



Animal Medicines Australia

Code of Conduct

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1 Introduction

Animal Medicines Australia represents Australia's leading developers, registrants, manufacturers and formulators of Animal health products.

Animal Medicines Australia member companies produce approximately 80% of the animal health products sold in Australia. These products are used to prevent, treat and manage illness, injury and 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; and
- **Quality** – producing products of the highest quality that meet registration specifications every time.

This industry code has as a primary objective the maintenance of the trust and confidence of, and accountability to, all communities with which they engage, the effectiveness of which is assessed from the perspective of the relevant community.

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.

The 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 series of policies and programs that member companies are encouraged to adopt, implement or participate in.

Animal Medicines Australia will consult with relevant stakeholders in developing this Code of Conduct, updating the Code and in ongoing education, monitoring and compliance.

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 process and disciplinary procedures.

2 About the Animal Medicines Australia Code

Established in 2006, the Animal Medicines Australia Code of Conduct (the Code) sets out the standards of conduct for the activities of companies when engaged in the promotion of animal health products in Australia, and as permitted by Australian laws and regulations. The Code provides a mechanism for the industry to establish and maintain an ethical culture through a committed, open and transparent self-regulatory approach. The Code should be viewed as a minimum set of standards required for membership of Animal Medicines Australia and does not in any way prohibit more stringent and comprehensive requirements being applied by individual companies.

The Code complements the legislative requirements of the *Agricultural and Veterinary Medicines Code Act* and corresponding control of use legislation in each Australian State and Territory.

It is the responsibility of members of animal health industry to provide an on-going, objective and scientifically valid interpretation of data on animal health products to veterinary professionals. The industry also has a responsibility to provide appropriate non-promotional information to users and consumers. The Code provides the standard for the provision of this information.

2.1 Promoting the Code

Animal Medicines Australia is committed to continuous and demonstrable improvement in industry conduct associated with engagement with our many stakeholders, and to achieving enhanced understanding of, and compliance with, the Code. Animal Medicines Australia members must abide by the Code in both spirit and letter.

Animal Medicines Australia members will ensure that all employees and agents acting on their behalf are familiar with their obligations under the Code.

2.2 Legislative and Regulatory Requirements

Obligations under the Animal Medicines Australia Code of Conduct operate in addition to Australian legislative and regulatory requirements. Adherence to the Code in no way reduces a company's responsibilities to comply with all relevant Australian legislation, regulation and other rules. This includes the Competition and Consumer Act, the Agricultural and Veterinary Chemicals Code and Administration Acts, State and Territory control of use acts and any other legislation, regulation or code.

2.3 Relationship to AMA Governance Documents

Nothing contained within this Code of Conduct should be construed as inconsistent with the provisions of either the Constitution or By-Laws. In circumstances of any potential inconsistency, the provisions of the Constitution or the By-Laws will prevail.

3 Member Obligations

As a member of Animal Medicines Australia your company will comply with the obligations and participate in the programs and activities specified in this part:

3.1 Act in the best interests of the industry

Members will always act ethically, with integrity and honesty.

3.2 Comply with legislation and regulations

Members will comply with all relevant Commonwealth, state and territory legislation and regulations including, but not limited to:

- The *Agricultural and Veterinary Chemicals Code Act 1994* and associated regulations,
- The *Corporations Act 2001*;
- The *Competition and Consumer Act 2010*; and
- The Dangerous Goods Code.

3.3 Comply with, and promote understanding of, the AMA Code of Conduct

Animal Medicines Australia members will ensure that all staff, employees and contractors are familiar with their responsibilities under the Code.

Animal Medicines Australia and its members may promote the Code, including how compliance with it supports our priority principles of safety, stewardship and quality.

3.4 Promote safe handling, storage and transport

Members will ensure company products that are hazardous materials or dangerous goods are transported by persons that are appropriately trained and licensed.

Members will ensure that all company personnel handling, selling, recommending, giving advice on, or taking responsibility for the safety of industry products have received appropriate training from a reputable organisation such as Agsafe.

3.5 Make Accurate Product Claims

Members will ensure that all product claims are consistent with the product registration, the relevant label particulars, a use approved by permit, or use and safety information approved by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

Members will support the responsible use of veterinary medicines by:

- Supporting industry communication and outreach initiatives and promote responsible use messages;
- Ensuring users (including veterinarians, farmers and pet owners) have access to the information necessary to use products responsibly, and
- Provide information services for users seeking additional information about a product.

3.6 Use Information Responsibly in Publicity Material

Members will ensure that promotional and advertising material is consistent with the APVMA 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.

Members will ensure that promotional programs do not denigrate another member's product in such a way that the industry can be discredited.

While genuine comparative advertising which is legally compliant is permitted, purely negative comparisons in advertising which have no other purpose other than discrediting a member of the industry should be avoided. Any comparisons that do occur must be factual and capable of substantiation.

3.7 Participate in industry stewardship activities

Members will participate in programs that address potential risks associated with veterinary medicines at all stages of the product life cycle. This will include promoting the responsible, judicious and sustainable use of all veterinary medicines.

Managing waste

Members will support the Industry Waste Reduction Scheme through participation in the **drumMUSTER** and ChemClear® (or other similar) programs for products that fall within the criteria of these programs. The Industry Waste Reduction Scheme aims to:

- reduce the number of agricultural 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

Protecting sensitive materials

Members will maintain the safety and security of manufacturing and distribution facilities to protect and safeguard chemicals of security concern by complying with the [National Code of Practice for Chemicals of Security Concern](#).

Members will maintain the safety and security of manufacturing and distribution facilities to protect against diversion of precursor chemicals, industry inputs or other chemicals to illicit drug manufacture.

Responding to antimicrobial resistance

Members will support efforts to respond to antimicrobial resistance. This will include supporting Australia's *National Antimicrobial Resistance Strategy* or other initiatives to minimise the development and spread of antimicrobial resistance and ensure the continued availability of effective antimicrobials to protect human and animal health.

Members will support industry initiatives to minimise and reduce the development of antimicrobial resistance, such as the *Commitment and Actions on Antibiotic Resistance*. The commitment recognises that antibiotics are key to treating infections in humans and animals, and that there are no alternatives to treating life threatening bacterial infections. AMA members will:

- protect animal health in a unified, One Health approach;
- use antibiotics judiciously and responsibly;
- promote disease prevention and increased access to products and expertise
- invest in development of products for prevention and treatment; and
- increase knowledge transparency and communication.

Members may not register or promote the use of antimicrobials that are relevant to human medicine exclusively for growth promotion.

Members will promote responsible and judicious use of antimicrobials through promotion of relevant national prescribing guidelines for animals.

3.8 Support industry information gathering

Members will support industry information collection and gathering activities, including by:

- Providing information and data for the purposes of calculating membership fees
- Participating in industry market research activities including the Australia Animal Health Audit reports, including:
 - Animal Health Audit report,

- Distribution report, and
- Doses report.
- Providing information to the AMA secretariat in April each year for the Annual Head Count Survey.

3.9 Use Ethical Market Research Techniques

Members will ensure that methods used for market research do not discredit or reduce confidence in the industry. Interviews must not be gained by subterfuge.

Members, when selecting individuals or organisations to undertake any market research activities, will ensure that the contracted organisation or individual complies with the Australian Market and Social Research Society *Code of Professional Behaviour* (available at www.amsrs.com.au), or an equivalent standard of professional conduct.

4 Communication with consumers

This section of the Code of Conduct establishes the ways in which AMA members appropriately interact with consumers to enhance the quality use of veterinary medicines in support of better animal health outcomes.

4.1 General inquiries

Inquiries to AMA members regarding the use of products must be handled by appropriately trained and qualified personnel. Requests from individual members of the public for information or advice on the diagnosis of animal disease must always be refused and the inquirer recommended to consult a veterinarian.

4.2 Promote Responsible Use

Members will support the responsible use of veterinary medicines by:

- Supporting industry communication and outreach initiatives and promote responsible use messages;
- Ensuring users (including veterinarians, farmers and pet owners) have access to the information necessary to use products responsibly, and
- Provide information services for users seeking additional information about a product.

5 Code Administration

Nothing in this section prevents a member from separately or independently commencing any action which it deems appropriate and which it is permitted to undertake as a matter of law in relation to claims which relate to other members. This section is not exhaustive or restrictive and relates only to disputes between members regarding issues arising because of, and in relation to, their membership of Animal Medicines Australia.

The Constitution of Animal Medicines Australia, under Rule 4.5(a) provides that each member agrees to be bound by both the Constitution and this 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.

5.1 Member generated complaints

5.1.1 Submitting a complaint

Complaints from one member against another member, which cannot be resolved amicably between the parties concerned, should be reported to the Company Secretary.

The submission must include:

1. A summary page, containing:
 - a. Company and product(s);
 - b. Brief description of complaint, itemising specific claims at issues, with a complete rationale for the alleged breach to be included as an attachment;
 - c. Section of the Code of Conduct claimed to be breached, or detailed explanation of 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; and
 - b. Approved or full product information for complainant's product if mentioned in a comparative context, and
4. Written endorsements of the Chief Executive Officer of the complainant company.

Complainants should note that:

- Attempts to resolve the matter with the subject company are not obligatory, but unless adequate reasons for not seeking to resolve the complaint are given, the complaint may not be accepted for evaluation until such attempts are made.
- When challenging a claim on technical/scientific grounds, it is not sufficient to state that the claim is not supported. Evidence must be provided to support the complainants case.
- If these criteria are not met, then Animal Medicines Australia may return the complaint to the complainant for further information.

5.1.2 Response by Company/Member

When a complaint has been accepted for evaluation, the company is asked to state whether 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:

- Details of attempts to resolve the matter with the complainant;
- A brief summary of the response to each alleged breach;
- Substantiation of the specific claims at issue with full supporting data'
- Original pieces of the promotional material at issue; and
- The signature of the Chief Executive Officer of the Company.

5.1.3 Procedure for complaint resolution

The Company Secretary upon receipt of a complaint, will refer that complaint to the Corporate Governance Committee. If the Board has not established a Corporate Governance Committee, the Company Secretary will refer the complaint to the Board.

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 the Corporate Governance Committee or the Board, the Board will consider whether disciplinary action against the Member(s) involved in the complaint is warranted.

5.2 Non-member generated complaints

Complainants are encouraged to contact the relevant company or member as a satisfactory explanation or solution may be immediately available.

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

If the Board has not established a Corporate Governance Committee, the Company Secretary shall refer the complaint to the Board.