



ICSA Submission on the Veterinary Medicinal Products Medicated Feed and Fertilisers Regulation Bill 2022 to the Committee on Agriculture, Food and the Marine

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Further Details:

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Introduction

This submission is in relation to the Veterinary Medicinal Products Medicated Feed and Fertilisers Regulation Bill 2022.

ICSA believes that there is a risk that excessive amounts of bureaucracy and burdensome red tape is being imposed on the agri-food sector. Whereas the need to anti-microbial resistance in the case of antibiotic products was justified on the grounds of human health, there is a much less compelling case in relation to routine anti-parastic treatments such as worm and fluke doses.

The use of this bill for the purposes of introducing a fertiliser register and creating additional burdens on farmers in regard to records of fertiliser purchase and usage is also a matter of concern and it should be interrogated vigorously by the committee.

ICSA understands that this route was chosen by DAFM in the interests of getting the Fertiliser Register in place for 2023 in the quickest, most streamlined manner having had regard to the challenge of creating a separate bill.

Veterinary Medicinal Products

ICSA has two key concerns. The first is that ICSA does not believe that the issue of resistance to anti-parastics is a matter of concern for public human health. While farmers are well aware of issues from the repeated use of one type of anthelmintic on cattle or sheep, this is exclusively a problem from the perspective of animal performance and health.

To a considerable extent, farmers are already well aware of this issue and further improvement can be achieved through Knowledge Transfer and other well established methods of agricultural training and communications. Farmers also regularly engage with their own private veterinary practitioner and discuss issues around animal performance.

This does not mean that farmers need to have their options closed in terms of purchasing products.

This brings us to the second concern. ICSA believes that there is a real risk to competition in relation to anti-parasitic products which up to now have been sold by veterinary practitioners, licensed merchants including co-op shops and pharmacies.

The variety of outlets selling such products has been critical to ensuring that products are available at a fair price to farmers without excessive mark-up for the retailer or for the pharmaceutical company.

This is especially the case for generic products which usually offer far better value than the original patented products. Competition between outlets not only offers price benefits but also ensures that there are more pharmaceutical manufacturers competing to sell generic options.

For example, ivermectin products in the form of injectable or pour-on treatments are made by dozens of pharma companies. Yet it is commonplace that each retailer only stocks one or two options. Because there are a variety of vets, pharmacies and co-ops/ merchants selling ivermectin products, farmers have a far wider choice of product from a far wider array of companies. This ensures competition not only in terms of retail mark-up but also in terms of manufacturers competing to supply at lower prices.

It should be noted that it is widely accepted that vet products which are still under patent are extremely profitable for manufacturers and that Irish farmers have noted that products are regularly sold in other parts of the world for far lower prices than applies here.

Therefore, ICSA strongly supports the continuation of open competition between different retail outlets.

ICSA is concerned that a system of prescription requirements for anti-parasitics will devastate open competition and that it is overkill in terms of dealing with a problem that does not impact human health.

ICSA is concerned that prescriptions controlled by veterinary practitioners actively discourages farmers from seeking other outlets at a better price. Prescriptions that are too bureaucratic and inflexible exacerbates that risk.

As a minimum ICSA insists that:

- Prescriptions should be broad in nature and should cover active ingredients rather than specific brands.
- Prescriptions should be for long-term duration (1 year or calendar year to end December) as it is not practical for a farmer to call a vet every time a group of cattle need a dose.
- Prescriptions must be designed to ensure that licensed merchants- co-ops etc can access them in a simple way without any impediment.
- Non-veterinary outlets must be allowed to trade on the basis of a Responsible Person.
- A Responsible Person is defined on the basis of appropriate training and qualifications which in fact, has been the case since 2012.
- A key solution is the creation of a NVPS computer-based system to allow access to prescriptions to all retailers in a manner which simplifies the possibility of a farmer shopping around. This would mean that a veterinary practitioner would be obliged to enter all prescriptions on a computer system that could then be accessed by a licensed retailer.

There have been discussions about this at DAFM/ Stakeholder level.

The bill remains somewhat ambiguous in relation to precise details around how farmers will be able to freely buy wormers and similar products in the context of a prescription requirement. Whereas the bill allows the Minister to draft certain protocols and rules, we need full clarity on how this will work in practice.

ICSA supports the position of the Licensed Merchants Association in seeking to ensure that practical solutions are found to deliver full competition.

ICSA emphasises that a failure to ensure full competition in relation to anti-parasitics will further threaten the viability of farmers, particularly in the low-income cattle and sheep sectors, and could potentially lead to underuse of products. This in turn would be contrary to the need for greater efficiencies in animal performance. Lower animal performance is contrary to the objective of finishing cattle and sheep at an earlier stage which is now a policy objective in terms of climate targets.

ICSA is also concerned that the rules around enforcement in part 3 of this bill represent a particularly draconian set of powers for officers of DAFM. There have been instances in the past where DAFM officials have misused such powers and we urge that the Committee actively examines whether the level of enforcement powers is commensurate with the level of risk, and having regard to other sectors and aspects of policing.

In relation to Chapter 2, section 7(4) (iv), covering sharing of information on the database, it is suggested that Bord Bia would have access to it. ICSA has concerns about this. Not all farmers are members of the SBLAS quality assurance scheme. How can we ensure that Bord Bia has no access to their information? ICSA believes that the Committee should seek a view from the Data Protection Commissioner about whether the list of bodies entitled to view the database is consistent with GDPR.

Amendment of Fertilisers Feeding Stuffs and Mineral Mixtures Act 1955

This bill is also being used for the purposes of creating a fertiliser register. There has been consultation between DAFM and the stakeholders. However, this consultation has been framed on the basis of urgency on account of the Nitrates Directive (and derogation) and the inclusion of fertiliser usage options under the eco-scheme of the CAP Strategic Plan.

ICSA has concerns that this imposes additional red tape on farmers and the potential for extra penalties.

ICSA believes it is unfair that continuation of the Nitrates Derogation is increasingly impacting those the vast majority of farmers who do not require it. While there are now some farmers, outside of derogation, who may avail of the eco-scheme measure, nevertheless, many farmers will be impacted.

ICSA is also concerned that the rushed nature of this must not abrogate DAFM's responsibilities to ensure that all farmers are given adequate training and explanation of what is involved and there must a programme of advice, information and communication to ensure that farmers have every chance to be properly briefed.