

DISTANCE RIDING ASSOCIATION OF SOUTH AFRICA

"Doing the Distance with you"



Good day Mr Wessel Strauss

I hereby acknowledge receipt of your letter dated 12/12/2019 regarding :

- i) Promoting the vaccination of competitive horses by owners.
- ii) Promoting the non-use of passports for horses in competition.

The above requirements of Drasa that are queried by SAEF, are rules made by SAEF. It is an SAEF rule that ALL horses competing in South Africa, need SAEF passports and need to be microchipped and vaccinated by veterinarians only.

SAEF is affiliated to FEI and therefore are bound by FEI rules. Thus any discipline affiliated to SAEF are also bound by FEI rules

DRASA has resigned from SAEF and are therefore no longer bound by SAEF rules.

Furthermore, DRASA is NOT an FEI sport thus any athletes and officials working at these rides are not bound by FEI rules either

DRASA is however still bound in South Africa by DAFF rules that are based on the Animal Diseases Act (Act 35 of 1984); Please see below :

- A) According to table 2 of Act 35 of 1984 an owner MAY vaccinate susceptible animals (equines and zebra) with an efficient remedy (and in accordance to the manufacture's regulations) against Equine Influenza if he/she so desires. Routine vaccination against Equine Influenza is thus not required. The compulsory vaccination of horses (as required by ACT 35 of 1984) against Equine Influenza, is required only if a horse has been in contact with another horse infected by Equine Influenza.
- B) Furthermore according to table 2 of Act 35 of 1984 ANY responsible person (not compulsory to be a veterinarian) is allowed to vaccinate all equines in South Africa (except for equines located in the AHS free zone and AHS surveillance zone) against AHS once yearly with an effective remedy against AHS registered under Act 36 of 1947. The exception to this rule is when the director of the division of Veterinary Services of DAFF (who shall be a veterinarian) determines in a particular case that such immunization must be done by a veterinarian
- C) Equines in the AHS free zones and AHS surveillance zones shall only be vaccinated with the written permission of the director and then only by a veterinarian
- D) As you are well aware of, from 26 March 2015 further legislation regarding specific times of the year (either compulsory or recommended) to vaccinate against AHS was also announced. For details of these times see ACT 35 of 1984.

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Act 35 of 1984 thus stipulates in short that vaccination against AHS and recording that vaccination BY A VETERINARIAN, is only required in the following three circumstances:

1. For movement subject to State Veterinary Control (and then the vaccination must also be done not more than 24 months prior to movement and no later than 40 days prior to movement with an effective remedy against AHS, registered under Act 36 of 1947)
2. Where permission to vaccinate is given in the AHS free zone and the AHS surveillance zone
3. Where export certification requires vaccination against AHS.

Act 35 of 1984 further stipulates that a passport certified BY A VETERINARIAN as means of identification and vaccination, is only required in the following two circumstances:

1. For movement subject to State Veterinary Control (and then the vaccination must also be done not more than 24 months prior to movement and no later than 40 days prior to movement with an effective remedy against AHS ,registered under Act 36 of 1947)
2. Where a horse is to be exported and export requires certification of identity as well as vaccination against AHS by a veterinarian

Nowhere in Act 35 of 1984 is it stipulated that ALL horses vaccinated for AHS needs to be identified by a microchip and nowhere in Act 35 of 1984 is it stipulated that this microchip must be implanted by a veterinarian. However the following recommendations regarding microchipping is made by Western Cape Government Agricultural Veterinary Health Services (as set out in their movement control protocol). These recommendations are once again based on DAFF rules:

Microchipping:

- a) To enhance traceability, it is recommended that all horses that move into or between zones in the AHS controlled area are permanently identified with an ISO and ICAR compliant microchip.
- b) These microchip numbers must be recorded in the equine's passport and certified by a veterinarian.

Nowhere in Act 35 of 1984 does it stipulate that identification and vaccinations of ALL horses needs to be done in a specific passport. However Western Cape Government Agricultural Veterinary Health Services (as set out in their movement control protocol) stipulates the following regarding passports and identification of horses:

1.2. Identification

1.2.1. Passports

- a) All equines that move into the AHS controlled area or into a zone of higher control within the AHS controlled area, must be identified by means of a passport compliant with the standards as set out in the AHS Control Policy: Acceptable Passports for Movement Control.
- b) The passport must accompany the equine at all times and where possible, throughout the equine's life
- c) A passport serves as official identification of an equine only if it complies with the standards as set out in the AHS Control Policy: Acceptable Passports for Movement Control.
- d) A list of approved passports for movement will be made available from SV: Boland (move@myhorse.org.za) on request.

Once again these Western Cape Government Agricultural Veterinary Health Services protocol is based on DAFF rules

DAFF states the following regarding passports:

"Passport" is the identification document that positively identifies the equine. The format of the passport must comply with the minimum standards as set out in the AHS Control SOP: Acceptable Identification of Equines.

Still these specific passports (whereby horses and vaccinations are certified by veterinarians) are only required by DAFF for horses moving in and out of Western Cape as well as movements of horses within Western Cape's AHS zones as well as horses that are being exported.

Nowhere in Act 35 of 1984 is it stipulated that ALL horses taking part in equestrian competitions needs to be vaccinated by a veterinarian and certification of identification as well as certification of vaccination needs to be done by a veterinarian.

The only vaccine currently registered in terms of Act 36 of 1947 for AHS and therefore the only "effective remedy" as described above is the live virus vaccine produced by Onderstepoort Biological Products (OBP). Please note that this vaccine is registered under Act 36 of 1947

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The South African Veterinary Council has the following rules regarding certification of documents:

Issuing of certificates

- 5.(1) Certificates or other documents, which are issued by veterinary professionals in their professional capacity, shall contain facts and not any particulars based on hearsay.
- (2) A veterinary professional shall only certify those matters of which -
- (a) he/she has personal knowledge;
 - (b) can be ascertained by him/her personally; or
 - (c) are the subject of a supporting certificate from another veterinary professional who has personal knowledge of the matters in question and is authorised to provide such a supporting document.
- (3) The certificate referred to in rule 5 (1) shall -
- (a) be prepared with care and accuracy;
 - (b) be legible;
 - (c) be unambiguous and easy to understand;
 - (d) be produced on one sheet of paper or, where more than one page is required, shall be indivisible; and
 - (e) contain dates that are written in words.
- (4) All certificates thus issued shall indicate -
- (a) The name and residential address of the owner of the animal concerned;
 - (b) The address of the premises where the animal is kept;
 - (c) The breed, sex, colour and age of the animal;
 - (d) Any positive identification of the animal such as tattoo numbers, microchips and body markings where possible;
 - (e) The purpose for which the animal is certified (e.g. hacking, racing, etc); and
 - (f) The date of issue of the certificate as well as the date of examination of the animal must appear on the certificate; and
 - (g) For vaccination certificates the following are also required -
 - (i) The batch number or date of manufacture of the vaccine which has been used; and
 - (ii) The date of vaccination of the animal concerned.
- (5) Any certificate or other document which is issued in a professional capacity by a veterinary professional, shall be signed by such a veterinary professional personally.
- (6) When signing a certificate, a veterinary professional shall ensure that -
- (a) he/she signs and completes any manuscript portions in ink;
 - (b) the certificate contains no deletions, other than those, which are indicated on the face of the certificate to be permissible, and subject to such deletions being initialled by the certifying veterinary professional;
 - (c) the certificate bears not only his/her signature but also, in clear lettering, his/her name, qualifications and address and, where applicable his/her official or practice stamp; and
 - (d) no blank spaces are left on any certificates.
- (7) Students may not sign certificates.
- (8) An official translation of a certificate must be supplied when requested.
- (9) Copies of certificates issued by a veterinary professional must be retained for a minimum period of three years.
- (10) Original certificates should always be issued.

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(11) When required, a facsimile of a certificate will be acceptable provided that a witness is available to verify the contents of the facsimile (e.g. in court). The certifying veterinary professional must retain the original certificate.

(12) Certificates should not require veterinary professionals to certify that there has been compliance with the laws of some other country, unless the provisions of the law are set out clearly on the certificate.

(13) A veterinary professional should not issue certificates with regard to his/her own animals.

DAFF has the following rules regarding certification:

“Certification by a veterinarian” must comply with the requirements for certification in terms of the Veterinary and Para-Veterinary Professions Act 1982 (Act no 19 of 1982) Regulations and Rules, the Animal Diseases Act 1984 (Act no 35 of 84) and Regulations as well as the OIE requirements for certification or any legislation that may replace the relevant legislation currently in place, and should include the signature of the veterinarian, the veterinarian’s full name, qualification and practice stamp/address.

DRASA owners vaccinating their own animals are not bound by the above rules of the South African Veterinary Council or DAFF, as they are not registered veterinarians. They will only be required by Drasa to provide PROOF of vaccination and identification of the horse by means of a microchip.

I can assure you that at every ride already hosted by DRASA, and at any future ride proof of vaccinations will be checked by DRASA veterinarians at the ride. All rules regarding how vaccinations must be done is available for owners on DRASA website (www.drasa.org.za) and will be kept up to date based on DAFF rules as well as rules from SAVC. Furthermore DRASA has included mandatory vaccinations for Equine Influenza **according to the manufacturer’s instructions** in our rules, even if it is not a compulsory vaccination according to DAFF rules. Proof of identification via microchips are checked by DRASA officials/veterinarians with microchip scanners at all rides.

Regarding owners administrating their own vaccinations (and for that matter implanting their own microchips) there is no rule in the South African Veterinary Constitution prohibiting an owner to do so. Please see below the services pertaining to the veterinary profession specifically according to the Veterinary and Paraveterinary Professions Act (Act 19 of 1982)

PART I: SERVICES PERTAINING SPECIALLY TO VETERINARY PROFESSIONS
General Services

2. For the purposes of the Act -

(a) the diagnosis, treatment, prevention of, or advice on a disease, physiological or pathological condition in an animal;

(b) a surgical or dental operation or procedure on an animal; and

(c) the prescribing or administration of medicine to an animal;

shall be deemed to be services which pertain specially to a veterinary profession.

Exceptions in respect of certain physiological and pathological conditions

3. The provisions of rule 2(a) shall not be construed so as to prohibit an appropriately qualified person to diagnose or treat a physiological or pathological condition in an animal, which is caused by malnutrition.

Please note condition 2 (c) above where the description of the word “medicine “ is defined as follows: " medicine" means a medicine or veterinary medicine as defined in section 1 of the Medicines and Related Substances Control Act, 1965 (Act No.101 of 1965).

This description of the word “medicine” thus excludes the Equine Influenza as well as the AHS vaccines as they are both registered under ACT 36 of 1947 and thus considered a stock remedy making it legal for owners to vaccinate their own animals. DRASA is well aware of the “Area Status Declaration” by State Veterinarians where a written declaration of the level of AHS risk for a specific area, relating to movement of equids from that area into the AHS controlled area is recorded. The state veterinarian at origin of the equid makes the area status declaration. DRASA is also well known with the following terms:

- A) “High risk area” : an area that the local state veterinarian and/or SV: Boland deem to be high risk for direct movements of equids into the AHS controlled area due to any or a combination of the following: Time of year, a suspicion of or a case of AHS within a 30 km radius in the previous 40 days, weather patterns that may suggest increased vector activity, large or changing populations of feral or wild equids, sub-optimal reporting of equine diseases in the area, or any other factor that may indicate an increase in risk.
- B) “Low risk area”: an area considered to be low risk taking into account the vector situation of the area and incidence of other vector borne diseases (such as Equine encephalosis virus), climatic conditions, wild or feral equid populations, suspected and confirmed cases of AHS within the radius of 30 km for the last 40 days and the reporting of cases of equine diseases to the local state veterinarian.

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DRASA will inform members from Western Cape of high risk or low risk declaration status if we become aware of such declarations by a state veterinarian in a 30km radius from the ride venues within the last 40 days before the ride. DRASA veterinarians are also bound by DRASA Veterinary rules (see www.drasa.org.za) as well as DAFF rules and must report suspicious cases at rides and take the necessary precautions with these cases as required by Act 36 of 1984:

Section 11(2) of the Animal Diseases Act 1984 (Act 35 of 1984) and Regulations as amended states: “A veterinarian or any other person who finds the incidence or suspected incidence of any controlled animal disease in any animal or progeny or product thereof, shall immediately report such incidence to the director”.

DRASA veterinarians at the ride will also abide to DAFF rules regarding the signing of movement permits for riders from Western Cape

DRASA is very much focussed on the welfare of the horse, with emphasis on horsemanship. Owners and riders that participate in this sport are of the same mind set. Although one can never rule out fraud, DRASA urges all participants to abide by the law and any person involved with fraud will be expelled from DRASA and reported to the relevant authorities

In conclusion the status quo will thus stay the same. DRASA will abide by SAVC rules as well as DAFF rules regarding vaccinations and passports for all horses competing at DRASA rides

I have also taken the liberty of forwarding you the official letter from the South African Veterinary Council I received on 12/12/2019 whereby all registered veterinarians are referred back to DAFF rules for AHS protocols. Nowhere in this letter from the South African Veterinary Council do I see a reference to either FEI rules or SAEF rules regarding AHS vaccinations

Should the dispute between Drasa and SAEF be settled in future, **and our members give us a mandate to re-affiliate with SAEF**, then obviously DRASA will fall under the SAEF rules again.

In conclusion I hereby request SAEF to:

- Confirm receipt of my letter as well as the SAVC letter regarding AHS protocol
- Give me written feedback on my response made to SAEF within 7 days.

Kind regards
Dr Elizabeth Smit
Chief Veterinarian: DRASA

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