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The Hon Dr Craig Emerson MP
Minister for Competition Policy and Consumer Affairs
Consumer Advocacy and Research Issues Paper
Competition and Consumer Policy Division
Treasury
Langton Crescent
PARKES ACT 2600

17 July 2009

Dear Minister

**Re: Consumer Voices Issues Paper –
Request for consumer protection for consumers of veterinary services in Australia**

Please accept this letter and attachments as my submission on the Consumer Voices Issues Paper, and the Ministerial Council on Consumer Affairs national consumer policy objective:

To improve consumer wellbeing through consumer empowerment and protection, fostering effective competition and enabling the confident participation of consumers in markets in which both consumers and suppliers trade fairly.¹

The six operational objectives for consumer policy outlined on page 3 of the Consumer Voices Issues Paper are all pertinent to my submission.²

I wish to raise concern about the lack of consumer protection for consumers of veterinary services in Australia. According to statistics, 12 million Australians are associated with pets, 63% of the 7.5 million households in Australia owns pets³ so this issue is relevant to many Australians.

Effective regulation of the veterinary profession appears to be non-existent and I am concerned this is leading to a culture of over-servicing in veterinary practice. **I request that the Australian government conduct a review of veterinary practice in Australia to ensure that more effective regulation be put in place to protect consumers.**

A prime example of over-servicing in veterinary practice in Australia is **unnecessary revaccination** of pets with core modified live virus (MLV) vaccines.

In Australia, many veterinarians are ignoring dog and cat vaccination guidelines issued by the World Small Animal Veterinary Association (WSAVA)⁴, and are continuing to send unsolicited reminder letters compelling pet owners to have their pets **unnecessarily revaccinated** for viral diseases such as parvovirus, distemper virus and adenovirus. There is no scientific evidence that ongoing annual (or triennial) revaccination for these diseases is necessary.^{5 6 7} **This unethical practice of over-vaccination is of no benefit to the animal and puts it at needless risk of a range of adverse reactions, including death.**

¹ Consumer Voices – Issues Paper. 8 May 2009.

² *Ibid*

³ Pet Statistics: <http://www.petnet.com.au/pet-statistics>

⁴ Day, M.J., Horzinek, M.C., Schultz, R.D. 2007. Guidelines for the Vaccination of Dogs and Cats, compiled by the Vaccination Guidelines Group (VGG) of the World Small Animal Veterinary Association (WSAVA). Journal of Small Animal Practice 48 (9), 528-541: http://www.wsava.org/PDF/Misc/VGG_09_2007.pdf

⁵ Smith, C.A. Are we vaccinating too much? JAVMA. 1995. Vol 207, No. 4 August 15, 421-425.

⁶ Schultz, R.D. 2006. Duration of immunity for canine and feline vaccines: A review. 2006. Veterinary Microbiology. 117, 75-79.

⁷ Schultz, R.D. 1998. Current and future canine and feline vaccination programs. Veterinary Medicine. March 1998, 233-254.

To minimise the potential for adverse reactions to vaccine products, the WSAVA guidelines specifically warn that core MLV vaccines **should not be given any more frequently than every three years after the 12 month booster injection** following the puppy/kitten series. The WSAVA guidelines note that dogs properly vaccinated with MLV core vaccines for parvovirus, distemper virus and adenovirus have very high protection from infection and $\geq 98\%$ protection from disease. The WSAVA guidelines Fact Sheets advise that duration of immunity after vaccination with these vaccines is seven years or longer, based on challenge and serological studies. The guidelines note that **“dogs that have responded to vaccination with MLV core vaccines maintain a solid immunity (immunological memory) for many years in the absence of any repeat vaccination”**.⁸

Earlier vaccine guidelines issued by the AAHA Canine Vaccine Task Force in the United States in 2003 note that MLV vaccines are likely to provide lifelong immunity, stating **“when MLV vaccines are used to immunize a dog, memory cells develop and likely persist for the life of the animal”**.⁹

However, in Australia, **unnecessary and possibly harmful annual revaccination** with core MLV vaccines is an entrenched practice. In its recent draft vaccination policy (dated March 2009), the Australian Veterinary Association admitted that “annual vaccination is the currently accepted practice in Australia”.¹⁰ This unacceptable practice continues despite the fact that, in a previous draft vaccination policy published ten years ago, the AVA acknowledged that “the duration of immunity delivered by some immunobiologicals and against some diseases may be variable”.¹¹

In Australia, the veterinary profession, and the federal and state government regulators, have failed to put in place an effective system that protects pet owners and their pets. Much of the veterinary profession in Australia ignores the latest international scientific advice on long duration of immunity, and possible adverse reactions, **and fails to pass this information onto pet owners for their consideration.** I am concerned that many veterinarians are not obtaining **informed consent** from their clients before undertaking interventions on their pets. The federal government regulator, the Australian Pesticides and Veterinary Medicines Authority, allows products with unproven revaccination recommendations, and unknown short-term and long-term possible adverse reactions, on the market. Ongoing unnecessary revaccination is even endorsed and supported by State Veterinary Surgeons’ Boards “strongly recommending” that boarding kennels require proof of annual vaccination of pets from their clients.¹² Taking the South Australian Veterinary Practice Act 2003 as an example, I suggest the unethical practice of over-vaccination contravenes Part 7 - Miscellaneous 68 - False or misleading statement. Those veterinarians who compel their clients to have unnecessary and possibly harmful revaccinations are **misleading** their clients. My recent email correspondence forwarded on 20 June 2009 to Australia’s State Veterinary Surgeons’ Boards on the topic of over-vaccination remains unacknowledged and unanswered. A copy is attached for information.

Pets are currently being exposed to needless and often unidentified risk. Due to inadequate testing of vaccine products, the full range of immediate and delayed adverse reactions to

⁸ WSAVA guidelines *op. cit.*

⁹ Paul, M.A., Appel, M.J., Barrett, R., Carmichael, L.E., Childers, H., Cotter, S., Davidson, A., Ford, R., Keil, D., Lappin, M., Schultz, R.D., Thacker, E., Trumpeter, E., Welborn, L. 2003. Report of the American Animal Hospital Association (AAHA) Canine Vaccine Task Force: 2003 Canine Vaccine Guidelines, Recommendations, and Supporting Literature: http://www.britfeld.com/health/canine_vaccine_guidelines.pdf

¹⁰ Australian Veterinary Association’s (AVA) “Draft Policies and Position Statements – For members’ comment by 13 March 2009” (recently accessible on the internet) refers to “Responsible use of veterinary vaccines for dogs and cats”. This draft policy admits that “annual vaccination is the currently accepted practice in Australia”.

¹¹ AVA Draft policies. (Appendix X guidelines for responsible use of veterinary immunobiological in cats and dogs). Australian Veterinary Journal. Vol. 77, No. 7, July 1999.

¹² Veterinary Surgeons’ Board of South Australia. Code of practice for the operation of boarding establishments: <http://www.vbsa.org.au/boarding.pdf>

vaccination is unknown.¹³ Many breeds of dogs may be more vulnerable to adverse reaction to vaccination.¹⁴ **Recent studies warn that small breed dogs in particular are at greater risk of adverse reaction with multivalent vaccines.**^{15 16} It is unknown what potentially damaging cumulative effects frequent revaccination might incur over the life of an animal. For example, cancer rates for dogs and cats are high – could over-vaccination, and the constant assault on the immune system, be causing a variety of cancers in dogs and cats over the long term? (I discuss this possibility in my papers “**Over-vaccination: Are vets making our pets sick?**” and “**Over-vaccination of pets – an unethical practice**” – see attachments.)

The **voluntary** adverse experience reporting program run by the Australian Pesticides and Veterinary Medicines Authority appears to be just "window dressing". In my opinion, it has not been designed to be a truly effective post-marketing surveillance system. Due to what the WSAVA guidelines calls “gross under-reporting”¹⁷, adverse reaction rates seem low, and this helps to protect the ongoing practice of over-vaccination. Who really knows how many adverse reactions or long-term health problems resulting from over-vaccination go unrecognised and unacknowledged? The failure in regulation and surveillance means veterinarians who over-vaccinate and over-serve continue to get away with this unethical practice. The status quo is protected from scrutiny.

I have raised this issue with the Australian Veterinary Association (AVA) and the Australian Pesticides and Veterinary Medicines Authority (APVMA). In response to persistent enquiries from myself and other concerned pet owners, the AVA has indicated it is reviewing its vaccination policy.^{18 19} Details are not yet available. On 15 April 2009, the APVMA convened a meeting of senior scientific staff to discuss my concerns regarding over-vaccination of pets.²⁰ The APVMA is currently preparing a “position statement” on this issue. It is not known when this position statement will be made available to the public. **I am concerned at the delay in addressing this problem, and also concerned about what effective steps will be taken in future to ensure that unnecessary and possibly harmful revaccination of pets is stopped.**

I have been researching the problem of over-vaccination of pets since my own dog’s suspicious death after revaccination last September. I have prepared three papers on the problem of over-vaccination of pets and these are attached for consideration with my submission:

- **Over-vaccination: Are vets making our pets sick?**
This two page overview has recently been published in the July 2009 edition of specialist dog breeder magazine, *National Dog*.
- **Over-vaccination of pets – an unethical practice**
This is a more detailed, fully referenced, discussion paper on the topic of over-vaccination of pets.
- **Is over-vaccination harming our pets? Are vets making our pets sick?**
This is my original fully referenced report, tabled for consideration at the APVMA meeting convened on 15 April 2009.

¹³ Meyer, E.K. Vaccine-associated adverse events. *Veterinary Clinics of North America: Small Animal Practice*. Vol. 31, No. 3 May 2001, 493-513.

¹⁴ Dodds, W.J. Vaccination Protocols for Dogs Predisposed to Vaccine Reactions. *Journal of the American Animal Hospital*. May/June 2001, Vol. 37, 211-214.

¹⁵ Novak, W. Predicting the “unpredictable” vaccine reactions. *Proceeding of the NAVC North American Veterinary Conference*. Jan. 13-27, 2007, Orlando, Florida.

¹⁶ Moore, G.E., Guptill, L.F., Ward, M.P., Glickman, N.W., Faunt, K.K., Lewis, H.B., Glickman, L.T. Adverse events diagnosed within three days of vaccine administration in dogs. *JAVMA*. Vol. 227, No. 7, October 1, 2005. 1102-1108.

¹⁷ WSAVA guidelines *op. cit.*

¹⁸ Email correspondence from Mark Lawrie, President, AVA, 26 March 2009.

¹⁹ Email correspondence from Marcia Balzac, National Communications Manager, AVA, 2 June 2009.

²⁰ After a telephone discussion with Elizabeth Hart, Simon Cubit, Manager Public Affairs, APVMA, arranged a meeting of senior scientific staff to consider the problem of over-vaccination of pets on 15 April 2009.

In my experience, there appears to be no effective government regulation of the veterinary profession, it seems the profession is a law unto itself. This is resulting in inadequate protection for consumers. Over-vaccination of pets may be just one example of abuse of authority and pet owners' trust by the veterinary profession.

Professional conduct and self-regulation in the veterinary profession must come under scrutiny. Jane Hern, Registrar of the Royal College of Veterinary Surgeons in the UK, notes that professional bodies are granted the privilege of self-regulation, but only in return for an assurance their members set standards of competence and ethical behaviour to protect consumers.²¹ **Who protects the consumer when the veterinary profession's "standards of competence and ethical behaviour" are putting pets needlessly at risk?** By allowing over-vaccination to continue, the veterinary profession has failed in its duty to protect the interests of pet owners and the health of their pets.

The Australian Veterinary Association has its own Professional Code of Conduct which I have critiqued in my papers. I suggest this code of conduct should be independently evaluated and assessed, along similar lines to the draft code of professional conduct "Good Medical Practice", currently being developed for the medical profession by a working party of the Australian Medical Council.²² Background to the draft medical code notes:

The code aims to define clear, nationally consistent standards of practice. It will define the standards of practice that doctors are likely to be held accountable to in the national system after July 2010.

A consistent code of professional conduct, that is understood by the profession and the community, is an important aspect of national medical regulation.²³

I suggest a similar professional code of conduct "that is understood by the profession and the community" should be implemented for the veterinary profession, a **consistent** code of conduct to which the profession should be held accountable, unlike the current unsatisfactory and ineffective situation.

In summary, in the interests of effective consumer protection, I request the Australian government conduct a review of veterinary practice in Australia.

I look forward to your response to my submission.

Yours sincerely
Elizabeth Hart

Attachments:

- My recent email correspondence forwarded on 20 June 2009 to Australia's State Veterinary Surgeons' / Practitioners' Boards on the topic of over-vaccination.
- Over-vaccination: Are vets making our pets sick?
- Over-vaccination of pets – an unethical practice
- Is over-vaccination harming our pets? Are vets making our pets sick?

²¹ Hern, J.C. "Professional conduct and self-regulation" in Veterinary Ethics: An Introduction. Ed. Legood, G. London, New York. Continuum. 2000.

²² Good Medical Practice: A Draft Code of Professional Conduct: <http://goodmedicalpractice.org.au/wp-content/downloads/Final%20Consultation%20Draft%20150409.pdf>

²³ Background for Good Medical Practice: A Draft Code of Professional Conduct: <http://goodmedicalpractice.org.au/>