



AgVetLink

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What's coming up

- Debbie Morris and John Reeve will attend the meeting of the **Codex Committee of Residues of Veterinary Drugs in Food (CCRVD)** in Washington in late October. Dr Bill Jolly will present a paper (draft revised guidelines for the establishment of a regulatory programme for the control of veterinary drugs in foods) to the meeting. The major focus of the paper is to steer countries towards the use of risk assessment in the decision-making process if a country finds foods with residues that exceed their regulatory limits rather than an automatic rejection of the food from their market.
- Debbie Morris, Director of the ACVM Group, will attend the meeting of the **VICH Steering Group** being held in Berlin in October.
- The next meetings of **AVMAC** and the **ACVM Industry Liaison Group** will be held in Wellington on 18 November 2004.
- The results of the ACVM Group **Customer Survey**, which was included in the August issue of *AgVetLink*, will be available on the

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website by the end of October. Forty-eight responses were received, and the ACVM Group would like to thank those who took the time to provide this valuable feedback.

The ACVM Group intends to hold workshops for registrants at the end of October or early November. Any items of concern from the customer survey (see above) will be covered, but the ACVM Group would appreciate feedback from registrants on what topics they would like on the agenda. Contact Maree Zinzley with your requests: phone 04 463 2564 or email maree.zinzley@nzfsa.govt.nz.

AgVetLink is produced at least six times annually by the New Zealand Food Safety Authority's Agricultural Compounds and Veterinary Medicines Group. The newsletter is of special relevance to those interested or involved in all aspects of agricultural compounds and veterinary medicines. It contains regular updates on implementation of legislation, notifications, new standards and policies, consultation, international agreements, and other information.

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Disclaimer: This publication is intended only as a guide. It is not a legal interpretation of the legislation discussed.

Recent events

- The most recent **AVMAC** meeting was held on 19 August. The agenda included a discussion led by NZFSA Policy on the proposed changes to the ACVM Act and Regulations, very useful discussion on the review of AVMAC and its processes, proposals to set up working groups to look at compounding, a revision of the fertiliser standard, and GMP for agricultural chemicals.
- A second meeting of the **Antibiotic Resistance Steering Group** was held on 24 August. We have almost finalised the membership of the expert panel, which will be chaired by Dr Peter O'Hara. The minutes of the meeting and the terms of reference are available on the ACVM website.
- The ACVM Group had a very productive meeting with the **New Zealand Veterinary Council** to progress the memorandum of understanding and the operational agreements that it supports.
- The ACVM Group has met with members of the **NZVA Executive** and also with the **NZVA Industry Branch Executive**. Further meetings are planned.
- The ACVM Group has had an initial meeting with **VegFed** and other representatives to discuss how to progress the registration and MRL setting for minor uses and minor crops.
- Debbie Morris and Sandra Daly from NZFSA attended the **'Food for Thought'** Chemcert conference in Canberra in August.
- Regular liaison meetings covering a range of interface issues continue with representatives from the **Biosecurity Authority**.
- Meetings are also held each month with **ERMA New Zealand** to cover interface issues. There have been special efforts to align the requirements for vertebrate toxic agent products in the HSNO and ACVM Acts.
- The **Domestic Food Review** discussion document is currently out for consultation. This covers food and food-related products, which include animal feed and a number of the products covered by the ACVM Act.

Transfer of veterinary medicines to the HSNO Act

INFORMATION FROM ERMA NEW ZEALAND

Veterinary medicines are being transferred to the Hazardous Substances and New Organisms (HSNO) Act 1996.

Over the last eight months, the Environmental Risk Management Authority (ERMA) has released consultation documents listing the products that will be transferred to HSNO. These documents have dealt with product groupings such as benzimidazole and imidathiazole endoparasiticides, anaesthetics, analgesics etc. The full set of consultation documents is listed on the ERMA New Zealand website (<http://www.ermanz.govt.nz/hs/transfer-vetmeds-indiv.timetable.asp>).

ALL registrants should check these documents and inform us urgently if there are any products in production and use that have NOT been included.

Email

If a product is not included in any of the documents, please email us (transfer@ermanz.govt.nz). If a product is not listed, it may possibly be because it falls within one of the groups for which a document has not yet been issued. These groups appear at the bottom of the list given on the website. However, if you are in any doubt, please email ERMA regardless, so that we can confirm the exact status of the product.

It is absolutely critical that all products that need to be transferred are covered by one of the consultation documents. If a product is not transferred, it may not be possible to continue to supply and use it at the end of the transitional period without first having obtained a new approval from ERMA.

Incorrect views

We are aware that some registrants believe that a product with ACVM registration does not require HSNO approval. There is also a belief in some industry circles that if a product does not require ACVM registration it does not require HSNO approval. **Neither of these views is correct.** A product that contains any hazardous component and triggers any of the HSNO thresholds will require ERMA approval regardless of the requirements that may apply under the ACVM Act.

Transfer dates

With the likely exception of feed additives and electrolytes, all veterinary medicines will be transferred to HSNO on **1 July 2005**. Feed additives and electrolytes are being processed for transfer differently to other veterinary medicines because the level of HSNO controls for these products is expected to be less in comparison, and because they lend themselves to transfer via a group standard. A group standard approvals pathway is currently being developed as part of an amendment to the HSNO Act. Feed additives and electrolytes will be transferred no later than 1 July 2006.

Vertebrate toxic agents: registration requirements

In the ACVM Group's categorisation of agricultural compounds the registration requirements, standards and forms for vertebrate toxic agents (VTAs) are currently included under the veterinary medicine category. Both industry and the ACVM Group have signalled that it would be more appropriate to have VTAs in their own category because they are not plant compounds and are significantly different from most other veterinary medicines.

Therefore, the ACVM Group has been working on a set of registration documents for VTAs. These draft documents are now at a stage where we are seeking comment from interested parties. While the format and content for the draft documents are similar to those for plant compounds and veterinary medicines, there are some content differences. The documents can

be found on the ACVM website (<http://www.nzfsa.govt.nz/acvm/publications/consultation/index.htm>).

It should be noted that the residue and animal welfare standards have yet to be drafted. The residue standard is likely to cover two aspects:

- setting a withholding period (WHP) to allow stock back into a treated area (via aerial or broadcast application); and
- determining residues in target and non-target food producing animals where there is the potential for the animal to receive a sub-lethal dose.

The animal welfare standard will cover humaneness aspects of the VTA to the target animal.

With regard to registration numbers for registered VTAs, a new qualifier will be

required to differentiate them from plant compounds and veterinary medicines. The ACVM Group is also considering whether existing VTAs should also have their P or A qualifier changed to the new qualifier. We would welcome comment on this proposal.

The consultation on the draft documents will end on **22 October 2004** as it is hoped to have the finalised standards, forms etc. in place by 1 November 2004 when VTAs are transferred across into the HSNO Act.

Please send comments to:

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WELLINGTON
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DAS – conflict of interest

The August 2004 *AgVetLink* article on FAQs on the Data Assessment Service (DAS) did not clarify the issue of conflict of interest although the ACVM Group has commented on this aspect at DAS workshops.

We wish to remind applicants of their responsibilities in this area and the importance of avoiding conflict of interest. The ACVM Group has stated that applicants may undertake their own chemistry DAS reports on the basis that:

- a) the person who does the report is not the same person who undertakes the regulatory function of dealing with the ACVM Group; and
- b) the chemistry DAS report in the main is a summary of data rather than a hazard or risk assessment.

However, the above does not apply to other DAS reports such as residue and efficacy. It is important that persons undertaking these reports are independent of the applicants; otherwise, there is the concern that applicants are marking their own homework. Persons undertaking a data assessment also should not have been involved in any consultancy role in that area for the applicant, or be involved in the design of or running of the trial(s).

Applicants should be careful in their choice of DAS assessors to ensure they can be demonstrated to be independent. If the ACVM Group has any concerns over the independence of a DAS assessor, then it will use one of its own assessors to check and verify the advice in the DAS report.

Cost Recovery: GMP Charges

The ACVM Group is now (from 1 July 2004) including an administration charge onto costs passed on from Agriquality for inspections undertaken for Good Manufacturing Practice on manufacturers' sites.

Previously, administration costs could not be separated out, but we now have a system in place to enable this.

For any queries, contact
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Change of policy regarding use of the default MRL

Use of default MRL

In the past, the ACVM Group has made good use of the default maximum residue limit (MRL) of 0.1 ppm in two ways when finalising applications for registration of plant compounds and veterinary medicines.

Firstly, the setting of MRLs was sometimes a very slow process. There have been periods of up to three years between changes to the MRL standard of the day (Regulation 257 of the Food Regulations 1984).

Product registrations were not able to be completed if uses in accordance with label claims meant that residues exceeded the MRL standard, whether or not such residues were a potential health risk. However, it was sometimes possible to set appropriate withholding periods (WHPs), which were longer than that recognised as Good

Agricultural Practice (GAP) to ensure compliance with the default MRL, so that the applications could be finalised. Shorter, more appropriate withholding periods could then be set in a change to the registration once the MRL standard changed.

Secondly, the ACVM Group could finalise applications for GAP uses that led to residues in produce of less than 0.1 ppm without the need to put active ingredients into the MRL setting process. This also helped to reduce delays in the process.

Purpose of MRLs

MRLs are set so that regulators can ensure the best practices in the production of foods (i.e. compliance with GAP). Use of the default MRL in the second case mentioned above could compromise this purpose. When residues above GAP expectations but

still lower than the regulatory limit of 0.1 ppm were found, regulatory action could not be taken.

New policy

NZFSA has therefore decided to set MRLs at less than the default 0.1 ppm when we have data that establishes the supervised trial median residue that applies to GAP. We are setting this sub-default MRL without holding up registrations. We will be seeking appropriate additional residue data from applicants for new claims if the data is sufficient to allow us to be confident that the default MRL will not be exceeded but insufficient to allow the MRL appropriate to GAP to be set.

We will also (over time) look at existing similar registrations to see if we can set MRLs more appropriate to GAP, but at this time we are not treating this part of the project with high priority.

General MRLs

In the past, some very general MRLs have been set for plant compounds, for example on 'fruit and vegetables'. These were set on the basis of residue trials on two or three representative crops. Other active ingredients are registered for use on many different crops, and so there are potentially many sources of residues in foods.

Impact of HSNO

The coming into force of the Hazardous Substances (Classes 6, 8 and 9) Controls Regulations 2001 means that food residues must now comply with the requirement that potential intakes of pesticides from consumption of treated produce must not exceed the Potential Daily Exposure values set for foods (PDE_{food}). These have not yet been set for those plant compounds that have been recently transferred, but the ACVM Group is aware that the default PDE_{food} is 50% of the Acceptable Daily Exposure (which is estimated in the same way as the internationally

GMP update

At the last AVMAC meeting on 19 August 2004, members agreed to participate in working groups that were being set up to review some policy issues with technical connections.

One of the issues proposed for consideration is the application of approvals of manufacturers of plant compounds for compliance with Good Manufacturing Practice (GMP). For many years manufacturers of veterinary medicines have been inspected and approved for GMP compliance against a New Zealand standard for GMP adopted from an international standard.

It is expected that the working group will review the similarities and differences between the agrichemicals and veterinary pharmaceuticals industries, and develop recommendations for AVMAC and the ACVM Group to consider. Dr Jack Richardson, Chief Executive of Agcarm, has agreed to coordinate the GMP Working Group.



recognised Acceptable Daily Intake [ADI]). We are also aware that recently some PDE_{food} have been set at 80% of the ADE, so the possible impact of the whole issue is not yet completely clear.

Potential intake calculations

Traditionally, the potential intake of a pesticide is calculated by multiplying the average daily intake of the raw agricultural commodity by the supervised trial median residue (STMR), and dividing by the average weight of an individual. Where no STMR is able to be established, the actual MRL that applies is used in the calculation.

This usually grossly over-estimates the potential intake and, particularly for those substances with general MRLs, sometimes leads to an estimated potential intake for the plant compound that exceeds 50% of the ADI. This may be in breach of the new HSNO Regulations once the PDE_{food} is established (probably within the next year).

The ACVM Group has identified 12 active ingredients with products that have general MRLs, 9 where the potential intake as currently estimated falls between 50% and 100% of the ADI (which is the probable ADE), and a further 16 with potential intakes as currently estimated exceeding 100% of the ADI.

Realistic estimations

The ACVM Group is starting a project to deal with this potential problem and get more realistic estimations of the potential daily intakes.

We are taking two initial steps. The first is to establish formal policies on how potential intakes of plant compounds are calculated. For example, can we establish a general rule as to what fraction of an MRL should be used in the absence of STMR data?

Secondly, we are aware that some of the products that have general ('fruit and vegetable') claims may not actually be used on all food crops as the label suggests, or are sold mainly for use on just a few crops, so a less general claim may enable a lower potential intake to be calculated. This would bring the potential intake back into compliance with the HSNO Regulations.

On this latter issue, we will approach proprietors of products that are potentially in breach of the HSNO Regulations and ask them:

- to indicate what their products are actually being used on, and
- to nominate their preference for which crops could be excluded from use (if necessary) or to specify crops for continued use, with a possible exclusion of use on other crops, to get the estimated potential intake down to (or below) the PDE_{food} .

We are currently developing the policies and rules around this issue and, once the draft principles have been agreed by NZFSA, we will consult with interested parties (including specific consultation with affected registrants and ERMA New Zealand) to reach agreement on how the issue will be managed.

LEGISLATION

ACVM Act

Submissions on the discussion document, *Proposals for Amendments to the ACVM Act 1997*, have been analysed. The NZFSA Policy Group is currently considering the responses to issues that have been raised in submissions, and possible consequential changes to proposals.

Submitters will receive a summary and response to their submission in the near future. The NZFSA Policy Group is planning to hold meetings with submitters to discuss specific issues in their submissions.

ACVM Regulations

The closing date for submissions on the discussion document, *Proposals for Amendments to the ACVM Regulations 2001*, was 22 September 2004.

Submissions are being analysed and changes made to proposals as appropriate. Submitters will receive a summary and response to their submission once the analysis has been completed.

The amended proposals will form the basis of a paper to Cabinet requesting approval for the changes to the Regulations.

Advertising PARs

Clarification of information on PAR advertising, which appeared in the August 2004 issue of AgVetLink, is included below.

The ACVM Group reserves the term 'advertising' for promoting a particular product in preference to other comparable products in order to increase the sales of that product. The Group recognises that traders are in business to sell the products they stock. Its restrictions on advertising focus on practices that encourage the end user to demand particular PAR products when the prescribing veterinarian may consider the use of some other PAR product (or not treating an animal at all) is the more appropriate course of action.

However, this is only guidance and the ACVM Group intends to adjust the requirements stated in the standard and in the labelling guide to make this clear.

The Group will actively participate in discussions with interested and affected parties to develop any refinements in its standard that make information on products readily available to all parties while protecting veterinary prescription as a mechanism to ensure the most appropriate products are used effectively and safely.

If it is essential that a product not be advertised, the ACVM Group will impose a specific prohibition in the conditions of registration for the product. This prohibition will override the discretion inherent in the guidance provided above.

This policy will take effect as of 1 January 2005.

Default in-use period statements for multi-use vaccine vials

In the December 2002 issue of *AgVetLink* it was advised that the following statement must be included on the labels of multi-use vaccine vials where no in-use stability data had been provided and where appropriate:

“Unused vaccine must be discarded within 10 hours of opening.”

No comments were received during the consultation period, and the statement has been ACVM Group policy since 2003.

It has now been brought to the attention of the ACVM Group that the APVMA policy relating to this issue is as follows:

“Unless a product states that it is to be used within 12 hours or less (Note: Clostridial vaccines may be used up to the following day, or 36 hours), stability data will be required to support the recommended storage time and conditions after broaching.” (*Vet Labelling Code 2001*, Appendix 8, A 8.6)

In the interests of label harmonisation it would be desirable for the Australian and New Zealand requirements to be the same. As yet the reason for the APVMA's division between clostridial and non-clostridial vaccines has not been established. The possibility remains that the allowance is based on assumed most likely use pattern and not on data.

Industry is requested to consider and comment upon the advisability of adopting the APVMA default statements, bearing in mind that ultimately product efficacy and safety remain the responsibility of the registrant. In addition, it is likely that if the 36 hour period is elected for clostridial vaccines the ACVM Group will require resealing and storage advice for opened packs to be included. Industry is requested to provide comments with respect to the type of advice that will be required.

Please send your comments by **1 November 2004** to:

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ACVM updates

Table one details the progress made in processing ACVM update applications as at 13 September 2004. It should be noted that a significant portion of these updates included variation applications such as formulation changes, changes to manufacturer etc.

Table 1 ACVM Update Application Statistics

	Plant Compounds	Veterinary Medicines
Percentage updated (completed or approved)	82%	78%
Number of ACVM applications still under action	271	138
Average evaluation time (including any time back with applicant)	27 days	42 days

Table two lists ACVM Update applications approved for the last four months. It should be noted that over the same period, the number of other applications received is outlined in table 3. These numbers are slightly higher overall than the average for the previous two years.

Table 2 ACVM Update Applications Approved

Month (2004)	PCs	VMs
May	42	75
June	32	110
July	73	120
August	50	81

Table 3 Other ACVM Applications Received

Month (2004)	PCs	VMs
May	27	35
June	44	70
July	37	69
August	36	65

Manufacturing Matters

Manufacturers of veterinary medicines who are due to be inspected for GMP compliance during the 2004-2005 programme have been advised, and will be contacted by the inspector to arrange the visit.

The updating of product registrations required as a result of the transfer of products to the ACVM Act is having an impact on the veterinary medicines GMP programme. Some products have not been updated and others have been class determined as exempt from registration. Therefore some manufacturers will no longer be included in the GMP approval programme. When the update process is completed we will be in a position to update the Register of ACVM Approved Manufacturers on the website.

Registrants are reminded that any change of manufacturing arrangements for agricultural compounds and veterinary medicines must be notified to the ACVM Group and approved under the ACVM Act. It has been clear from the updating process that not all manufacturing changes are being notified.

Standards update

Vertebrate toxic agents (VTAs)

Following the consultation on version 4 of the *ACVM Standard for Vertebrate Toxic Agents*, a round of consultation on conditions to be imposed on VTAs has been taking place.

Registrants, submitters and other parties who expressed interest were sent a package of documents (version 4 of the draft standard, the summary of submissions, conditions in principle, and possible conditions on individual products) for their comment. Deadline for these submissions was 20 September 2004, and the ACVM Group is working through the responses.

Further consultation will take place as development of the standard and conditions progresses.

Unregistered veterinary medicines

Submissions and other consultation on the *ACVM Draft Standard for the Management of Unregistered Veterinary Medicines Requiring Veterinary Overview* have highlighted the complex issue of compounding.

AVMAC has established a working party to develop appropriate requirements for compounding veterinary medicines and to consider whether there should be requirements for compounding plant compounds.

In a separate but related issue, the AVMAC working party and the ACVM Group will be considering appropriate requirements for decanting and 'breaking down' registered products.

Fertilisers

Two submissions on the *ACVM Draft Standard for the Fertiliser Group of Agricultural Compounds* were received. Both generally accepted the standard with some suggestions for improvement.

However, the issue of raw and composted biological wastes is being considered in a wider forum with a working group commissioned by the Ministry for the Environment considering the development of a national environmental standard for biosolids. The ACVM Group does not intend to progress the standard for the fertiliser group of agricultural compounds until the outcome on biosolids is known. At that time (early-mid 2005), an AVMAC working party will review requirements for the fertiliser group of agricultural compounds.

Prescription animal remedy veterinary medicines

A clarification of the advertising section of this standard has been made. See article on page 6 for details.

Staff update



Bruce Nalder Assessor (Technical Standards Plant Compounds)

Originally from Nelson, Bruce moved to Christchurch to attend Canterbury University. After completing undergraduate and postgraduate studies in entomology and ecology, he worked as a Research Associate for HortResearch in Te Puke as part of their insect science team studying kiwifruit pests. In 2002 Bruce moved to Wellington to work for AgResearch where he was involved in commercially funded Good Laboratory Practice and Good Clinical Practice (Veterinary) compliant trials testing the efficacy and safety of animal health products, and research on ecto and endoparasites. His interests include tennis, reading and tramping.



Andrew Pearson Assessor (Technical Standards Toxicology)

Andrew is enrolled in a course at the University of Surrey, working towards his BSc with honours in biochemistry, specialising in toxicology. He has travelled outside of Europe for the first time to do a working year in industry with the ACVM Group.

Andrew has been in New Zealand three months and has found settling in to be very easy. He says, 'All Kiwis have been really friendly and Wellington is a nice city to live and work in'. Andrew hopes to visit most of the country during his too short (in his opinion) stay here.

Annual Fees

Payments for 2004/2005 annual fees are now overdue. Penalty invoices have been sent out and products will be prohibited from importation or manufacture until the debts, including any penalties, are paid.

**For any queries, contact Kay Ivin
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