Dear Mr Chadwick,

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION
APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (HeV) vaccination to be prescribed at equestrian events. I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct. My reasons for making this submission are as follows:

- Why would this be permitted to be allowed in the competitive/hobby equine industry yet the Racing Industry exposes many millions of people to contracting Hendra each and every time they attend a race meeting? Cordoning off stable areas etc will have no effect as horse saliva, sneezing, snorting, urine & faeces can easily become airborne.

- The vast majority Race horse breeders, stables & trainers alike refuse to vaccinate their breeding mares and stallions, and very rarely their geldings, as we horse owners know only too well the number of unrecorded deaths & permanent maiming of vaccinated horses, their newborn foals etc. and the deaths of horses that have occurred as a result of Veterinary Surgeons refusing to treat unvaccinated horses, albeit unvaccinated race horses are indeed treated.

- Adverse reactions and equine DEATHS from this vaccine have been experienced in very high numbers with, I believe, only a small proportion of those being duly reported to the statutory authority (as opposed to the manufacturer, Zoetis). There have been known cases of Vets declining to report reactions based solely on their opinion and I have no doubt they have failed to report many 1,000’s of adverse reactions based on their desire to see a marked increase in uptake of this proven unsafe vaccine.

- I am already unable to take my valuable team of show horses to certain events and equine competitions by virtue of the fact I refuse to vaccinate them, and this will extend to further Associations & Show Societies all over Australia if mandatory HeV vaccination is required, thereby decimating the recreational & competitive horse industry.

- Many vets are refusing to treat unvaccinated horses which conduct may increase if immunity to third line forcing is granted. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating “welfare” issues for horses who cannot be vaccinated due to age or infirmity. I believe many horses are possibly dying already because Vets MAY attend, but they will only take blood for Hendra testing & await the result before agreeing to actually treat an unseen illness, or wound etc. Therefore, in the case of colic, chances are extremely high that the horse will die a very long and agonising death due to lack of necessary invasive treatment. If blood is taken on a Friday
afternoon, it can be Tues/Wed before results are known. Colic can & does kill within hours.
- the negligible risks of Hendra being contracted at an event (and the fact that it has never happened in the history of equestrian events, or races, ever) whereas the risks of horses having violent & often deadly reactions are increasing by the day as more are vaccinated, and more particularly upon receiving their 3rd & onwards booster. It must not be overlooked that violent adverse reactions & death have occurred even after the initial vaccine.
- The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions, especially without consulting its paying membership numbering in the many thousands!
- No Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g.: the Department of Primary Industries, Workplace Health and Safety etc) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions
- The APVMA clearly states “The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out”, therefore enforcing mandatory vaccination has no justification as the same “exclusion” protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA:http://apvma.gov.au/node/12881.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely,

Melanie Ryan
Dear Mr Chadwick,

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION
APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (HeV) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

My reasons for making this submission are as follows:

- Why would this be permitted to be allowed in the competitive/hobby equine industry yet the Racing Industry exposes many millions of people to contracting Hendra each and every time they attend a race meeting? Cordoning off stable areas etc will have no effect as horse saliva, sneezing, snorting, urine & faeces can easily become airborne.

- The vast majority Race horse breeders, stables & trainers alike refuse to vaccinate their breeding mares and stallions, and very rarely their geldings, as we horse owners know only too well the number of unrecorded deaths & permanent maiming of vaccinated horses, their newborn foals etc. and the deaths of horses that have occurred as a result of Veterinary Surgeons refusing to treat unvaccinated horses, albeit unvaccinated race horses are indeed treated.

- Adverse reactions and equine DEATHS from this vaccine have been experienced in very high numbers with, I believe, only a small proportion of those being duly reported to the statutory authority (as opposed to the manufacturer, Zoetis). There have been known cases of Vets declining to report reactions based solely on their opinion and I have no doubt they have failed to report many thousands of adverse reactions based on their desire to see a marked increase in uptake of this proven unsafe vaccine.

- I am already unable to take my valuable team of show horses to certain events and equine competitions by virtue of the fact I refuse to vaccinate them, and this will extend to further Associations & Show Societies all over Australia if mandatory HeV vaccination is required, thereby decimating the recreational & competitive horse industry.

- Many vets are refusing to treat unvaccinated horses which conduct may increase if immunity to third line forcing is granted. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating "welfare" issues for horses who cannot be vaccinated due to age or infirmity. I believe many horses are possibly dying already because Vets MAY attend, but they will only take blood for Hendra testing & await the result before agreeing to actually treat an unseen illness, or wound etc. Therefore, in the case of colic, chances are extremely high that the horse will die a very long and agonising death due to lack of necessary invasive treatment. If blood is taken on a Friday
afternoon, it can be Tues/Wed before results are known. Colic can & does kill within hours.
- the negligible risks of Hendra being contracted at an event (and the fact that it has never happened in the history of equestrian events, or races, ever) whereas the risks of horses having violent & often deadly reactions are increasing by the day as more are vaccinated, and more particularly upon receiving their 3rd & onwards booster. It must not be overlooked that violent adverse reactions & death have occurred even after the initial vaccine.
- The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions, especially without consulting its paying membership numbering in the many thousands!
- No Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g.: the Department of Primary Industries, Workplace Health and Safety etc) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions.
- The APVMA clearly states “The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out”, therefore enforcing mandatory vaccination has no justification as the same “exclusion” protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA;http://apvma.gov.au/node/12881.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely,

David Faulkner
Submission AGAINST Equestrian Australia Exclusive Dealing Notification No: N98410 as NOT being in the Public Interest

DATE: 10/08/2015

Mr Richard Chadwick

General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

Both my horses had been vaccinated to attend the EA competitions, both horses on the 5 booster had extreme reaction, one was euthanized and the other is still recovering. These reactions have been reported to the APVMA and have been recorded as reactions to the vaccine. What happens to horses that are unable to have this vaccine?? A $50,000 horse could be useless overnight if unable to attend events, what happens to these horses, what happens to our industry once we impose significant international restriction upon ourselves.

I'm financially and emotionally set back due to the last restriction EA imposed upon us. There have been no documented cases of horse to horse transmission of Hendra virus!!

On these grounds, I therefore strongly urge the ACCC to object to EA's Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely
Amanda Galbraith
Dear Mr Chadwick,

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION
APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

My reasons for making this submission are as follows:
- Why would this be permitted to be allowed in the competitive/hobby equine industry yet the Racing Industry exposes many millions of people to contracting Hendra each and every time they attend a race meeting? Cordoning off stable areas etc will have no effect as horse saliva, sneezing, snorting, urine & faeces can easily become airborne.
- The vast majority Race horse breeders, stables & trainers alike refuse to vaccinate their breeding mares and stallions, and very rarely their geldings, as we horse owners know only too well the number of unrecorded deaths & permanent maiming of vaccinated horses, their newborn foals etc. and the deaths of horses that have occurred as a result of Veterinary Surgeons refusing to treat unvaccinated horses, albeit unvaccinated race horses are indeed treated.
- Adverse reactions and equine DEATHS from this vaccine have been experienced in very high numbers with, I believe, only a small proportion of those being duly reported to the statutory authority (as opposed to the manufacturer, Zoetis). There have been known cases of Vets declining to report reactions based solely on their opinion and I have no doubt they have failed to report many 1,000's of adverse reactions based on their desire to see a marked increase in uptake of this proven unsafe vaccine.
- I am already unable to take my valuable team of show horses to certain events and equine competitions by virtue of the fact I refuse to vaccinate them, and this will extend to further Associations & Show Societies all over Australia if mandatory HeV vaccination is required, thereby decimating the recreational & competitive horse industry.
- Many vets are refusing to treat unvaccinated horses which conduct may increase if immunity to third line forcing is granted. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating “welfare” issues for horses who cannot be vaccinated due to age or infirmity. I believe many horses are possibly dying already because Vets MAY attend, but they will only take blood for Hendra testing & await the result before agreeing to actually treat an unseen illness, or wound etc. Therefore, in the case of colic, chances are extremely high that the horse will die a very long and agonising death due to lack of necessary invasive treatment. If blood is taken on a Friday...
afternoon, it can be Tues/Wed before results are known. Colic can & does kill within hours.
- the negligible risks of Hendra being contracted at an event (and the fact that it has never happened in the history of equestrian events, or races, ever) whereas the risks of horses having violent & often deadly reactions are increasing by the day as more are vaccinated, and more particularly upon receiving their 3rd & onwards booster. It must not be overlooked that violent adverse reactions & death have occurred even after the initial vaccine.
- The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions, especially without consulting its paying membership numbering in the many thousands!
- No Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g.: the Department of Primary Industries, Workplace Health and Safety etc) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions
- The APVMA clearly states "The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out", therefore enforcing mandatory vaccination has no justification as the same "exclusion" protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA;http://apvma.gov.au/node/12881.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely,

Jacqui Faulkner
Monday, August 10, 2015

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
Canberra ACT 2601
c/- email address: adjudication@accc.gov.au

RE: SUBMISSION AGAINST EQUESTRAIN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST.

I, on behalf of myself and our equestrian business Kellarni Downs Equestrian, refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

My grounds for this submission are as follows:-

Adverse reactions to multiply horse have been experienced after multiply vaccinations of HeV- Alopecia, Muscle stiffness, Depression, Behavioral changes, Site reactions, Sweating, Deratitis, Extremely bad mud fever causing lameness Pyrexia.
It has taken up to seven months and thousands of dollars in supplements to correct these effects, causing the inability to compete the horses worst effected.
I have been able to put it down to the HeV vaccine as it was the only changing denominator in their care.

We would be unable to continue to attend equine competitions if mandatory HeV vaccination is required as due to the adverse reactions already seen and consideration for our horses health we are unable to continue with the HeV vaccine regime
HeV Vaccination product registration (on 04/08/2015) registered label states that it cannot be guaranteed that the vaccine will not mask the Hendra virus symptoms and/or it cannot be guaranteed that the vaccinated horse may not pass on the virus anyway, in which case, what is the purpose of mandating vaccination without such certainties?

The low risks of Hendra being caught at an event (and in fact that has never happened in the history of equestrian events, ever) as opposed, to the increasingly growing higher risks of a horse having adverse reactions to the vaccine.

The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such a condition of participating in equine competitions.

No Australian government regulatory body has required or recommended mandatory HeV vaccination (e.g. the Department of Primary Industries, Workplace Health and Safety etc.) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such a condition of participating in equine competitions.

The ACCC should consider that Notification application to them on behalf of EA’s members. In fact the members were not consulted regarding this application.

The ACCC should be made aware of the perceived conflict of interest regarding several EA board members and their involvement with either Zoetis, AVA or EVA.

The effect of this product HeV vaccine on pregnant or on horses intended for breeding is not known (this obviously included current competition mares wanted for future breeding)

There have never been any recorded incidences of transmission of Hendra virus from horse to human during normal day to day contact. The only documented human infections were found to have been as a result of bad hygiene and workplace health & safety practices whilst performing invasive procedures on infected horses. Please refer to the Redlands Report; http://www.vsb.qld.gov.au/rvc-investigation-report.pdf and the Ombudsman's Report; http://www.ombudsman.qld.gov.au/.../Hendra_Virus_Report....

There have been no documented cases of horse to horse transmission of Hendra virus. The only case of multiple horses in the one area contracting Hendra, was the Redlands Clinic incident, and the spread of the disease was ascertained to
have most likely been due to human intervention via the use of uncleaned and un-sterilised equipment on multiple horses.

On these grounds, I therefore strongly urge the ACCC to object to EA's Notification and prevent immunity for this form of exclusive dealing from being conferred on EA

Yours sincerely

[Signature]

Leanne (Lea) Faulkner
Owner /Proprietor
Thursday August 20th 2015

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

C/- email address: adjudication@accc.gov.au

Private & Confidential - Phone Number or Email Address NOT For Publication Please

Dear Mr Chadwick,

UPDATE TO MY ORIGINAL SUBMISSION SENT AUGUST 10TH 2015

PUBLIC CONSULTATION SUBMISSION - AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I wish to take part in the Public Consultation process regarding the EA Notification application which conferred immunity on EA for exclusive dealing third line forcing on 13 August 2015 and which permits EA to prescribe mandatory Hendra (Hev) vaccination at equestrian events.

For the following reasons, I strongly believe that mandatory HeV vaccination is not in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from Equestrian Australia (EA) engaging in the conduct.

My reasons for making this submission are as follows:

EA has a virtual monopoly in the market for equestrian competitions in the equestrian sports it controls, and it has exclusive control over qualification of Australian competitors for State, National, International and Olympic equestrian competitions. Therefore, from a market competition perspective, the market control EA has results in limiting or preventing other commercial competitors from being able to offer alternative products (eg. other similar equine competitions and qualification offerings) to consumers with different conditions of service (eg. without mandatory HeV vaccination), especially but in no way limited to elite level. This essentially restricts the consumer’s choice to essentially being one of either “vaccinate” or “do not compete” which has
significant impacts on equestrian consumer choice.

In our circumstances this would indeed affect our business and future young rider plans, if the ability for us to compete was restricted even further (it has already been restricted at certain venues and events requiring current HeV only vaccinated horse) or was denied to us. As EA is the main governing body of equestrian endeavors in Australia that leaves us, with no other market competitor or alternative. We follow Bio Security protocol now as always as required by the DPI and/or Department of Agriculture and Fisheries. We have experienced adverse reactions to the HeV Vaccine so can no longer vaccinate our horses with the vaccine in its current form. We do not believe it is either fair or justified to impose unreasonable conditions on us to be able to compete with our horses in our chosen fields. Our vaccinated (now technically out of date) horses are now back in good health and as always well cared for, they are competition as well as breeding stock. The horses are still competitive and through no fault of their own would not be useful competition /breeding horses if they were excluded from competing.

This will have dire results on our business and the investments in it we have made. I also believe that the flow on effect will affect other business with the equestrian world not just competitors, like business where money is spent on travelling to and from events (eg. Petrol Stations) Equine based retail stores (e.g Competition Tack and clothing) Lack and/or loss of the tourist dollar in towns and cities where people travel to compete, just to name a few.

Why do six members of a board assume the right to request immunity in the mandate of this vaccine on behalf of its organising committees (so called) as these organising committees are affiliated with state bodies not EA and when considering this question relate to the fact that Pacq have just voted at a meeting 140 against a mandate to 20 for and that back in Feburary Ensw had a special general meeting to vote on their mandate of the vaccine and it was defeated 220 to 75 with a two month pre meeting consultation period. On these figures I would say that it appears the EA are dictating to the members, if they are so confident of their position why not have a National vote from all states as to their sentiments in this matter. There by justifying their position or not.

The next question is the comments made by those promoting this vaccine and attempting to mandate it through EA, PCA, or any other sporting bodies or associations is where is the evidence of the health risk that they purport there has been no documentation or statements from any health department supporting the emotive comments being made by the members of these boards and committees. All of these comments are made on the back of the evidence available that seven people have been infected and of those four died in a period of 21 years, and the reports from the government and controlling bodies stipulate that ALL of those infected failed in their own personal responsibility to wear appropriate protective equipment and the majority of those were either qualified/educated professionals or their
assistants.

As stated by the Australian Dept of Health no cases of asympomatic infections have been identified from extensive testing of human contact associated with Hendra virus events up to September 2011.

On these grounds, I therefore strongly urge the ACCC to revoke the immunity granted by the ACCC to EA for this form of exclusive dealing.

Yours sincerely,

Mrs Leanne Faulkner
Kellarni Downs Equestrian and Farmstay

Private & Confidential - Phone Number or Email Address NOT For Publication Please
From: Lynda Rowen
Sent: Tuesday, 11 August 2015 5:11 PM
To: Adjudication
Subject: SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601
C/ email address: adjudication@accc.gov.au

Dear Mr Chadwick,

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (HeV) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

My reasons for making this submission are as follows:

- Why would this be permitted to be allowed in the competitive/hobby equine industry yet the Racing Industry exposes many millions of people to contracting Hendra each and every time they attend a race meeting? Condoming off stable areas etc will have no effect as horse saliva, sneezing, snorting, urines & faeces can easily become airborne.

- The vast majority Race horse breeders, stables & trainers all refuse to vaccinate their breeding mares and stallions, and very rarely their geldings, as we horse owners know only too well the number of unrecorded deaths & permanent meaning of vaccinated horses, their newborn foals etc. and the deaths of horses that have occurred as a result of Veterinary Surgeons refusing to treat unvaccinated horses, albeit unvaccinated race horses are indeed treated.

- Adverse reactions and equine DEATHS from this vaccine have been experienced in very high numbers with, I believe, only a small proportion of those being duly reported to the statutory authority (as opposed to the manufacturer, Zoetis). There have been known cases of Vets declining to report reactions based solely on their opinion and I have no doubt they have failed to report many 1,000’s of adverse reactions based on their desire to see a marked increase in uptake of this proven unsafe vaccine.

- I am already unable to take my valuable team of show horses to certain events and equestrian competitions by virtue of the fact I refuse to vaccinate them, and this will extend to further Associations & Show Societies all over Australia if mandatory HeV vaccination is required, thereby decimating the recreational & competitive horse industry.

- Many vets are refusing to treat unvaccinated horses which conduct may increase if immunity to third line forcing is granted. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating "welfare" issues for horses who cannot be vaccinated due to age or infirmity. I believe many horses are possibly dying already because Vets MYV attend, but they will only take blood for Hendra testing &aming the result before agreeing to actually treat an unwell illness, of wound etc. Therefore, in the case of colic, chances are extremely high that the horse will die a very long and agonizing death due to lack of necessary invasive treatment.

- If blood is taken on a Friday afternoon, it can be Tue/Wed before results are known. Colt can & does kill within hours.

- The negligible risks of Hendra being contracted at an event (and the fact that it has never happened in the history of equestrian events or races, ever) whereas the risks of horses having violent & often deadly reactions are increasing by the day as more are vaccinated, and more particularly upon receiving their 3rd & onwards booster. It must not be overlooked that violent adverse reactions & death have occurred even after the initial vaccine.

- The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equestrian competitions, especially without consulting its paying membership numbering in the many thousands.

- No Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g. the Department of Primary Industries, Workplace Health and Safety etc) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equestrian competitions.

- The APVMA clearly states "The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out", therefore enforcing mandatory vaccination has no justification as the same "exclusion" protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA http://apvma.gov.au/node/12881.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely,

(Name) – Lynda J Rowen
Dear Mr Chadwick

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

I have vaccinated my horses with 6 needles and the end result is my Medium Level dressage horse is now unrideable, 8 years of training wasted and very extensive veterinary costs. If the mandatory vaccination was to be passed, based on where you reside it is totally discriminatory as zoetis own map as displayed at there Hendra information night at Kempsey in July 2015 showed that the latest information from CSIRO covered two thirds of NSW and was not restricted to the North Coast of NSW. The cost to the average horse owner is prohibitive and not enough long term safety trails have been done to subject our horses to an onslaught of over vaccination with a drug that is now known to have fatal side effects. The EA has not notified its members in regards to this application and all our rights have been forfeited with there application on our behalf. This is a democratic country and as such we are entitled to a vote on such an important matter, unfortunately there are some very vested interest in regard to the board of EA, Australia.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely

Sue Vickery
Submission AGAINST Equestrian Australia Exclusive Dealing Notification No: N98410 as NOT being in the Public Interest

10 August 2015

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) EXCLUSIVE DEALING NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

We refer to the above EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in the exclusive dealing conduct of third line forcing by requiring mandatory Hendra (HeV) vaccination to be prescribed at equestrian events.

We wish to strongly state that having regard to the following reasons, I do not believe that mandatory Hendra vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

Our grounds for not having our horses injected are:

Adverse reactions have been experienced – as we are owners of stallions we have seen too many stallions either dying or been rendered infertily
The risk involved in vaccinating our horses renders our inability or unwillingness to attend equine competitions if mandatory HeV vaccination is required
Vets are refusing to treat unvaccinated horses which conduct may increase if immunity to third line forcing is granted – There are no vets in our area that are refusing to attend ill horses as yet as we are in a low risk area, but how long will that ethos last
HeV vaccination product registration (on 4/8/15) registered label states that it cannot be guaranteed that the vaccine will not mask the Hendra virus symptoms and/or it cannot be guaranteed that a vaccinated horse may not pass on the virus anyway, in which case, what is the purpose of mandating vaccination without such certainties?
There are low risks of Hendra being caught at an event (and the fact that it has never happened in the history of equestrian events ever) as opposed to the increasingly growing higher risks of a horse having an adverse reaction to the vaccine, so why should participants be subjected to such laws?
The general public would have more chance of getting Hendra through trips to National Parks and fruit bats droppings than at horse events.

On these grounds, I therefore strongly urge the ACCC to object to EA's Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely

TONY & JANICE GIFFORD
Mr Richard Chadwick  
General Manager of Adjudication  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601  
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

My small horse suffered terribly from the first vaccine against Hendra, he lost ability to walk and never recovered. He was put to sleep as he was never able to walk correctly after this injection.

Due to this, I will never use the vaccine again in its current form, this limits my ability to attend shows, functions and Royal Events whereby the vaccine is mandatory.

Vets are refusing to treat unvaccinated horses, however were quiet happy to come see, treat and manage my horses prior to the release of this same vaccine. I never had an issue asking a vet to attend my property until June 2014 whereby my vet informed me he would not attend my horses
as they were not vaccinated, not even for dentals. This is turn creates angst as I therefore have no medical advice for my horses, who will see them for their yearly dentals, vet checks etc?

HeV vaccination product registration (on 4/8/15) registered label states that it cannot be guaranteed that the vaccine will not mask the Hendra virus symptoms and/or it cannot be guaranteed that a vaccinated horse may not pass on the virus anyway, in which case, what is the purpose of mandating vaccination without such certainties? The low risks of Hendra being caught at an event (and the fact that it has never happened in the history of equestrian events ever) as opposed to the increasingly growing higher risks of a horse having an adverse reaction to the vaccine. I never stable my horses at events, they are always tied to my float, as with most other horse owners, the risk of contracting the virus is very slim. The risk of reaction for the HeV vaccine increases exponentially due to the requirement for boosters to be administered every six (6) months, as currently stipulated by the APVMA. If my current horses were to be vaccinated and experienced an adverse reaction they would therefore be unable to continue the vaccination program and thus would be ineligible to compete in a proposed Hendra Mandatory event.

The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions. There is also the ongoing costs associated with this vaccine would prevent many from being able to continue in the sport. Added to this there have never been any recorded incidences of transmission of Hendra virus from horse to human during normal day to day contact. The only documented human infections were found to have been as a result of bad hygiene and workplace health & safety practices whilst performing invasive procedures on infected horses. Please refer to the Redlands Report; http://www.vsb.qld.gov.au/rvc-investigation-report.pdf and the Ombudsman's Report; http://www.ombudsman.qld.gov.au/.../Hendra_Virus_Report....

3. There have been no documented cases of horse to horse transmission of Hendra virus. The only case of multiple horses in the one area contracting Hendra, was the Redlands Clinic incident, and the spread of the disease was ascertained to have most likely been due to human intervention via the use of uncleaned and un-sterilised equipment on multiple horses.

Further to this, no Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g.: the Department of Primary Industries, Workplace Health and Safety etc) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions

On these grounds, I therefore strongly urge the ACCC to object to EA's Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely

Tanya Dearden
Mr Richard Chadwick  
General Manager of Adjudication  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601  
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick,

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above mentioned EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in exclusive dealing third line forcing by permitting mandatory Hendra (HeV) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory HeV vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

My reasons for making this submission are as follows:

- Why would this be permitted to be allowed in the competitive/hobby equine industry yet the Racing Industry exposes many millions of people to contracting Hendra each and every time they attend a race meeting? Cordonning off stable areas etc will have no effect as horse saliva, sneezing, snorting, urine & faeces can easily become airborne.

- The vast majority Race horse breeders, stables & trainers alike refuse to vaccinate their breeding mares and stallions, and very rarely their geldings, as we horse owners know only too well the number of unrecorded deaths & permanent maiming of vaccinated horses, their newborn foals etc. and the deaths of horses that have occurred as a result of Veterinary Surgeons refusing to treat unvaccinated horses, albeit unvaccinated race horses are indeed treated.

- adverse reactions and equine DEATHS from this vaccine have been experienced in very high numbers with, I believe, only a small proportion of those being duly reported to the statutory authority (as opposed to the manufacturer, Zoetis). There have been known cases of Vets declining to report reactions based solely on their opinion and I have no doubt they have failed to report many 1,000's of adverse reactions based on their desire to see a marked increase in uptake of this proven unsafe vaccine.

- I am already unable to take my valuable team of show horses to certain events and equine competitions by virtue of the fact I refuse to vaccinate them, and this will extend to further Associations & Show Societies all over Australia if mandatory HeV vaccination is required, thereby decimating the recreational &
competitive horse industry.

- many vets are refusing to treat unvaccinated horses which conduct may increase if immunity to third line forcing is granted. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating “welfare” issues for horses who cannot be vaccinated due to age or infirmity. I believe many horses are possibly dying already because Vets MAY attend, but they will only take blood for Hendra testing & await the result before agreeing to actually treat an unseen illness, or wound etc. Therefore, in the case of colic, chances are extremely high that the horse will die a very long and agonising death due to lack of necessary invasive treatment. If blood is taken on a Friday afternoon, it can be Tues/Wed before results are known. Colic can & does kill within hours.

- the negligible risks of Hendra being contracted at an event (and the fact that it has never happened in the history of equestrian events, or races, ever) whereas the risks of horses having violent & often deadly reactions are increasing by the day as more are vaccinated, and more particularly upon receiving their 3rd & onwards booster. It must not be overlooked that violent adverse reactions & death have occurred even after the initial vaccine.

- The Government medicine licensing authority, the APVMA, itself states that mandatory HeV vaccination is not an APVMA requirement which supports the argument that if the Government licensing authority does not believe the HeV vaccine should be mandatory, it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions, especially without consulting its paying membership numbering in the many thousands!

- No Australian Government regulatory body has required or recommended mandatory HeV vaccination (e.g.: the Department of Primary Industries, Workplace Health and Safety etc) therefore it is inappropriate for a non-government private membership equestrian organisation such as EA to dictate that it should be and bind its members to such as a condition of participating in equine competitions.

- The APVMA clearly states “The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out”, therefore enforcing mandatory vaccination has no justification as the same “exclusion” protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA: http://apvma.gov.au/node/12881.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely,

Thera Ramage
11th August 2015

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick

RE: SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) EXCLUSIVE DEALING NOTIFICATION
APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

With reference to the above EA application I wish to make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in the exclusive dealing conduct of third line forcing by requiring mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I do not believe that mandatory Hendra vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct. My reasons for this are as follow;

1. The risk of reaction for the HeV vaccine increases exponentially due to the requirement for boosters to be administered every six (6) months, as currently stipulated by the APVMA. I have two horses that have experienced adverse reactions to the HeV vaccine which now leaves them unable to continue the vaccination program and would make them ineligible to compete in a proposed Hendra Mandatory event.

2. There have never been any recorded incidences of transmission of Hendra virus from horse to human during normal day to day contact. The only documented human infections were found to have been as a result of bad hygiene and workplace health & safety practices whilst performing invasive procedures on infected horses. Please refer to the Redlands Report; http://www.vsb.qld.gov.au/rvc-investigation-report.pdf and the Ombudsman’s Report; http://www.ombudsman.qld.gov.au/Portals/0/docs/Publications/Inv_reports/Hendra/Hendra_Virus_Report_web_V1.pdf.

3. There have been no documented cases of horse to horse transmission of Hendra virus. The only case of multiple horses in the one area contracting Hendra, was the Redlands Clinic incident, and the spread of the disease was ascertained to have most likely been due to human intervention via the use of uncleaned and un-sterilised equipment on multiple horses.

4. EA seeks to usurp the right of the owner to decide what is in the best interests of their horses health.

5. EA is not a veterinary organisation and cannot perform “recommended” health assessments on horses prior to vaccination.

6. EA does not have the ability to assess individual horses to ensure they fall within the acceptable criteria documented by the APVMA to ensure horses are suitable for vaccination.

7. EA has not consulted with its members on its aforementioned application to ascertain their wishes.

8. EA board members have previously been found to have vested interests in the AVA, EVA and Zoetis which were not in keeping with their elected positions, and sort to mandate
vaccination for all EA events without consultation with their members whilst the vaccine was under a Minor Use Permit.

9. The ongoing costs associated with this vaccine would prevent many from being able to continue in the sport.

10. The more common adverse reactions known to occur with the vaccine, leading to localised swelling and stiffness, lethargy and inappetence would leave many owners being unable to compete their horses at critical times thus unfairly eliminating them from events where they had a fair expectation of competing successfully. My daughter has had to pull out of 2 state events due to horses suffering reactions, the first presented with Laminitis in all 4 feet which put her out for 4 months, vet report dated 16 sept 2013 states” It is my considered opinion that the vaccine played a significant role in this pony’s condition” He also stated further vaccinations for this pony is strongly contra indicated”. Her second horse was vaccinated in June 2014 and with in a month started to show some neuro changes consisting of bad behaviour, anger and anxiety, he also has a lymphatic infection, possibly a reaction causing compromised immune system, this abscess was huge and debilitating and still after 5 months treatment is still on Antibiotics and vet management.

11. The more severe reactions that have been experienced can lead to long term severe and costly health issues and even death. This would be extremely detrimental to the owners who have invested considerable time, money and effort into their horses.

12. Members of the horse community are currently experiencing incidences of veterinary practices refusing to treat unvaccinated horses. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating “welfare” issues for horses who cannot be vaccinated due to age or infirmity, this to me comes under the “Professional Neglect” umbrella and I feel it is time for this drug to be “STOPPED, RECALLED, and put back into a study stage with greater focus on reactions and precautionary research along with pre-test policies to ensure the horses are in good health before vaccinating. This can not be done by a quick look over and a question or 2.

13. The APVMA clearly states “The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out”, therefore enforcing mandatory vaccination has no justification as the same “exclusion” protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA; http://apvma.gov.au/node/12881.

14. The risk to the public is not relevant as horse sporting events do not have numerous members of the public wandering around the competition horses due to the inherent dangers of unpredictable horses and the need to avoid accidents or injuries to either the member of the public or the horse. It’s a basic safety protocol that most organised events employ.

In conclusion, to grant Notification to EA would severely jeopardise members of the horse owning public in their chosen sports and potentially their businesses where they are involved in professional horse sports and the breeding and selling of bloodstock.

I also feel that as a Leisure sport we are being unfairly forced into this where as the racing industry that flash $$$$$$$ in front of our Government have right of passage and right of choice with vets available no matter what their choice is.

I respectfully ask that the application for Immunity be refused on the grounds that it is not in the best interest of members of the public.

Yours sincerely
Vanessa Starkey
5/09/15

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick

SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) EXCLUSIVE DEALING NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

I refer to the above above EA application and wish to strongly make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in the exclusive dealing conduct of third line forcing by requiring mandatory Hendra (Hev) vaccination to be prescribed at equestrian events.

I wish to strongly state that having regard to the following reasons, I do not believe that mandatory Hendra vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct.

As an Elite rider and coach I wish to state that I have been already severely affected by this mandate issue in that one of my top horses with a value of $150,000+ has already been rendered unusable for the last year because of adverse reaction to this vaccine which I vaccinated on the basis of a revoked bylaw that EA implemented some 18 months ago.

The next issue is that I am not prepared to risk any of my other horses with this vaccine and therefore your decision to allow EA to hand out mandate situations of this vaccine could virtually end my future in the sport in this country and as I make my living from training and education of horses and riders, being restricted in this way would severely impact on my profile and diminish my ability to attract customers. It would also restrict my ability to be considered for selection in Olympic and World Equestrian Games teams unless I moved overseas to compete which would be a very expensive exercise. Equestrian Australia is the body through which FEI events are granted and the FEI vets in Australia are the main promoters of this vaccine and its mandate and I can see no benefit for the members of EA the states or their members in the on going debate into mandating this vaccine which is jeopardising the health and well being of our horses and to the detriment of the sports for no real gain to anyone but these vets. Considering that no horse or person has ever been infected at any event EA or other in history and consider the millions of events in racing alone in the past WHY would you believe you need to mandate unless you had some financial gain.

I question that no other equestrian body in Australia is considering mandating this vaccine the racing industry which has vastly more horses and people interacting than EA but have not mandated this vaccine and on enquiry have no intentions to. Pony club who bought in a mandate upon recommendation from EA have recently revoked this mandate because of member dissatisfaction and a vote at the AGM ceasing it.
No government Department or body deems it necessary to mandate this vaccine and the Health Department states it is a low risk and very difficult to contract, and that all of those infected were people (mainly vets) doing intrusive procedures without protection and negligent in their own safety standards. Vets have a serious conflict because they stand to make a lot of money out of the administering of this vaccine but that is another issue. But it does beg the question what reason does the board of EA have to believe that they have more expertise in this issue than any Government or horse related body to implement or allow implementation of a mandate of this vaccine/drug that APVMA has admitted has already adversely affected in excess of a thousand horses that we know of. I question the motives of this board and the number of veterinary professionals at the upper levels of management who have a serious conflict of interest.

As a member of Equestrian Queensland I seriously question the validity of Equestrian Australia’s authority over affiliates, bodies and members of Equestrian Queensland to be able interfere in the operations of clubs, show committees and members of these clubs who may have absolutely no connection with Equestrian other than to affiliate a show once a year and whose members are not in anyway associated with EA for any other purpose. I would like to know who has decided that EA is the representative of these people and entities, they just sell them a service/affiliation for a restricted period of time as I see it their direct involvement is with EQ not EA.

Could you please confirm receipt of this submission.

PAULA HAMOOD
From: Kay Sheppard
Sent: Tuesday, 11 August 2015 11:23 AM
To: Adjudication
Subject: Fwd: Submission AGAINST Equestrian Australia Exclusive Dealing Notification No: N98410 as NOT being in the Public Interest

11th August 2015

Mr Richard Chadwick
General Manager of Adjudication
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601
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My quarter horse gelding has had adverse reactions from having the Hendra vaccination. His immunity has been down causing itch which he has never had before until his vaccination. He sores take longer to heal no matter the treatment and weight loss. All things which never occurred before his Hendra vaccination.

I currently compete at local western performance shows which will cease for me and alot of competitors if this grant goes through.

On these grounds, I therefore strongly urge the ACCC to object to EA’s Notification and prevent immunity for this form of exclusive dealing from being conferred on EA.

Yours sincerely

Kayleen Sheppard
With regard to my email below, I wish to add the following point;

14. The risk to the public is not relevant as horse sporting events do not have numerous members of the public wandering around the competition horses due to the inherent dangers of unpredictable horses and the need to avoid accidents or injuries to either the member of the public or the horse. It is a basic safety protocol that ALL organised events would employ as part of their Public Liability Insurance policies.

Yours sincerely

Christine Lee
2. There have never been any recorded incidences of transmission of Hendra virus from horse to human during normal day to day contact. The only documented human infections were found to have been as a result of bad hygiene and workplace health & safety practices whilst performing invasive procedures on infected horses. Please refer to the Redlands Report; http://www.vsb.qld.gov.au/rvc-investigation-report.pdf and the Ombudsman’s Report; http://www.ombudsman.qld.gov.au/Portals/0/docs/Publications/Inv_reports/Hendra/Hendra_Virus_Report_web_V1.pdf.

3. There have been no documented cases of horse to horse transmission of Hendra virus. The only case of multiple horses in the one area contracting Hendra, was the Redlands Clinic incident, and the spread of the disease was ascertained to have most likely been due to human intervention via the use of uncleaned and un-sterilised equipment on multiple horses.

4. EA seeks to usurp the right of the owner to decide what is in the best interests of their horses health.

5. EA is not a veterinary organisation and cannot perform “recommended” health assessments on horses prior to vaccination.

6. EA does not have the ability to assess individual horses to ensure they fall within the acceptable criteria documented by the APVMA to ensure horses are suitable for vaccination.

7. EA has not consulted with its members on its aforementioned application to ascertain their wishes.

8. EA board members have previously been found to have vested interests in the AVA, EVA and Zoetis which were not in keeping with their elected positions, and sort to mandate vaccination for all EA events without consultation with their members whilst the vaccine was under a Minor Use Permit.

9. The ongoing costs associated with this vaccine would prevent many from being able to continue in the sport.

10. The more common adverse reactions known to occur with the vaccine, leading to localised swelling and stiffness, lethargy and inappetence would leave many owners being unable to compete their horses at critical times thus unfairly eliminating them from events where they had a fair expectation of competing successfully.

11. The more severe reactions that have been experienced can lead to long term severe and costly health issues and even death. This would be extremely detrimental to the owners who have invested considerable time, money and effort into their horses.

12. Members of the horse community are currently experiencing incidences of veterinary practices refusing to treat unvaccinated horses. Should EA be permitted to mandate HeV vaccination at events, this could lead to more veterinary practices refusing treatment and thereby creating “welfare” issues for horses who cannot be vaccinated due to age or infirmity.

13. The APVMA clearly states “The potential for a vaccinated horse to pass on the Hendra virus cannot be ruled out”, therefore enforcing mandatory vaccination has no justification as the same “exclusion” protocols still have to take place regardless of whether the horse is vaccinated or not. See APVMA; http://apvma.gov.au/node/12881.

In conclusion, to grant Notification to EA would severely jeopardise members of the horse owning public in their chosen sports and potentially their businesses where they are involved in professional horse sports and the breeding and selling of bloodstock.

I respectfully ask that the application for Immunity be refused on the grounds that it is not in the best interest of members of the public.

Yours sincerely

Christine Lee
13 August 2015

Mr Richard Chadwick  
General Manager of Adjudication  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601  
C/- email address: adjudication@accc.gov.au

Dear Mr Chadwick

RE: SUBMISSION AGAINST EQUESTRIAN AUSTRALIA (EA) EXCLUSIVE DEALING NOTIFICATION APPLICATION NO: N98410 AS NOT BEING IN THE PUBLIC INTEREST

With reference to the above EA application I wish to make the following submissions against the granting of Notification to EA which, if granted, would confer immunity on EA to engage in the exclusive dealing conduct of third line forcing by requiring mandatory Hendra (HeV) vaccination to be prescribed at equestrian events.

I do not believe that mandatory Hendra vaccination is in the public interest and that the likely benefit to the public from the notified conduct would not outweigh the likely detriment to the public resulting from EA engaging in the conduct. My reasons for this are as follow;

Equestrian Australia control the largest segment of the sport horse industry in Australia outside of the Australian Racing Industry. As such, the decision to confer immunity on EA and grant them the ability to mandate Hendra HeV vaccinations at events controlled by them will effectively disadvantage many in the sport horse industry who cannot vaccinate or who choose not to.

EA oversees hundreds of clubs across Australia. Each of these individual clubs provide an assortment of aids to assist new and young riders to progress in their chosen discipline of horse sport. Through these clubs, EA offers a range of education opportunities and accreditations for members in the areas of Horse Management, Riding, Officiating and Coaching. They provide training clinics and performance programs to assist young riders towards state and national team representation.

By mandating the vaccine, EA effectively disadvantages large numbers of their current and future members in Queensland and New South Wales from being able to take part in even the lowest level training and coaching programs if they are unable, or choose not, to vaccinate their horses. This means that children will no longer be able to take part in basic pony club activities if their club is an EA member and the child’s pony or horse is unvaccinated or no longer able to be vaccinated. Young adults who have spent their formative years working to excel at their sport will not be able to take part in either local club events or state or national events.

Local clubs will be disadvantaged as membership numbers fall due to riders being no longer able to participate in club events. Some clubs will be forced to close where low membership numbers are unsustainable. This will cause disadvantage to both the vaccinated and unvaccinated in that they will no longer have the education facilities needed to further their sport.
Competitions and events will be impacted due to many riders being unable to participate. This will unfairly advantage those that have been fortunate to be able to vaccinate without adverse reactions. A level playing field for competitors will no longer exist.

Elite stables who compete their top unvaccinated bloodstock very successfully will no longer be able to do so. This will impact their business as the ability to “sell” their product, i.e.; Stallions at stud and young stock will be impacted. A successful competition background is essential for breeders to attract potential clientele to their stud. Then there is the risk to vaccinating breeding stock, as the effect of the vaccine on pregnant mares and breeding stock (stallions) is unknown, see; http://apvma.gov.au/node/12881. Many elite level horses are competed “intact” with the intention of being used for breeding both while competing and upon retirement from competition.

The more common “mild” reactions that have been occurring have been resulting in oedemas, neck and joint stiffness, lethargy and inappetence, see; http://apvma.gov.au/node/15786. For an elite level competition horse, this would impact on not only training but the animals ability to pass the mandatory vet checks prior to competition. The horse would have to be rested until the reactions had dissipated which would be a serious impairment to the intense training regimen that takes place prior to elite level competitions as well as the competition itself.

Competition in Queensland and New South Wales will be disadvantaged should interstate and overseas riders elect not to nominate for events in these states if they are required to vaccinate to compete.

In summary, allowing EA, who control the largest of the sport horse disciplines in Australia, to mandate the vaccine and enforce its use on certain segments of the competitive horse industry will seriously disadvantage those who reside in these states. It will create unfair advantages for those who do not have to vaccinate and will result in riders being unfairly discriminated against though no fault of their own.

I respectfully ask that the granting of Immunity to Equestrian Australia to engage in the exclusive dealing conduct of third line forcing be reversed on the grounds that it is not in the best interest of members of the public.

Yours sincerely

Christine Lee