SUPPLY OF HORMONAL GROWTH PROMOTANTS

The European Union (EU) requires that beef and beef products exported to EU countries are not treated with hormonal growth promotants (HGPs). To ensure that Australia's trade with the EU is not jeopardised, Australian law requires that all suppliers of HGPs be authorised to supply HGP products.

This information sheet describes how suppliers can meet their legal obligations when supplying HGPs.

BACKGROUND

HGPs are a group of veterinary drugs that improve feed conversion in cattle. The APVMA regulates the supply of HGPs in Australia under the National HGP Control and Monitoring System.

LEGAL REQUIREMENTS OF HGP SUPPLIERS

Under Australian legislation, all suppliers of HGPs must:

- be authorised to supply HGP products through a valid Notification Number issued by the APVMA
- obtain a fully completed Purchaser Declaration from the purchaser at the time of supply. If the purchaser is another supplier, they must be authorised to supply HGPs.
- record HGP acquisition and supply information within the Monthly Return Book (supplied by the APVMA)
- submit Monthly Returns to the APVMA each month
- keep a copy of HGP records for a minimum of two years.

Suppliers include all parties within the supply chain for HGPs including importers, exporters, manufacturers and retailers.

Failure to comply may result in prosecution with penalties of up to $1,100 per offence.

TIPS ON HOW TO ENSURE YOU COMPLY

- Renew your HGP Notification Number each year by the due date.
- Follow the instruction sheet, How to fill out a Hormonal Growth Promotant (HGP) Monthly Return to ensure the accuracy of HGP records as required by legislation.
- Obtain a Purchaser Declaration at the time of supply and keep this for a period of two years. If using the Post Office arrangement, you must obtain a request to supply prior to supply and obtain a completed Purchaser Declaration immediately after supply.
- Ensure that if you are supplying a HGP to another supplier, that they have a valid Notification Number. If supplying to a user, the user must have a Tail-Tag number or Property Identification Code (PIC).
- Securely store HGPs to avoid theft or loss.
- Document the supply of HGPs for export.
- Keep records of the disposal or return of date expired or unwanted HGPs.

The above listed instruction sheet and Purchaser Declaration are available from the APVMA website at <www.apvma.gov.au>.

CONSEQUENCE OF FAILING TO RENEW YOUR NOTIFICATION NUMBER

Under legislation, a Notification Number remains in force for a year. Unless it is renewed it ceases to have effect.

If a Notification Number ceases to have effect, it cannot be renewed and a new Notification Number must be issued. Once the number ceases to have effect the retailer can no longer retain for supply or supply HGPs and therefore must immediately send the HGPs in their possession either back to the original supplier or to another supplier with a valid Notification Number. Failure to do so would constitute an offence.
The APVMA issues renewal applications to assist Notification Number holders to renew their Notification Numbers on time. However, Notification Number holders are solely responsible for ensuring their number remains current and must ensure their renewal application with the appropriate payment reaches the APVMA by the required date. Where supplier's payments for renewal of Notification Numbers are centralised to a regional or head office or similar, those suppliers may have to put in place additional steps to ensure the payment process does not result in a late payment whereby the number may have already ceased to have effect.

HGP RECORD KEEPING REQUIREMENTS

Supplier records of HGP acquisition and supply are subject to inspection by the APVMA and EU auditors at any time. The accuracy of these records is critical in ensuring that every dose of HGP is accounted for. If discrepancies are found, Australian trade with the EU could be jeopardised.

Incidents of wrong or missing information or failure to submit HGP Monthly Returns may constitute an offence under the Agricultural and Veterinary Chemicals Code Regulations 1995 and could result in a fine.

The instruction sheet, How to fill out a Hormonal Growth Promotant (HGP) Monthly Return can guide you through the correct completion of the required records. Please read this carefully.

PURCHASER DECLARATIONS

Under no circumstances can a HGP be supplied without receiving a fully completed Purchaser Declaration. It is the supplier’s responsibility to obtain a declaration and to ensure that the person signing the declaration is authorised to do so.

Suppliers must ensure that a person purchasing HGPs has a HGP Notification Number (if a supplier), or a Tail-Tag number or Property Identification Code (PIC) if a HGP user. All Tail-Tag and/or PIC numbers must be eight characters in length. Supply under any other circumstances is a breach of the Regulations.

In any instance where a supplier has concerns about the legitimacy of the purchaser, the APVMA or the local state/territory department responsible for agriculture should be contacted.

Suppliers who sell HGPs without Purchaser Declarations risk prosecution. All Purchaser Declarations must be retained for two years.

SUPPLYING HGPs UNDER THE POST OFFICE ARRANGEMENT (Regulation 47C(2))

The “Post Office (PO) arrangement” was introduced in 1996 following concerns that HGPs could only be supplied, in person, to the purchaser and that these arrangements disadvantaged property owners who lived in remote locations. The PO arrangement allows remote property owners to have the packaged and unopened HGPs delivered to their local Post Office or to a local retailer who does not trade in HGPs and therefore does not possess a Notification Number.

It is a requirement for suppliers, using the PO arrangement, to obtain a request to supply (fax) from the purchaser before proceeding with a supply. Upon receipt of the HGPs, the purchaser must then send the original Purchaser Declaration to the supplier. It will be the supplier's responsibility to ensure that the copy and the original Purchaser Declaration is available for inspection by the APVMA.

Under no circumstances may a product supplied under the PO arrangement be returned to a supplier that has not been assigned a Notification Number.

SECURE STORAGE OF HGPs

At some premises HGP products are displayed on open shelving which increases the potential for theft or loss of doses. The APVMA requests that all suppliers keep these products in a secure area with limited access, such as a locked cabinet or cool room so as to minimise possibility of theft and to maintain the integrity of the National HGP Control and Monitoring System.
DOCUMENTATION FOR EXPORT OF HGPs

Where a supplier is requested to export HGPs the supplier must:

- have been assigned a Notification Number by the APVMA.
- keep records of supply (via Monthly Return Book).
- retain all documentation as evidence of export. Such documentation may include a letter from the agent acting on behalf of the exporter or an invoice from an international carrier. This documentation must clearly identify the date of export, product name, the batch number and the quantity exported.

DISPOSING OF DATE EXPIRED AND UNWANTED HGPs

Date expired or surplus stock of HGPs may be returned to the manufacturer, supplied to another retailer which has been assigned a Notification Number or destroyed in accordance with manufacturer instructions. A record must be kept of the disposal and this must be supported by documentation evidencing disposal. This documentation may include a letter from the manufacturer, complementary HGP supply and acquisition records at both premises or a letter from an agent regarding disposal.

If HGP products are destroyed on site, a Statutory Declaration from the person disposing of the HGPs, stating the name of the person disposing of the HGPs, the date, the product, the batch and the number of doses destroyed must be produced and retained by the supplier.

CONTACTING THE APVMA

Want more information about HGPs?

If you would like to know more about Hormonal Growth Promotants please contact us.

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