

Organisation and Duties of the Veterinary Health Services

1. Members of the Veterinary Health Service

Membership in the veterinary health service is voluntary for the vet and the agriculturist and is based on § 6 and § 7 Par. 1 and 2.

2. Organisational Form

The veterinary health service (VHS) must be established as a legal entity, unless it is organised, implemented and monitored by the respective Office of the Provincial Government. Ordinary members must at least be members of the respective Provincial Chamber of Agriculture and Forestry and the Austrian Veterinary Surgeons' Council. The respective province may also be an ordinary member.

Other members of the VHS in the VHS bodies relevant for consumers and for the economy (e.g. in technical committees) must be representatives of the downstream economic operators as well as consumer representatives; these include for example the Provincial Chamber of Economics as well as the Provincial Chamber of Labour or other consumer organisations.

3. Bodies of the Veterinary Health Service

If the veterinary health service (VHS) is established as a society, the bodies must be set up pursuant to the Societies Act. If the veterinary health service is not established as a society, at least the following bodies must be set up:

- a) manager,
- b) general assembly,
- c) executive board,
- d) auditor,
- e) court of arbitration or conciliation body.

4. Rights and Duties of the Members in the General Assembly

The ordinary members must have a seat and vote in the general assembly, respectively the right to delegate authorised representatives (proxies) to the general assembly. The number of proxies as well as other rights and duties shall be determined in the statute of the respective VHS.

5. Functions of the General Meeting

The general assembly shall have the following duties:

- a) passing resolution on the proposed budget,
- b) appointment and recall of the manager on proposal by the executive board,
- c) appointment and recall of the members of the executive board,
- d) determination of the accession fees and the membership contributions, and
- e) passing resolution on directives and statutes.

6. Executive Board

The executive board must consist of an equal number of representatives of the vets and agriculturists, including at least one representative from the respective Provincial Chamber of Agriculture and Forestry, one representative from the Austrian Veterinary Surgeons' Council, and – if the province is an ordinary member – two representatives of the province. The representatives of the consumers and economic operators in the VHS must be involved organisationally to such a degree as this is necessary for sufficient information about economic or consumer-relevant matters.

The executive board shall be appointed for four years.

The executive board shall have in particular the following duties:

- a) election of the chairman and at least one deputy from among its members,
- b) proposal for the appointment and recall of the manager,
- c) regulation of the financial, organisational and personal business of the VHS,
- d) technical management of the VHS, and
- e) those duties that are not explicitly assigned to any other body.

7. Manager

A vet shall be responsible for management of the VHS. He shall be the responsible head of the office and shall conduct the business of the respective veterinary health service. The manager shall be appointed for at least four years.

The manager shall report to the general assembly, the executive board and other bodies if applicable.

8. Divisions

The veterinary health service shall establish at least the following divisions:

- a) ruminants, and
- b) swine.

Other divisions, such as e.g. fish, bees, horses or game, may be established as required. Annex 2 applies with regard to poultry.

A working group shall be set up for each division, the members of which shall also include representatives from the breeding sector, the interest representation groups and the economic operators.

9. Duties of the Veterinary Health Services

The veterinary health services shall have in particular the following duties:

- a) Implementation of uniform nationwide standards for veterinary health programmes in accordance with the procedure promulgated by the Federal Minister of Health on recommendation by the council in the "*Amtliche Veterinärnachrichten*".
- b) Registration of the participating facilities, the VHS animal husbandmen, the VHS medicine users and the VHS vets, as well as the VHS care contracts in the respective provinces in accordance with the procedure promulgated by the Federal Minister of Health on recommendation by the council in the "*Amtliche Veterinärnachrichten*".
- c) Transmission to the Provincial Governor of the data relating to control of proper compliance with the provisions of this Regulation in accordance with the procedure promulgated by the Federal Minister of Health on recommendation by the council in the "*Amtliche Veterinärnachrichten*".
- d) Specification of corrective actions and, if necessary, sanctions in the event of breaches by VHS animal husbandmen or VHS vets pursuant to Annex 6 Art. 6 in accordance with the procedure promulgated by the Federal Minister of Health on recommendation of the council in the "*Amtliche Veterinärnachrichten*" and in accordance with the provisions of this Regulation and the *TAKG*.
- e) Pursuant to the objective set out in § 1 Par. 2 the veterinary health service shall settle the facility surveys as set out in the table in Annex 3 (7) centrally in order to ensure fulfilment of the documentation duties. The additional facility surveys in cattle facilities > 50 livestock units as well as in sheep and goat facilities with more than 200 sheep or goats over one year old, as well as the second facility survey in specialised calf fattening facilities and any other facility surveys shall be excepted from central settlement per calendar year. The tariffs for conducting the facility surveys shall be fixed in a written agreement between the Austrian Veterinary Surgeons' Council and the Austrian Chamber of Agricultural and shall be notified by these contracting parties to all Provincial Governors and the Federal Minister of Health.
- f) An annual transmission of the data required in order to be able to make a statement regarding the further development and for evaluation of the veterinary health services to the Federal Ministry of Health. This veterinary health service data must be broken down by federal province and must include at least:
 - fa) the total number of VHS vets
 - fb) the total number of VHS animal husbandmen (named only once, regardless of the number of animal species and animal categories cared for, corresponds with the total number of VHS facilities)
 - fc) number of VHS animal husbandmen, broken down by animal species cared for pursuant to the facility survey, in turn broken down by animal category
 - fd) number of animals cared for by the VHS pursuant to the facility survey, broken down by animal species, in turn broken down by animal category

- fe) share of total number of VHS facilities in total number of agricultural facilities as a percentage
- ff) share of number of animals cared for by the VHS in total number of agricultural livestock, broken down by animal species, in turn broken down by animal categories, as a percentage. The council may recommend other focuses for the data survey.
- g) An annual transmission of control reports pursuant to Annex 6 Art. 1 (IV) to the Provincial Governor,
- h) Notification of the Provincial Governor about control consequences pursuant to Annex 6 Art. 1 (V).

10. Data Disclosure

The VHS animal husbandmen's and VHS vets' facility-related data and production data may only be disclosed to third parties with the written consent of the parties concerned. Such data may only be used for purposes associated with the duties and objectives of the veterinary health service.

The members of the veterinary health service must undertake in writing to transmit or provide all the data required for controlling the veterinary health services in an orderly and easily auditable form to the responsible control bodies.

Special Provisions for the Poultry Health Service

Requirements on the PHS

In deviation from the provisions of Annex 1 to this Regulation, the following provisions apply to the establishment of a veterinary health service in the poultry sector (poultry health service, PHS):

1. Membership in the Poultry Health Service

Membership in the poultry health service is voluntary for the vet and the agriculturist. Collaboration within the scope of the poultry health service shall be regulated by care contracts based on the provisions of § 7 Par. 3 of this Regulation.

2. Organisational Form and Scope of Activity

The veterinary health service for the poultry sector, hereinafter referred to as “poultry health service” (PHS) shall be established in the form of a society, the scope of activity of which may be extended to the entire federal territory on the basis of recognition by the respective Provincial Governors. The establishment of a “poultry” sector pursuant to Annex 1 (8) within another VHS for the purpose of caring for poultry stocks that do not have to be registered pursuant to the provisions of Directive 1999/74/EC or which do not exceed 350 animals in the case of fattening stock shall be subject to approval by the PHS.

3. Bodies of the Poultry Health Service

At least the following bodies of the PHS must be established:

- a) manager,
- b) president,
- c) general assembly,
- d) executive board,
- e) committees,
- f) auditor, and
- g) court of arbitration or conciliation body.

Further provisions regarding the organisation and other duties in addition to those set out below in (5) to (13) shall be specified in the statute.

4. Purpose of the Poultry Health Service

The objective of the society is to secure and improve the quality of the eggs as well as the egg and poultry products, and to secure and promote the best possible health and wellbeing of the poultry stock at all stages of production.

5. Scope of Duties of the Poultry Health Service

The poultry health service shall have the following scope of duties:

- a) Introduction, implementation and support for quality assurance measures in poultry meat and egg production.
- b) The society shall be entitled, in accordance with own certificate regulations to be determined by the executive board, to award a quality certificate.
- c) The society shall operate an electronic poultry database as the basis for the required evaluations and the required reporting to the competent authority.
- d) The society shall conduct consumer-oriented public relations activities that serve the best possible prevention of human diseases.

6. Means for Achievement of the Society's Objectives

The society shall observe the principle of cost coverage and shall be entitled to collect membership and database contributions as well as contributions for the financing of programme costs.

7. Members

Natural persons or legal entities in the sectors breeder facilities, hatcheries, feed producers, fowl keepers, slaughterers and processing facilities, egg packagers, as well as vets and joint production ventures may be ordinary members.

8. Members' Rights and Obligations

The ordinary members – the authorised representatives in the case of legal entities – must have a vote in the general assembly. The number of proxies as well as other rights and duties shall be determined in the statute of the PHS.

9. Functions of the General Meeting

The general assembly shall have the following duties:

- a) election of the chairman from the members of the executive board,
- b) election of the executive board,
- c) passing resolution on annual accounts,
- d) appointment and recall of the members of committees,
- e) determination of the accession fees and the membership contributions, and
- f) passing resolution on directives and statutes.

10. Executive Board

The executive board shall consist of an equal number of representatives from the egg sector and the poultry meat sector, as well as one representative of the attending VHS vets, one representative of the provinces, and the president.

Consumer representatives shall be involved organisationally to the extent required for sufficient information about consumer-relevant matters.

The executive board shall have in particular the following duties:

- a) appointment of the managers,
- b) regulation of the financial, organisational and personal business of the PHS,
- c) technical management of the PHS,
- d) programmes in the area of the PHS, and
- e) those duties that are not explicitly assigned to any other body.

11. Management

Two managers, one of whom must be a vet, shall be responsible for management of the PHS. They shall be responsible for running the office and conducting the business of the PHS.

The managers shall report to the general assembly, the executive board and other bodies in accordance with the statute.

12. Committees

The poultry health service shall establish the following committees:

- a) eggs, and
- b) poultry meat.

If required, other specialised committees (such as for instance for water fowl or for ostriches) shall be established.

Each committee shall consist of one of the managers and other members. The members must be selected in such a manner that all the production stages represented within one production sector are taken into consideration. At least one representative of the attending VHS vets must be a member of every committee.

13. Duties of the Poultry Health Service

The poultry health service shall have in particular the following duties:

- a) Implementation of uniform nationwide standards for poultry health programmes in accordance with the procedure promulgated by the Federal Minister of Health on recommendation by the council in the "*Amtliche Veterinärnachrichten*".
- b) Registration of the participating facilities, the VHS animal husbandmen, the VHS medicine users and the VHS vets, as well as the VHS care contracts in a database in accordance with the procedure promulgated by the Federal Minister of Health on recommendation by the council in the "*Amtliche Veterinärnachrichten*".
- c) Transmission to the Provincial Governor of the data relating to control of proper compliance with the provisions of this Regulation in accordance with the procedure promulgated by the

Federal Minister of Health on recommendation by the council in the "*Amtliche Veterinärnachrichten*".

- d) Specification of corrective actions and, if necessary, sanctions in the event of breaches by VHS animal husbandmen or VHS vets pursuant to Annex 6 Art. 6 in accordance with the procedure promulgated by the Federal Minister of Health on recommendation of the council in the "*Amtliche Veterinärnachrichten*" and in accordance with the provisions of the *TAKG*.
- e) The committees shall be responsible for advising the VHS animal husbandmen and the authorities with regard to poultry health programmes.
- f) Pursuant to the objective set out in § 1 Par. 2 the PHS must settle the facility surveys to be documented in accordance with Annex 3 (7) as well as the nationwide, subsidised animal health programmes in accordance with lit. a centrally (for instance through an animal disease fund or veterinary health fund) in order to ensure fulfilment of the documentation duties.
- g) Annual transmission of the data required in order to be able to make a statement regarding the further development and for evaluation of the poultry health service to the Federal Ministry of Health.

Annex 3**Facility Surveys and Documentation**

1. The attending VHS vet shall be obliged, in order to document the facility status of VHS facilities for which a care contract is concluded for the first time, to conduct a facility survey as soon as possible, but not later than within eight weeks, and to transmit the facility survey cover sheet to the VHS office.
2. If the attending VHS vet or the VHS animal husbandman changes, documentation of the facility status must be conducted on the next date specified for a facility survey in accordance with the standards for the respective production sector and in accordance with the standards for facility surveys. This facility survey shall be a part of the annual facility surveys.
3. The facility survey shall be documented in the form promulgated by the Federal Minister of Health on recommendation by the council in the “*Amtliche Veterinärnachrichten*”. In every facility survey that is to be settled centrally pursuant to (7), a facility survey cover sheet and the relevant facility survey record must be completed, whereby one copy each of the facility survey cover sheet signed by both parties remains with the attending VHS vet as well as the VHS animal husbandman. The facility survey record must be kept by the VHS animal husbandman.

The facility survey cover sheet must contain the following details:

- a) name of the veterinary health service,
 - b) name and address of the VHS animal husbandman (*LFBIS* number) and the attending VHS vet,
 - c) details of training and continuing education,
 - d) first and last name, date of birth of the VHS medicine user, as well as family relationship or employment/contractual relationship with the VHS animal husbandman,
 - e) date, consecutive number as well as time of beginning and end of the facility survey,
 - f) animal species
 - g) type of facility survey,
 - h) interval/date for the next facility survey,
 - i) signature of the VHS animal husbandman as well as the attending VHS vet,
 - j) listing of any defects observed,
 - k) animal health programmes that the facility is participating in, and
 - l) any other details specified by the Federal Minister of Health on recommendation by the council in the “*Amtliche Veterinärnachrichten*”.
4. The facility surveys must be conducted at regular intervals throughout the year, whereby the minimum interval between the individual facility surveys must be at least two months and this interval may only be shortened in documented exceptions. The attending VHS vet shall be responsible for compliance with the facility survey intervals.
 5. The content of the facility survey shall be in accordance with the facility survey records promulgated by the Federal Minister of Health on recommendation by the council in the “*Amtliche Veterinärnachrichten*” and notwithstanding any defined special focuses it must include at least the following items:
 - a) an inspection of the treatment register and other animal health-relevant records by the VHS animal husbandman since the last visit;
 - b) an assessment of the health condition of the stock, where possible in conjunction with the performance parameters respectively production results in the prior period;
 - c) an inspection of the stock (facility check);
 - d) completion of the facility survey record. All items in the relevant facility survey record must be controlled wherever possible. If it is not possible to control individual items, this must be noted and the reason stated on the facility survey cover sheet under the title “Comments”. In the case of facility surveys to be settled centrally, at least the items “Documentation and use of medicines”, “Animal health status” as well as “Animal welfare and husbandry” must be controlled in every case.
 6. The attending VHS vet must transmit the data pursuant to (3) to the VHS office for central settlement in accordance with the standards promulgated by the Federal Minister of Health on

recommendation by the council in the “*Amtliche Veterinärnachrichten*” not later than by 31st July for the first half of the year and not later than by 31st January of the following year for the 2nd half of the year. The facility survey cover sheet may be transmitted to the office of the veterinary health service in electronic form or in hardcopy (signed by both parties).

7. The following facility surveys must be conducted annually and documented as set out in the following table:

Swine	
Number of breeding sows/ fattening pig places	Number of facility surveys to be settled centrally
Swine - breeding	
up to 30 animals	1
31 to 60 animals	2
61 to 100 animals	3
over 100 animals	4
Swine - fattening	
up to 199 fattening pig places	1
from 200 fattening pig places	2
Piglet breeding	
	2
Gilt breeding	
	2
Cattle	
Number of animals < 50 LU *	Number of facility surveys to be settled centrally
Dairy cows	
	1
Specialised calf fattening**	
	1
Fattening cattle and heifer breeding	
	1
Mother cows	
	1
Sheep/goats	
Number of animals from the age of 1 year	Number of facility surveys to be settled centrally
up to 200 animals	1
over 200 animals*	2
Poultry	
Accord. to specific programme	at least one facility survey to be settled centrally
Fish	
Accord. to specific programme	at least one facility survey to be settled centrally
Game	
Accord. to specific programme	at least one facility survey to be settled centrally
Bees	
Accord. to specific programme	at least one facility survey to be settled centrally
Others (horses, etc.)	
Accord. to specific programme	at least one facility survey to be settled centrally

Key to the above table:

Cattle:

LU livestock units:

Calves up to 6 months	0.15
Yearlings between 6 months and 2 years	0.60
Cattle aged over 2 years	1.00

Swine:

Piglets up to 20 kg live weight	0.00
Young pigs 20 to 30 kg live weight	0.07
Young pigs 30 to under 50 kg live weight	0.15
Fattening pigs from 50 kg live weight	0.15

Breeding pigs from 50 kg live weight:

Gilts – not covered	0.15
Gilts - covered	0.30
Older sows covered/not covered	0.30
Breeding boars	0.30

Sheep:

Lambs up to ½ year	0.00
Sheep from ½ to under 1 year (excluding mother sheep) ..	0.00
Sheep 1 year and over, male	0.15
Sheep 1 year and over, female (excluding mother sheep) ..	0.15
Mother sheep	0.15

Goats:

Goats up to under 1 year (excluding mother goats)	0.00
Goats 1 year and older (excluding mother goats)	0.15
Mother goats	0.15

* In the case of cattle > 50 LU and in the case of sheep and goats > 200 animals an additional facility survey subject to documentation is required. This may be replaced by proven participation in an animal health programme promulgated in the “*Amtliche Veterinärnachrichten*”.

** In specialised calf fattening facilities, a facility survey must in principle be carried out for each fattening cycle.

Facility surveys subject to documentation as set out in (7) must be carried out in accordance with the standards promulgated by the Federal Minister of Health on recommendation by the council in the “*Amtliche Veterinärnachrichten*”.

In fattening and breeding facilities the facility visits subject to documentation must take place within 14 days of the introduction of new animals to the stock (introduction examination) where possible.

The following provisions apply with regard to the facility visits subject to documentation:

For facilities the following applies:

- The basis for classification is the LU key for cattle stock (AMA animal list/database), the number of breeding sows/fattening pigs kept for swine stock, and the number of sheep and goats kept that are more than one year old (data from the VIS Veterinary Information System pursuant to the Animal Tagging and Registration Regulation 2009) as per the 1st of April of the previous year.
- The number of animals to be cared for is determined jointly by the VHS animal husbandman and the attending VHS vet. It may also be determined by the VHS office, if the technical prerequisites for this are fulfilled. In this case the determined number of animals to be cared for must be reconciled with the attending VHS vet and the VHS animal husbandman.

- c) If a major change in the annual livestock occurs that results in reclassification, this must be reported to the attending VHS vet and the VHS by the VHS animal husbandman.
 - d) For the number of facility visits subject to documentation, the animal species for which the greater number of facility surveys must be conducted according to the above table shall be relevant as the main category.
 - e) When other animal species are also cared for (cattle, sheep, goats, swine), the main category shall be applied as the basis and the respective other animal species converted to LUs. Classification shall be in accordance with lit a.
 - f) If poultry is kept in addition to the main animal category of a facility, and if registration of the same is not required in accordance with the provisions of Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens, OJ No. L 203 of 3 August 1999, p. 53, or if not more than 350 animals are kept in the case of fattening animals, these animals may also be cared for.
 - g) If, in addition to the predominantly kept animal category in a facility, up to three breeding sows, seven mother sheep or mother goats, one cow or one horse including the respective breed or a number of fattening pigs for up to a maximum of ten fattening pig places are kept, these animals may also be cared for.
8. Following the diagnosis of potential stock problems, measures for the coming period must be defined in the facility survey record. Based on a survey list for defects, the attending VHS vet must determine the consulting need (animal husbandry/animal welfare, feeding, ventilation, production specialist, etcetera), for which documented special consulting should be provided before the next visit.
9. The attending VHS vet shall be obliged to evaluate and document the measures taken within the scope of the next facility survey.

Training and Continuing Education

Article 1

1. Training for the VHS Medicine User

1.1. VHS medicine users must provenly complete the following mandatory training with a minimum of eight units of at least 50 minutes each before they are involved in the administration of veterinary medicines (including vaccines). If the production of medicated feeds is also planned at the facility, a special mixing course with a minimum of three units of at least 50 minutes each must be completed in addition to the above training before the first medicated feed is produced.

A. Mandatory training within the scope of training as VHS medicine user:

a) Statutory framework:

Veterinary Medicines Control Act and Regulations promulgated on the basis of this Act (Veterinary Medicines List and Veterinary Health Services), statutory penal provisions, animal disease law, animal welfare provisions, special rights and obligations of the animal husbandmen including recommendations by the council "*Tiergesundheitsdienst Österreich*" as published in the "*Amtliche Veterinärnachrichten*".

b) Use, storage and return of medicines:

Storage of medicines; hygiene measures in connection with the proper use of medicines, theoretical introduction to the following routes of administration: oral, intramuscular, subcutaneous, other local methods of application. Return of residual medicines, expired medicines, and handling of empty packaging.

c) Hygiene measures:

Definitions and basics of epidemiology, cleaning and disinfection measures, basics with regard to the spreading of microorganisms, individual hygiene of the individual animal, barn hygiene and hygiene in intensive and extensive husbandry, water and air hygiene, hygiene of liquid and solid wastes, feed hygiene.

d) Pharmacology:

Interaction between organism and medicine, interaction between medicines and feeds, excretion of medicines, breakdown and time-concentration curve, residue problem.

B. Additional mandatory training for the production of medicated feeds in appropriately authorised VHS facilities for the VHS medicine user:

Technology and equipment of mixing systems, mixing technique, user safety when producing medicated feeds, hygiene and documentation (records).

1.2. The following shall be exempted from the obligation to complete the training course pursuant to 1.1:

- a) University graduates in veterinary medicine, and
- b) graduates of an agricultural masters' course, and
- c) graduates of the University of Agricultural Sciences, and
- d) graduates of universities of applied sciences in agriculture, as well as
- e) graduate of a senior high school for agriculture,

if the persons named in lit. b to e have provenly completed the mandatory education specified in 1.1 lit. A sublit. a to d and B within at least the scope set out in 1.1.

2. Continuing Education at the Responsibility of the VHS Animal Husbandman

2.1. As of the calendar year following accession to the VHS, the VHS animal husbandman or a family member living in the relevant VHS facility or a person in the service of the VHS animal husbandman with a valid employment or contractual relationship with the VHS husbandman, who is a carer within the meaning of § 14 TSchG, must provenly attend VHS continuing education courses with the recommended training contents for a duration of at least four hours every four years. Thereby the creditable hours per continuing education event can only be credited to one person per VHS facility.

Recommended continuing education courses:

Animal health, animal breeding, changes in legal aspects, feed hygiene, food safety and consumer protection, animal welfare, animal trading, use of medicated feeds.

- 2.2. The Federal Minister of Health may, on recommendation by the council, specify focuses in the continuing education programme as required through promulgation in the "*Amtliche Veterinärnachrichten*".

Article 2

Continuing Education of the VHS Vet

1. Within the scope of continuing education events for the VHS vets, the following contents with reference to the special area cared for within the scope of the respective care contracts shall be mandatory:
 - a) Statutory framework (in particular the provisions of pharmaceutical and veterinary medicine law)
 - b) Herd and health management in agricultural facilities.
2. The Federal Minister of Health may, on recommendation by the council, specify focuses in the continuing education programme as required through promulgation in the "*Amtliche Veterinärnachrichten*".
3. The VHS vet must attend continuing education events recognised by the Veterinary Surgeons' Council with a minimum scope of 30 hours in total within four years, starting in the year following accession to the VHS. The respective veterinary health services can arrange mandatory VHS continuing education courses for their VHS vets as required.

Annex 5

Documentation Duties for Attending VHS Vets, VHS Medicine Users within the Scope of VHS Medicine Administration

Notwithstanding other statutory provisions regarding the use and dispensation of medicines, the attending VHS vets and VHS medicine users must fulfil the following requirements:

1. The receipt documenting the dispensation, use and return of medicines must comply with the specimen published in the “*Amtliche Veterinärnachrichten*” in terms of content; this also applies to receipts that are created electronically.
2. The records of dispensation, use and return of medicines must be entered in the dispensation, use and return document (= treatment register) legibly by the persons named under the relevant heading as follows. In the case of electronic documents it must be ensured that the necessary connections between the individual documents can be made transparently.

DOCUMENTATION DUTIES	Dispensation attending VHS vet	Use attending VHS vet	Use VHS medicine user	Return attending VHS vet
Date	x	x	x	x
Document number (consecutive number of document)	x	x		x ¹⁾
Name, address of animal husbandman, LFBIS no. ²⁾	x	x		
Name and address of vet ³⁾	x	x		
Note - Dispensation or D	x			
- Treatment or T		x		
- Return or R				x
Note animal species	x	x		
Identity of the animal(s)	x	x	x	
Diagnosis	x	x		
Reason for dispensation of veterinary medicine (treatment, prophylaxis, metaphylaxis, special programme)	x			
Name of veterinary medicine (trade name)	x	x	x	x
Quantity per dispensation/return	x			x
Dose (dose administered per animal)		x	x	
Batch number of the veterinary medicine	x			
Administration instructions (dose, method, other instructions)	x			
Method of administration		x	x	
Duration of treatment	x			
Waiting period ⁴⁾	x	x		
Signature of vet	x	x		x
Signature of VHS medicine user	x	x	x	

¹⁾ if the return is not documented on the dispensation document, a reference to the dispensation document must be made by specifying the document number (consecutive number of the document).

²⁾ The surname of the VHS animal husbandman must always be stated. The facility address must be stated in such a way that clear identification on the basis of the street and town is possible. The LFBIS number replaces the name of the street and town.

³⁾ The details must be provided in such manner that unambiguous identification of the dispensing VHS vet is possible. Stating the name of a practice is not sufficient. The first and last name of the dispensing VHS vet or the VetNo. must always be provided.

⁴⁾ The waiting period must be stated at least in days. Stating the date of the last day of the waiting period or the date as of which there is no further waiting period is recommended.

Controls and Sanctions in the VHS

Controls in the Veterinary Health Service

Article 1

General Provisions with regard to Controls

The following general provisions apply to the implementation of controls:

I. Internal Control

1. The internal control must cover compliance with the operating procedures for VHS vets and VHS animal husbandmen, as well as compliance with the provisions set out in § 7 Par. 1 *TAKG* and the provisions of this Regulation.
In particular, the office of the respective veterinary health service must control: compliance with the facility survey frequency, whereby the facility survey cover sheets as set out in Annex 3 (3) must be sent to the VHS in electronic form or in hardcopy (signed by both parties); the VHS shall then review the cover sheets; thereby, one-hundred-percent control must be strived for.
2. The bodies of the VHS shall be responsible for the organisation and implementation of these controls, and possible simplifications in conjunction with other controls must be taken into consideration. In order to achieve this goal, the veterinary health services may reconcile the sample lists with other programme carriers. The number and selection of facilities and vets to be controlled must be based on the principle of a risk assessment of the available data and according to the standards of the VHS office, where possible according to the standards for external control.
3. The internal controls must be carried out annually. The costs of these controls must be borne by the respective veterinary health service.
4. The council may recommend other focuses for implementation of the internal controls.

II. External Controls

1. The controls serve to determine whether the respective veterinary health service and its members are conducting their activities in accordance with the standards of this Regulation and the Veterinary Medicines Control Act.
2. The external controls of the veterinary health services must be carried out in accordance with uniform principles in all federal provinces by an agency accredited in accordance with the Accreditation Act (*AkkG*), Fed. Law Gazette No. 468/1992 as amended. Attention must be paid to uniform implementation of these controls.
3. The determination of the number and selection of facilities and vets to be controlled must be risk-based in accordance with statistical principles. For this purpose, the master data of the members may be transmitted to those agencies contracted by the Federal Ministry of Health to determine the samples.
4. The external control of the VHS offices and the members of the veterinary health services shall be conducted annually by an agency accredited in accordance with the Accreditation Act as amended on behalf and at the expense of the Federal Ministry of Health, whereby the office of a veterinary health service may also be contracted to contract and organise this control.
5. The external control of the veterinary health services must be implemented on the basis of standards published in the "*Amtliche Veterinärnachrichten*" by the Federal Minister of Health on recommendation by the council.
6. When organising and implementing the control, potential simplifications in conjunction with other controls must be taken into consideration.
7. The control areas must at least fulfil the requirements set out in Art. 2, Art. 3, Art. 4 and Art. 6.

III. Control Objects

The control objects shall be the veterinary health services in the provinces as well as the poultry health service.

IV. Control Reports

1. The managers of the veterinary health services must prepare a control report for the implementation of the internal controls at the end of each calendar year and transmit the same to

the Provincial Governor by the end of March of the following year. The Provincial Governor shall bring the report to the attention of the Federal Minister of Health forthwith.

- a) The internal control report must include at least the following items:
 - aa) number of participating VHS facilities and VHS vets,
 - ab) number of controlled VHS facilities and VHS vets,
 - ac) number and type of major defects identified,
 - ad) number and type of sanctions imposed,
 - ae) report on compliance with the facility survey frequency,
 - af) evaluation of results and tendencies in the VHS, and
 - ag) other activities of the VHS.
 - b) The external control report must include at least the following items:
 - ba) number of participating VHS facilities and VHS vets,
 - bb) number of controlled VHS facilities and VHS vets,
 - bc) number and type of defects identified,
 - bd) number and type of sanctions imposed by the VHS offices,
 - be) evaluation of the results and tendencies in the veterinary health services,
 - bf) proposal for consequences for future controls based on the results obtained.
2. The agencies responsible for external controls of the VHS offices and the members of the veterinary health services shall prepare a joint draft of the control report as set out in (1) lit. b and transmit the same to the Federal Ministry of Health within due time. The draft control report shall be transmitted to the respective managers of the veterinary health services for comment.
- After expiry of the deadline for comment, the agency responsible for implementation of the external controls shall, taking the written comments into consideration, prepare the final report and transmit the same to the Federal Ministry of Health, the respective Provincial Governor and the respective manager of the VHS within due time.
- The draft report and final report must be written in such a manner that data protection is guaranteed.
3. A report on the results of controls in the veterinary health services shall be made to the council by the chairman of the council annually.

V. Consequences of Controls

If major defects are identified in controls that could result in temporary or permanent exclusion from membership, the VHS office must notify the Provincial Governor forthwith; the Provincial Governor must notify the Federal Ministry of Health thereof forthwith.

Article 2

Controls in the Area of the VHS Vet and the Attending VHS Vet

The following areas must be controlled:

1. compliance with the VHS membership contract (declaration of membership in the PHS) and the care contract;
2. compliance with the provisions set out in § 8 as well as §§ 12 to 15;
3. proof of completion of the prescribed continuing education events as set out in § 10 Par. 1 and 2;
4. documentation of the implementation of VHS programmes.

Article 3

Controls in the Area of the VHS Animal Husbandman and the VHS Facility

The following areas must be controlled:

1. compliance with the VHS membership contract (declaration of membership in the PHS) and the care contract;
2. proof of completion of the prescribed training and continuing education events as set out in § 10 Par. 3 to 6;
3. compliance with the provisions regards the duties and requirements to be fulfilled by VHS animal husbandmen, including facility survey as set out in § 9;

4. copies of the facility survey records, as well as the veterinary instructions with regard to additional special consultations;
5. compliance with the hygiene provisions associated with the VHS; and
6. compliance with the provisions regarding VHS medicine use and preparation of medicated feeds as set out in §§ 12 to 16.

Article 4

Controls in the Area of the VHS Offices

1. Generally, the following applies to controls of the veterinary health service office:
The Federal Ministry of Health shall be responsible for external control of the offices, the members of the veterinary health services.
The respective VHS office shall be responsible for internal controls within the VHS.
2. The following areas of this Regulation must be controlled:
 - a) organisation of the veterinary health services;
 - b) fulfilment of the provisions of this Regulation;
 - c) implementation of nationwide standards for veterinary health programs;
 - d) registration and administration of the participating facilities, the VHS animal husbandmen, the VHS medicine users, and the VHS vets;
 - e) transmission of the data required for monitoring of due and proper compliance with the provisions of this Regulation to the Provincial Governor or district administration authority;
 - f) fulfilment of corrective measures and sanctions;
 - g) central settlement of facility surveys;
 - h) control of facility survey cover sheets;
 - i) fulfilment of the continuing education requirements for VHS vets;
 - j) transmission of the data allowing an evaluation of the veterinary health services to the Federal Ministry of Health;
 - k) content and transmission of internal control reports to the Provincial Governor;
 - l) implementation of control consequences.
3. The Federal Ministry of Health may, on recommendation by the council "*Tiergesundheitsdienst Österreich*", define further control areas and focuses of control and promulgate these in the "*Amtliche Veterinärnachrichten*".

Article 5

Official Controls

The following applies for the implementation of official controls:

Official controls of the VHS animal husbandmen and VHS medicine users and the attending VHS vets or VHS vets acting on their behalf or as their deputy shall be conducted on the basis of §§ 9 and 10 TAKG by the Provincial Governor or, in the cases set out in § 6 Par. 7 TAKG, by the district administration authority.

Article 6

Sanctions Regarding the Attending VHS Vet or VHS Vet Acting on His Behalf or as His Deputy and the VHS Animal Husbandman

1. The VHS office must ensure that the necessary sanctions are imposed on the VHS vets and the VHS animal husbandmen uniformly and impartially. The Federal Minister of Health may define uniform nationwide standards for this on recommendation by the council "*Tiergesundheit Österreich*" and promulgate the same in the "*Amtliche Veterinärnachrichten*".
2. Sanction mechanisms within the meaning of this Regulation pursuant to § 19 shall be:
 - a) written demand to rectify defects;
 - b) written demand to rectify defects with warning;
 - c) exclusion from VHS medicine use;
 - d) exclusion from participation in animal health programs for a specified time;
 - e) exclusion from animal health programs;

- f) exclusion from VHS support programs;
- g) follow-up control with costs;
- h) fines;
- i) exclusion from membership in the VHS.

The respective VHS shall prepare a catalogue of sanctions that shall be binding upon its members.

3. Sanctions that must in every case be provided for certain cases include:

- a) Sanctions in the case of failure to fulfil continuing education requirements in the VHS facility:

If the continuing education requirements are not fulfilled, a training course of four hours must be completed – regardless of the number of missing training units – within eight months through *Ländliches Fortbildungsinstitut (LFI)* or, in the poultry sector, through *ARGE Huhn & Co* or the poultry health service at the member's cost. Until this training course at cost is provenly completed, medicines subject to the VHS must not be dispensed to the facility. If the training is not completed within the eight months, the facility shall be excluded from membership in the VHS.

- b) Sanctions in the case of failure by VHS vets to fulfil the continuing education requirements:

If the continuing education requirements are not fulfilled, a contribution in the amount of the hourly rate of the Austrian Veterinary Surgeons' Council shall be payable to the veterinary health service for every missing unit of continuing education, regardless of the number of missing units. Additionally, a training course of four hours organised by the veterinary health service must be completed. If the training is not completed within the eight months, the vet shall be excluded from membership in the VHS.

- c) Sanctions in the case of failure to conduct the facility surveys:

The costs of the facility surveys not conducted shall be deducted from the sum total based on the animal numbers for the previous year or invoiced to the attending VHS vet, and at the same time involvement of the VHS medicine user in the administration of veterinary medicines shall not be permitted until the next facility surveys. In the PHS the tariff settled for the same facility in the previous year, but in any case a minimum tariff of one half hour shall be deducted or invoiced.

- d) Sanctions in the case of failure to comply with the provisions of the animal health programme as well as in the case of serious breaches with regard to the use of medicines within the scope of animal health programmes:

A VHS animal husbandman who is in serious breach of provisions with regard to the use of medicines shall in any case be excluded from participation in any animal health programmes allowing the dispensation of special veterinary medicines to the animal husbandman for a duration of at least nine months. In this case a fine shall be imposed on the attending VHS vet.