Medicines and Poisons Act 2019

Factsheet – current as at September 2021

Medicated feed

What is medicated feed?

Under the Medicines and Poisons (Medicines) Regulation 2021 (MPMR), medicated feed means feed for an animal (or animals) that contains an S4 medicine.

An S4 medicine under the *Medicines and Poisons Act 2019* (MPA), is a substance listed in Schedule 4 (S4) of the Commonwealth Poisons Standard. 'Feed' has the same definition as in the Code of Practice for Feed for Food Producing Animals under the Biosecurity Regulation 2016 (Schedule 3).

How does the scheme regulate medicated feed?

In broad terms, a veterinary surgeon prescribes medicated feed (or an S4 medicine) to be mixed with food for a group of animals and gives the prescription to the farmer. The prescription authorises the farmer to possess and administer medicated feed to the specified group of animals. The prescription also authorises a licenced medicated feed manufacturer[1] to prepare the medicated feed to supply the medicated feed directly to the farmer. The farmer then gives (administers) the medicated feed to the group of animals in accordance with the instructions from the veterinary surgeon – see Appendix for flowcharts.

In the MPMR, a 'farmer' is the owner or custodian of a group of animals, whether or not the animals are food producing. For example, a farmer includes the custodian of animals at a feedlot or a custodian of animals at a zoo. As the definition includes a custodian of a group of animals, this means that the authorisation to lawfully possess and administer the medicated feed or S4 medicine extends to employees or workers on a property.

Veterinary surgeons dealing with medicated feed

Chapter 5, Part 4 of the MPMR provides special requirements for prescribing an S4 medicine or medicated feed that is to be mixed with food for administration to a group of animals by the farmer. These include:

- Alternative and additional content for a written prescription for an S4 medicine or medicated feed for a group of animals – see next section.

[1] A licenced medicated feed manufacturer is a manufacturer that holds a licence granted under the MPA to manufacture medicated feed

- The requirement for a veterinary surgeon to sign, and keep a copy of, the written prescription.
- If the prescription is sent to a licenced medicated feed manufacturer, it must be sent in a way that is reasonably likely to minimise fraud or tampering, allow the prescription to be amended only by the veterinary surgeon, and if sent electronically, be transmitted securely.

  Note: An electronically signed written prescription[2] made under Chapter 5, Part 4 may be transmitted electronically provided the requirements of the *Electronic Transactions (Queensland) Act 2001* and other MPMR requirements such as record-keeping are met.
- Where S4 medicine or medicated feed is being mixed on farm for food producing animals[3], a veterinary surgeon must give instructions to the farmer about how to:
  a measure and combine an S4 medicine or medicated feed with food to administer to the animals; and
  b clean any residue from the medicine or feed from any equipment used to administer it to the animals (to the point where it doesn't contaminate subsequent feed at levels which would cause residues in animals);

  unless previously provided.

In addition, veterinary surgeons may supply an S4 medicine or medicated feed that is to be mixed with food for administration to a group of animals by the farmer. This supply must be in accordance with the veterinary surgeon's obligations under the *Veterinary Surgeon's Act 1936*.

Prescriptions for a group of animals

Prescriptions for medicated feed (or an S4 medicine) to be mixed with food for a group of animals may be sent directly from the veterinary surgeon to the manufacturer or may be given to the farmer to give to the manufacturer. Medicated feed prescriptions are valid for a maximum of 6 months. These prescriptions are slightly different to 'regular' prescriptions, as they must state the following information (section 168 MPMR):

a) a unique identifier for the prescription;
b) the name of the veterinary surgeon;
c) the address of the veterinary premises of the veterinary surgeon;
d) the qualifications of the veterinary surgeon;
e) the date of the prescription;
f) the name and address of the farmer of the animals;
g) the date, no later than 6 months after the date the prescription is given, when the prescription expires;
h) the species of the animals;
i) any other details necessary to identify the animals, including, for example, the age, breed or sex of the animals;

[2] ***written prescription*** means a prescription in writing, whether in the form of an electronic prescription, medication chart prescription or paper prescription

[3] As defined in the *Biosecurity Regulation 2016*, schedule 3, section 3

j) a statement that the medicine or feed is for animal treatment only;

k) for a medicine—

   i) the name of the medicine; and

   ii) the form and strength of the medicine; and

   iii) the final concentration of the medicine to be in the food administered to the animals;

l) for medicated feed—

   i) the name of the medicine mixed, or to be mixed, into the feed; and

   ii) the form and strength of the medicine mixed, or to be mixed, into the feed; and

   iii) the name and address of the manufacturer(s) to supply the feed on the prescription; and

   iv) the final concentration of the medicine to be mixed into the feed supplied by the manufacturer(s); and

   v) how much feed may be supplied by the manufacturer(s) (within the defined period);

m) the instructions mentioned in section 167[4] for administering the medicine or feed to the animals, if any.

The prescription must unambiguously state to the medicated feed manufacturer the maximum amount of medicated feed that may be supplied under the prescription. The amount may be expressed, for example, as a total quantity (by weight or volume) or as a quantity per week and the number of weeks for supply.

The information on the prescription may meet some of the requirements for information to be provided to the person in charge of the animals under the *Chemical Usage (Agriculture and Veterinary) Control) Act 1988* sections 12M and 12N.

Manufacturers of medicated feed

Manufacturers of medicated feed must hold a manufacturing licence for each site where medicated feed is manufactured. All licences are subject to conditions, both standard conditions as specified in the MPMR, and any additional or changed conditions as specified in the licence. Standard conditions that apply under chapter 3, part 2 of the MPMR (unless amended in the licence), include:

1. A licence holder must appoint an appropriately qualified person(s) to supervise manufacturing under the licence and take all reasonable steps to ensure medicines are manufactured under the supervision of that person.
2. A licence holder must take reasonable steps to ensure the medicines manufactured are fit for their intended use and free from contamination – a licence holder meets this condition if the licence holder complies with a code, guideline, standard or quality assurance scheme that is recognised for promoting best practice in the industry for the type of manufacturing authorised under the licence.

[4] The instructions mentioned in section 167 are regarding how to measure and combine an S4 medicine or medicated feed with food to administer to the animals; and clean any residue from the medicine or feed from any equipment used to administer it to the animals.

3. A licence holder must not supply medicated feed to a farmer unless the farmer has a written prescription for the feed from a veterinary surgeon.
4. When delivering, or arranging for delivery of, medicated feed to a farmer, a licence holder must ensure a notice stating the name of the farmer and the street address for delivery is attached to the medicated feed or accompanies the medicated feed (if it is not reasonably practicable to attach the notice to the feed).
5. When supplying medicated feed to a farmer of a group of animals, a licence holder must give the farmer an invoice or other document stating the following information:
    a. a unique identifier for the invoice or document;
    b. the date of the supply;
    c. the name and address of the farmer (if the medicated feed is to be delivered to the farmer – the address must be the street address for delivery of the feed);
    d. the unique identifier on the prescription held by the farmer;
    e. details about:
        i. the form (e.g. powder, granules)
        ii. strength (e.g. concentration of active medicine), and
        iii. the quantity (weight or volume) of the medicated feed supplied under the invoice or document.

    Note: these requirements are in addition to requirements for feed labelling under the *Biosecurity Regulation Schedule 3, Part 3*.
6. A licence holder must keep a copy of the invoice (or other document) or a record of the details contained in the invoice and give a copy of the invoice to the veterinary surgeon who prescribed the feed, if asked to do so by the veterinary surgeon.
7. A licence holder must give notice to the chief executive of Queensland Health in the approved form if any of the following changes are proposed by the licence holder (chapter 3, part 6):
    a. a change to an authorised place stated in the licence;
    b. a change to a relevant person stated in the licence; and
    c. if the substance authority is a manufacturing licence—a change to the person who is appointed to supervise manufacturing under the licence; and
    d. another change to the licence holder's circumstances that substantially affects the holder's ability to comply with a condition of the licence.

Manufacturers of medicated feed will also be required to prepare a Substance Management Plan (SMP), which is a document setting out how known and foreseeable risks associated with any dealing with a regulated substance are to be managed at, or in connection with, the regulated place. Manufacturers who hold accreditation with an industry specific quality assurance scheme will have some existing content for an SMP. To provide sufficient time for licence holders to comply with this new requirement, an SMP is not required until 1 year after the commencement of the MPA.

Farmers buying and administering medicated feed

Farmers are considered a class of 'approved persons' under the MPA. This means that farmers are authorised to carry out the activities specified in the MPMR with the medicines specified, subject to any conditions or requirements.

Schedule 15, part 3 of the MPMR specifies that a farmer of a group of animals, who has a prescription for an S4 medicine or medicated feed to be mixed with food for administering to their animals, may carry out a dealing mentioned in column 1 of the table below with a medicine mentioned in the same row in column 2, within the scope of the dealing mentioned in column 3.

It is important to note that, under the MPA, to administer a medicine means to introduce a dose of the medicine into the body of a person or animal by any means, including for example, feeding an animal food that has a medicine mixed into it.

	Column 1 – dealing	Column 2 – medicine	Column 3 – scope of dealing
1	administer	an S4 medicine or medicated feed	the medicine or feed is administered to the group of animals as stated on the prescription
2	possess	an S4 medicine or medicated feed	the medicine or feed is possessed for administering to the group of animals

A farmer must administer the S4 medicine or medicated feed in accordance with the prescription and any instructions from the veterinary surgeon in order to have administered the medicine in the authorised way, otherwise the farmer may be committing an offence under the MPA.

In addition to being able to possess and administer these substances under the MPMR, section 34 of the MPA allows a person to buy an S4 medicine that has been lawfully supplied for the treatment of an animal, meaning, farmers can buy an S4 medicine or medicated feed, if they have a valid prescription from a veterinary surgeon.

Key points for medicated feed

- Veterinary surgeons may prescribe medicated feed or S4 medicines for a group of animals, subject to the single animal provisions of the *Chemical Usage (Agriculture and Veterinary Control) Act 1988*.
- There are special requirements and specific content for medicated feed prescriptions, which expire after 6 months. These prescriptions may be sent electronically if requirements are met.
- The quantity of feed a manufacturer is authorised to supply on a prescription for medicated feed may be delivered to the farmer over multiple deliveries.
- Queensland suppliers of medicated feed must be licenced, either as a manufacturer or as a wholesaler, and there are special requirements for supplying medicated feed.

- Licenced medicated feed manufacturers may deliver either to the veterinary surgeon or directly to the farmer with a valid prescription. Farmers with a valid prescription are authorised to buy, possess and administer medicated feed for a group of animals.
- The medicated feed provisions under the MPMR take into consideration the *Chemical Usage (Agriculture and Veterinary Control) Act 1988* and *Biosecurity Regulation 2016* including the requirements related to medicated feed and food producing animals.
- Veterinary surgeons, farmers and suppliers of medicated feed are reminded that they may have obligations under other legislation, in addition to the MP Act, when using medicines to treat animals. Advice about obligations under the *Chemical Usage (Agriculture and Veterinary Control) Act 1988*, AgVet Code and *Biosecurity Act 2014* should be sought from the Queensland Department of Agriculture and Fisheries.

Associated guidance documents

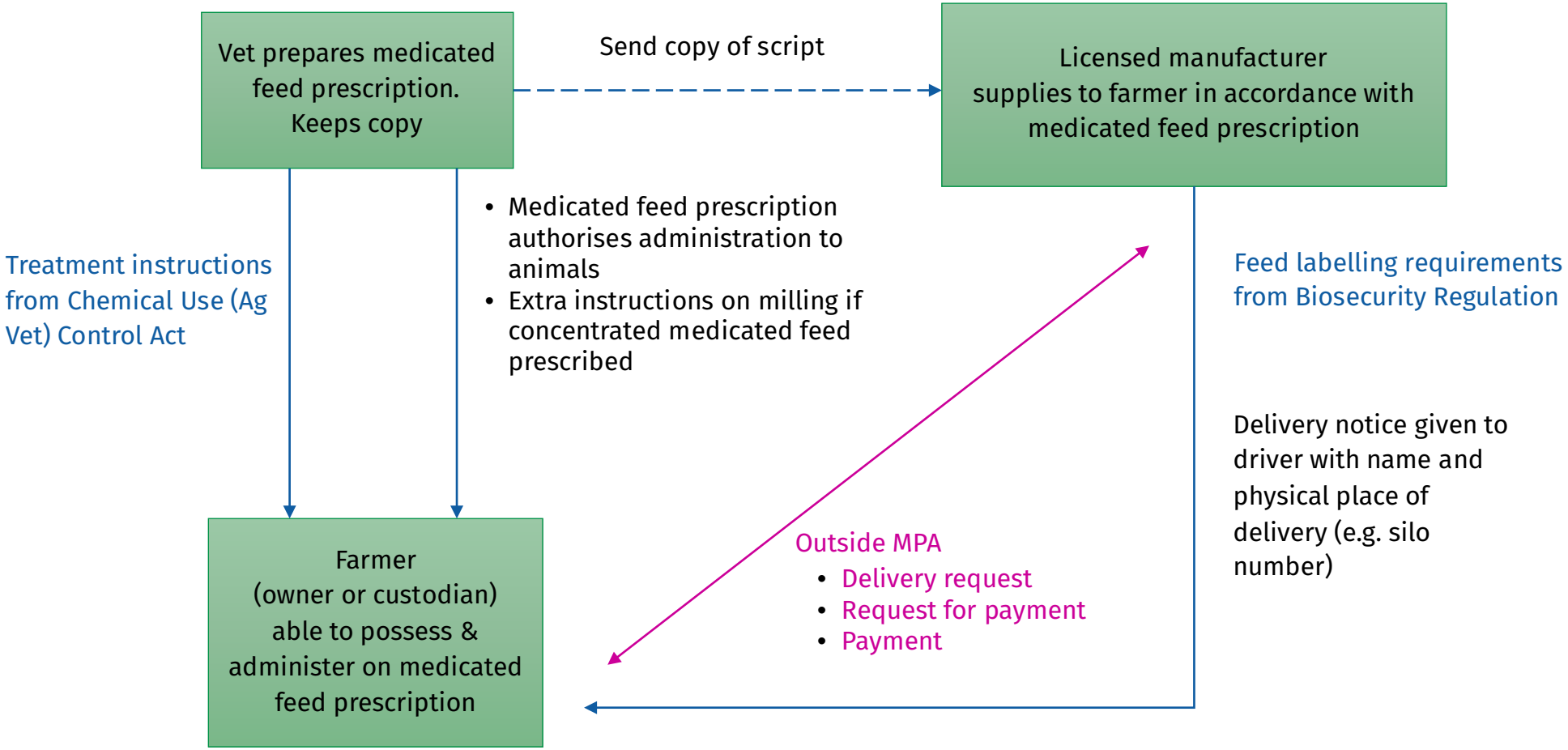
- Veterinary surgeons – factsheet
- Manufacturing licences for medicines – factsheet
- Manufacturing licence (medicines) – initial application form and guideline

Further information

For further information, contact the Healthcare Approvals and Regulation Unit (HARU) HARU@health.qld.gov.au.

Appendix

Figure 1: Ready-to-use and concentrated medicated feed that requires further dilution



S4 medicine to be mixed with feed on farm (direct supply of medicine to farm by vet)