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SPECIAL SUPPLEMENT

EXOTIC DISEASES OF ANIMALS ACT 1991

ORDER – Section 22

Control Order – Equine Influenza Vaccine Prohibition

I, SALLY ANNE SPENCE, an inspector under the *Exotic Diseases of Animals Act 1991* (“the Act”), having been directed by BRUCE MORGAN CHRISTIE, Chief Veterinary Officer pursuant to section 22 of the Act, to make the following Control Order, hereby:

- (a) Revoke the control order dated 26 November 2007 and titled ‘Control Order – Vaccine Prohibition’ and any orders revived as a result of that revocation; and
- (b) Order pursuant to section 22(1)(b) of the Act, that all persons specified in Schedule 1 comply with the measures described in Schedule 2 in the Control Area from the date of this Control Order.

SCHEDULE 1

Specified Persons

Any person in NSW including all veterinary practitioners.

SCHEDULE 2

Specified Measures

1. Any person in NSW, including any veterinary practitioner, is prohibited from purchasing a vaccine unless:
 - (a) they are permitted to do so pursuant to:
 - i. permit 9620 issued by the APVMA; and
 - ii. authorisation by the NSW Chief Quarantine officer; or
 - (b) they are authorised in writing to do so by the Chief Veterinary Officer or a Deputy Chief Veterinary Officer of the NSW Department of Primary Industries.
2. Any person in NSW, including any veterinary practitioner, is prohibited from supplying a vaccine unless they do so pursuant to a permit issued by the APVMA.
3. Any person in NSW, including any veterinary practitioner, is prohibited from prescribing a vaccine.
4. Any person in NSW, including any veterinary practitioner, is prohibited from using a vaccine unless:
 - (a) they are a veterinary practitioner authorised under APVMA Permit Number PER 9620 and vaccination of a horse is necessary for the purposes of the imminent export of that horse; or
 - (b) they are a veterinary practitioner authorised in writing to do so by the Chief Veterinary Officer or a Deputy Chief Veterinary Officer of the NSW Department of Primary Industries and they are using the vaccine before 30 June 2008 to complete the second or subsequent dose of a precautionary vaccination course.

Definitions:

In this Control Order:

APVMA means the Australian Pesticides and Veterinary Medicines Authority

Control Area means the control area declared, pursuant to section 21 of the Act, by the Order made by the Chief Veterinary Officer, as the Minister's delegate under section 67 of the Act, on 25 August 2007.

horses means horses, mules, donkeys and other animals in the Equidae family.

prescribe means the giving by a veterinary practitioner of a written instruction to a person for the supply to that person of vaccine by any other person.

Precautionary vaccination course means a course of two or more doses of vaccine administered as a precautionary measure against Equine influenza.

vaccine means a vaccine for the prevention of Equine influenza in horses, mules, donkeys and other animals in the Equidae family, whether or not registered by or available under permit from the Australian Pesticides and Veterinary Medicines Authority.

veterinary practitioner has the same meaning as defined in the *Veterinary Practice Act 2003* and any equivalent law in any other State or Territory in Australia.

Dated: 4 April 2008.

SALLY ANNE SPENCE
Inspector

BRUCE MORGAN CHRISTIE
Chief Veterinary Officer