or be part of an environmental management plan or council's general management plan). Councils should ensure that local vets, animal welfare organisations and other relevant groups are informed of what is in their plan.

Do councils have to have an after hours service for stray cats and dogs?

The Companion Animals Act does not require a council to have an "after hours" service for accepting cats and dogs. Again, this is a discretionary matter for council to determine. However, the majority of local councils do have some form of general "after hours" contact for their rangers. What "after hours" arrangements council has, and when and how they operate, again should be included in a council management plan. Councils should ensure that local vets, animal welfare organisations and other relevant groups are informed of what is in their plan.

For more information go to;

Department of Premier and Cabinet and then Division of Local Government and search for Companion Animals http://www.dlg.nsw.gov.au/dlg/dlghome/dlg_index.asp

Other contacts for the Division of Local Government are

Email address pets@dlg.nsw.gov.au

Telephone (0)2 4428 4181 and Fax (0)2 4428 4199

Postal: Locked Bag 3015, Nowra, NSW 2541 Australia

So if the animal is sick or injured, the vet needs to make a professional decision.

[1] Do the extent of the injuries necessitate euthanasia? If so, we would recommend keeping full records including a description of the animal as well as details of the illness/wounds.

Under the Prevention of Cruelty to Animals Act 1979, a veterinary practitioner has special powers

Powers of veterinary practitioners to destroy animals

26AA Powers of veterinary practitioners to destroy animals

(1) Where, in the opinion of a veterinary practitioner:

(a) an animal is so severely injured, so diseased

or in such a physical condition that it is cruel to keep it alive, and

(b) the animal is not about to be destroyed, or is about to be destroyed in a manner that will inflict unnecessary pain upon the animal, the veterinary practitioner may:

(c) take possession of the animal,

(d) remove the animal to such place as the veterinary practitioner thinks fit, and

(e) destroy the animal, or cause it to be destroyed, in a manner that causes it to die quickly and without unnecessary pain.

(2) The reasonable costs incurred by a veterinary practitioner in the exercise of the powers conferred upon the veterinary practitioner by subsection (1) in respect of an animal may be recovered from the owner of the animal as a debt in a court of competent jurisdiction by the veterinary practitioner.

While under the Veterinary Practice Regulation 2006; Code of Conduct Veterinary Practice Regulation 2006 Schedule 2

2 Welfare of animals must be considered

A veterinary practitioner must at all times consider the welfare of animals when practising veterinary science.

3 No refusal of pain relief

(1) A veterinary practitioner must not refuse to provide relief of pain or suffering to an animal that is in his or her presence.

(2) In this clause, relief, in relation to pain or suffering, means:

(a) first aid treatment, or

(b) timely referral to another veterinary practitioner, or

(c) euthanasia as appropriate.

2] Can the animal be treated for the illness/wounds and then sent to the council pound/facility? The costs for this would be borne by the vet unless negotiated before hand with the local council.

3] While no one would expect a vet to for instance, plate a fractured femur of a stray dog ,ask yourself if the dog/cat could be kept comfortable for a couple of days with

conservative treatment giving the owner a chance to claim the animal. An example would be a very well groomed and cared for dog with a suspected fracture which could be managed with a splint for a day or so would be quite different from the cat which has a fracture but is dramatically under weight with advanced dental disease and signs of chronic ill health perhaps.

At the end of the day a veterinarian is simply the best person to decide on welfare issues for the animal.

Regarding care overnight or on weekends when councils are shut and associated financial issues such as payment for medications. ...discussions need to take place with **your local council**. Most councils have an Animal Committee and vets need to be on that committee to have input with the making of policies .The Department would like Council and veterinary practices to develop closer ties---vets and staff becoming approved premises and approved persons. If you are interested then call 02-4428 4181 Or email pets@dlg.nsw.gov.au

www.vpb.nsw.gov.au

Should be one of your “favourites”

- Searching for a veterinary colleague?
- Searching for a veterinary specialist?
- Wondering what CPD courses might be available?
- Wondering about the article on internet and medications discussed in Boardtalk in 2004 ? Wondering how many times Boardtalk has discussed radiographs? [actually in 2002/2003/2006/2006/2007 and 2008]

All these things are found on Board’s website. Check it out- you will often get the answers you are after without even a phone call.

Exotic Animal Disease Newsletters

Therese Wright, Project Leader Veterinary Investigations

The latest Exotic Animal Disease Newsletter is now available on the Department of Agriculture Fisheries and Forestry (DAFF) website at: <http://www.daff.gov.au/animal-plant-health/pests-diseases-weeds/animal/ead-bulletin>. The bulletins and newsletters on the DAFF site are a great source of current and concise information on diseases that are currently exotic to Australia. Australia's veterinarians are at the front line of our early warning systems for an animal disease incursion so remain alert, know what to look for and report suspicion of disease promptly. Remember early detection is the key to minimising the impact of an exotic disease incursion. Early detection and reporting may be the difference between a successful eradication and living with a new endemic disease situation.

Report suspicion to the 24 hour
Emergency Animal Disease Watch Hotline
on freecall 1800 675 888.

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Boardtalk

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IMPORTANT:

The information contained in this newsletter reflects the policies of the Veterinary Practitioners Board and the current NSW legislation. Any advice on specific issues not relating to Board policy should be obtained from either the AVA or appropriate government department or your own legal advisors