

## National report Germany

November 2017

- **Antimicrobial resistances** stay high on the political agenda. German veterinarians are achieving more and more workable solutions. For example, the fifth circle of analysis of the sale amount data for antibiotics (compulsory by law, "DIMDI") for 2015 showed a decreasing number of sales of antimicrobials from pharmaceutical companies and wholesalers to German veterinary practices since the beginning of the DIMDI-examinations in 2011. Annoying: The public authority (Bundesamt für Verbraucherschutz und Lebensmittelsicherheit, BVL) first published wrong (to high) figures due to a supposedly incorrect report. Unfortunately the wrong data keeps appearing on the internet. Besides, a reduction of the amount of antimicrobials used in veterinary practices is not a purpose of itself. The aim is combating antimicrobial resistance. Thus we need to implement more tools, including a better co-operation between veterinary and human medicine ("One Health").
- **Federal regulation on veterinary pharmacies** (Tierärztliche Hausapothekenverordnung, TÄHAV): The projected revision kept German veterinary associations busy during 2017. We tried lobbying for practice-oriented regulations giving legal certainty concerning the demanded antibiograms and the associated documentation. The German Federal Government did not manage to finalize the legislative procedure before the federal election for the Bundestag. The draft was sent to the European Commission for notification on June 22<sup>nd</sup>, which meant the deadline was missed. In consequence the new government will have to accomplish the legislation. German veterinary associations are hoping to prolongate the TÄHAV-process in Germany, while quickening the legislation concerning the European Medicines Directive. The results shall be homogenous and well-matched: Especially the intended definition of critically important antibiotics and the legal obligations on documentation shall by all means follow the upcoming European legal framework.
- **Expert assessment on sales discounts on veterinary medicinal products** („Gutachten zur Überprüfung der Rabattierung bei der Abgabe von Tierarzneimitteln“): German veterinarians have for a long time been suspected to be misguided by sales discounts. To overcome these concerns, bpt's board suggested to the Federal Ministry of Food and Agriculture (BMEL) to start an external expert assessment on the question, if sales discounts on veterinary medicinal products set wrong stimuli in the prescription routines of veterinarians. BMEL agreed and mandated the Boston Consulting Group as external reviewer. The compressed results published on September 13<sup>th</sup>, 2017 were: The profitability of most veterinary practices in Germany highly depends on sales discounts on veterinary medicinal products. An elimination of these discounts would cause serious trouble and put the nationwide coverage with veterinary services at risk. A statistical connection between sales discounts and prescription routines does not exist.
- **Slaughter of highly pregnant livestock:**  
A Federal Act on the prohibition of the delivery of highly pregnant livestock for the purpose of slaughter (excluding sheep and goats) became effective on September 1<sup>st</sup>, 2017. Although German veterinarians struggled for such legislation, we are not satisfied with the concrete outcome. Instead of a restrictive rule giving legal certainty, the regulation allows deviation based on veterinary indication (and in cases of regulatory actions concerning epidemics). This causes unnecessary difficulties for the veterinarians in the field.

- **Piglet castration:** Piglet castration without anaesthesia for piglets younger than eight days will be prohibited in Germany beginning January 1<sup>st</sup>, 2019. Until then, farmers have to establish alternatives. The difficulties in detecting the right methods couldn't be eliminated, yet. Alternatives keep being discussed, because at the moment no method seems to meet the requirements of animal welfare, practicability, safety (concerning animal, humans and environment), acceptance of the consumers and economic efficiency. Thus, bpt's General Assembly has adopted a resolution on the topic in November 2016 pointing out, that no option shall be excluded prematurely.
- **Livestock husbandry:** the Federal Ministry for Food and Agriculture has presented a national strategy for farm animal husbandry. Veterinary associations welcome the strategy, but are still missing concrete political activities. However, as coalition talks following the election are still ongoing and it can't be foreseen who will be leading the Ministry for the next four years, it is only speculation if or how the strategy will be implemented. Public discussions are ongoing especially on the husbandry of pigs. End of September, Berlin Senator Dirk Behrendt (Greens) announced that he will file a suit at the Federal Constitutional Court (Bundesverfassungsgericht). The court shall decide if the regulation on animal welfare in livestock farming (Tierschutz-Nutztierhaltungsverordnung) is compatible with the German Constitution (Grundgesetz, GG): animal welfare has been defined as a national objective in Article 20a GG. Meanwhile, the Federal Ministry on Food and Agriculture has presented key points to reduce the time in gestation crates for sows to a minimum. In the meantime, BTK's General Assembly adopted a **position paper** on necessary amendments to regulations on **livestock husbandry** in Germany which has been widely recognized.
- **Defect breeding:** In the German Veterinary Journal (Deutsches Tierärzteblatt), a report prepared by the BTK working group against defect breeding (AG Qualzuchten) was published. It explains in detail based on which characteristics a pug can be recognized as defect breed according to the animal protection law (Tierschutzgesetz) by the official vet so that he is able to prohibit the breeding. In the working group against defect breeding five veterinary associations are working together.
- Ongoing **deregulation efforts of the European Commission** (DG Internal Market) addressing "regulated professions" (veterinarians are counted among these) keep going on. The current headline is the "Single Market Strategy/Package of Measures". Especially three issues are in focus:
  1. Freedom of establishment (especially ownership of practices of liberal professions by non-professionals), freedom of choice concerning the legal form of practices
  2. Self-regulatory bodies of liberal professions
  3. Detailed examination of tariffsThe efforts have possible influence on Germany's complete sector of liberal professions. In general the Commission is of the opinion that the single market for services is not yet delivering its full potential and thus asks for more deregulation.
- **Veterinary fee schedule:** German law contains a range of veterinary tariffs (Gebührenordnung für Tierärzte, GOT). It has not been changed since 2008. The project had been put on hold due to the "ongoing deregulation efforts of the European Commission (see above). By the end of July 2017 an act on the amendment of GOT finally came into force. It contains a linear growth of 12 percent (20 percent was the aim the German veterinary associations lobbied for), a higher growth concerning farm visitations and a fretful discount for the castration of stray cats.

- **Model Curriculum on business studies within study of veterinary medicine:** The revision of the regulation on the veterinary approbation (Verordnung zur Approbation von Tierärztinnen und Tierärzten, TAppV), covering the day one competencies of graduated veterinarians, has again not introduced lectures on business studies to the veterinary curriculum. Thus, bpt has started a pilot scheme, developing proposals for a curriculum covering one term. The draft shall now be discussed with the Federal Ministry BMEL and shall afterwards be tested at one or two faculties. The overall aim is a mandatory course.

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