



**Animal  
Medicines**  
Australia

# CODE OF CONDUCT

**Issue 1 – January 2006**

# ANIMAL MEDICINES AUSTRALIA LIMITED

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## 1. INTRODUCTION

Animal Medicines Australia represents the developers, registrants, manufacturers and formulators of animal health products.

Animal Medicines Australia member companies produce around 75 per cent of the animal health products sold in Australia. These products are used to prevent, treat and manage disease in production and companion animals.

Animal Medicines Australia and its' members are committed to safety, stewardship and quality:

- **Safety** – protecting human health and the environment through a rigorous and science based regulatory process, the adoption and promotion of Good Agricultural Practice and the correct use of products according to label directions.
- **Stewardship** – the responsible and ethical management of industry products throughout their life-cycle.
- **Quality** – the production of products of the highest quality that meet registration specifications every time.

All members are encouraged to participate fully in industry wide dialogue on contemporary issues to ensure that Animal Medicines Australia is a truly representative organisation.

This Code of Conduct has been developed to ensure all Animal Medicines Australia members meet industry standards.

The Code of Conduct sets out a series of obligations. Meeting these obligations is a condition of Animal Medicines Australia membership. The Code of Conduct also details a number of policies and programs that member companies are encouraged to adopt, implement or participate in.

The Animal Medicines Australia Board is responsible for ensuring compliance with the Animal Medicines Australia Constitution, By-Laws and Code of Conduct. Rule 4 of the Constitution details the membership admission and disciplinary procedures. The process for lodging a complaint in relation to this Code of Conduct is outlined in the final section of this document.

## 2. COMPANY OBLIGATIONS

As a member of Animal Medicines Australia your company must: comply with relevant Australian legislation; participate in a range of stewardship activities; ensure company personnel are familiar with the provisions of this Code, provide information and data as agreed by the Board and make only accurate statements in product claims and publicity material, and act ethically when conducting market research. In addition, your company is encouraged to adopt and implement a range of other policies and programs promoted by Animal Medicines Australia.

As a member of Animal Medicines Australia your company must:

**Act in the best interests of the industry**

1. Act at all times ethically, with integrity and honesty.

**Comply with legislation and regulations**

2. Comply with all relevant federal and state legislation and regulations including, but not limited to, the *Agricultural & Veterinary Chemicals Code Act 1994 (Agvet Code Act)* and its regulations, *Trade Practices Act 1974*, *Corporations Act 2001* and *Dangerous Goods Code*.

**Participate in stewardship activities**

3. Ensure all premises where company products are manufactured, formulated or stored are accredited by the Agsafe Guardian program.
4. Ensure company products prior to end point sale are transported by persons that are licensed dangerous goods transporters.
5. Ensure that they do not supply products to warehouse or distribution premises that are not accredited by the Agsafe Guardian program.
6. Ensure that all company personnel handling, selling, recommending, giving advice on, or taking responsibility for the safety of industry products are accredited by the Agsafe Guardian program.
7. Support the Industry Waste Reduction Scheme through participation in the **drumMUSTER** and ChemClear® programs The Industry Waste Reduction Scheme aims to:
  - reduce the number of containers entering the distribution scheme;
  - increase the re-use of containers originally intended for single use;
  - increase the recycling of containers for material recovery;
  - improve occupational health and environmental practices by promoting the adoption of easier to clean and handle packaging, the use of safer emptying and rinsing devices and management of chemical containers in an environmentally appropriate way;
  - promoting research and development into new formulations, packaging, recycling and material recovery uses;
  - educating distributors and farmers to purchase environmentally friendly returnable containers and in the appropriate disposal of non-returnable containers; and
  - provide for a collection and disposal of unwanted rural chemicals that achieves a high participation rate of those holding waste and is accessible by all users who may hold those chemicals and is provided at lowest possible cost.
8. Participate in the biennial Industry Packaging Audit. The Audit assists Animal Medicines Australia to measure industry progress against the Industry Waste Reduction Agreement.

**Promote understanding of Code**

9. Ensure that the provisions of this Code are both understood and complied with by company staff.

**Provide information and data**

10. Annually declare to Animal Medicines Australia actual sales details for the purpose of calculating membership fees. Part of this declaration may also include, but is not limited to, a set of industry statistics and membership profile data, as approved by the Board.

**Make accurate product claims**

11. Ensure that all product claims are consistent with the product registration, approved label or use and safety information approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA).
12. Ensure that if a user is observed by a Animal Medicines Australia member employee to administer a product in a way other than that set out on the label (or permit) so that farm produce quality or operator safety may be jeopardized, or the misuse may adversely impact on the environment, the employee must bring such misuse to the notice of the user, attempt to cause the practice to cease and report such misuse to the relevant regulatory authority.

**Use information responsibly in publicity material**

13. Ensure that promotional, public relations and advertising material is consistent with the approved label claims for the product, or use and safety information approved by the APVMA under a permit or other special approval, and comply with relevant consumer protection and state/territory legislation.
14. Ensure that promotional programs do not denigrate another member's product in such a way that the industry as a whole can be discredited.
15. Avoid where possible negative comparisons in advertising. Any comparisons of products that do occur must be factual and capable of substantiation.
16. Provide information on the 'robustness' of a product through the use of dose response curves.
17. Ensure that reprints and abstracts of scientific reports do not omit relevant parts or quote out of context in such a way as to imply a meaning other than that intended by the author.
18. Ensure that handouts, flip-charts etc. not for general circulation purposes but for face to face presentations are no less authentic and capable of substantiation than advertising and other general publications.

**Use ethical market research techniques**

19. Ensure that methods used for market research do not bring discredit upon or reduce confidence in the industry. Interviews must not be gained by subterfuge.

**Mitigate the risks of threats to security**

20. Ensure all manufacturing and storage facilities meet government requirements and all staff are appropriately trained to respond.

### **3. VOLUNTARY INDUSTRY ACTIVITIES**

As a member of Animal Medicines Australia your company is encouraged to:

#### **Policies and programs**

1. Adopt, implement or participate in the policies and programs promoted by Animal Medicines Australia. These include:
  - a. Container Design and Performance Guidelines (2006); and
  - b. Industry wide environmental activities that build on previous Avcare Industry Environment Reports.

#### **Advertise Animal Medicines Australia Membership**

2. Advertise membership of Animal Medicines Australia in promotional information through the use of the phrase 'Member of Animal Medicines Australia'.

#### **Provide Data**

3. Participate in the Animal Medicines Australia Sales Audit. Data must be submitted to an independent service provider under terms and conditions set by the Animal Health Sector Committee.

### **4. ADMINISTRATION OF THE CODE OF CONDUCT**

These procedures are intended to assist both complainants and subject companies to ensure that a fair and full review is conducted of complaints lodged. If these general criteria are not met, the complaint may be returned to the complainant for more information, or the review may be conducted in the absence of a complete response.

#### **Member Generated Complaints**

Complaints should not be used as a competitive tool.

Complaints from one member company against another member company, which cannot be resolved amicably between the parties concerned, should be reported to the Company Secretary. The submission should include the following information to ensure a complete review:

1. A summary page containing:
  - a. company and product(s);
  - b. brief description of complaint, itemising specific claims at issue, with a complete rationale for the alleged breach to be included as an attachment;
  - c. section of Code alleged to be breached, or detailed explanation of the complaint; and
  - d. details of attempts to resolve the matter with the company.
2. In the case of scientifically based complaints - supporting data cross-referenced to specific claims at issue and rationale for challenge.

3. In the case of marketing-based complaints
  - a. alleged consequences (damage to complainant) with supporting data, if available.
  - b. approved or full product information for complainant's product if mentioned in a comparative context.
4. Written endorsement of the Chief Executive Officer of the complainant company.

In addition, complainants should note that:

1. Dialogue with the other party is not obligatory, but unless adequate reasons for not undertaking dialogue is given, then the complaint may not be accepted for evaluation until such attempts are made.
2. When challenging a claim on technical/scientific grounds, it is not sufficient to simply state that the claim is not supported. Evidence must be provided to support the complainant's case.
3. If these criteria are not met, then Animal Medicines Australia may return the complaint to the complainant for further information.

#### *Response by Company/Member*

When a complaint has been accepted for evaluation, the company is asked to state whether or not the information supporting the complaint is correct, and give any answer or explanation that may be deemed necessary.

When providing this information, the company should include:

1. details of attempts to resolve the matter with the complainant;
2. a brief summary of the response to each alleged breach;
3. substantiation of the specific claims at issue with full supporting data;
4. original pieces of the promotional material at issue; and
5. the signature of the Chief Executive Officer of the company.

#### *Procedure for Complaint Resolution*

The Company Secretary upon receipt of a complaint, will refer that complaint to the Corporate Governance Committee.

The Corporate Governance Committee will consider the complaint and all facts put before it, and will recommend to the Member(s) involved a resolution to the complaint. If the Member(s) involved do not accept the resolution proposal, the complaint will be referred to the Board for resolution.

The Board will consider the details of the complaint and recommend to the Member(s) involved a resolution of the matter.

If the Member(s) do not accept the proposal by the Board then the Member(s) will agree to submit the complaint to independent dispute resolution procedures.

Following any complaint resolution by any of the Corporate Governance Committee, the Board will consider disciplinary action against Member(s) involved in any complaint.

## **Non-member Generated Complaints**

Complainants are encouraged to contact the subject company prior to lodging a complaint with Animal Medicines Australia as a satisfactory explanation or solution may be immediately available.

Where a complaint is generated from sources external to the industry, the complainant can simply report what is perceived as a problem provided the nature of the practice being complained about is stated, with a simple explanation of reason(s) for the objection. Detailed literature reviews are not necessary, but where the complaint is based on scientific issues, supporting literature is desirable to ensure a balanced review. It is expected that where literature is cited, a copy of that literature will be made available to Animal Medicines Australia by the complainant for the purposes of review.

Complaints generated from sources external to the industry shall be referred to the Corporate Governance Committee for determination as to the most appropriate action required.