

BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 116 OF 2015

The South African Veterinary Council

NOTICE IN TERMS OF SECTION 33(3)(bA) OF THE VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982 (ACT 19 OF 1982)

Particulars of the following persons found guilty of unprofessional conduct by the South African Veterinary Council after due inquiry in their conduct, are published for general information:

* Judgment rescinded on 21 October 2014 as per the agreement between the SAVC and the Competition Commission

** Fine refunded

*** Matter reviewed by full Council on 10 & 11 February 2015

Name of Person	Address	Transgression	Penalty Imposed	Date convicted
D89/2903 Dr BW Ganzevoort	P.O Box 27 Humansdorp 6300	Contravention of Reg 2 read with Rule 4 (5) in that during 2004-2010 he rendered veterinary services from an unregistered facility.	Fined R10 000	27/2/2013
D00/0188 Dr SL Kok*	P.O Box 11882 Heiderand 6511	Contravention of Rules 7 (2) canvassing / touting for work; and 15 (7) (b) advertising incentives that relate to veterinary services.	Fined R5 000 **	6/3/2013
D01/0058 Dr M Malan***	P.O Box 1098 Lydenburg 1120	<p>Contravention of-</p> <p>1. Reg 2, read with Rule 4(5), rendered veterinary services from an unregistered facility;</p> <p>2. Rule 11 in that she examined/advised on diagnosis and/or treated animals under the professional care of a veterinary colleague without-</p> <ul style="list-style-type: none"> • obtaining an agreement from that colleague to take over the treatment of that/those animal(s); • ascertaining beforehand that the colleague concerned was available to apply emergency treatment; and • notifying the colleague concerned of the nature and extent of the emergency treatment applied. 	<p>1. Fined R20 000; R10 000 payable in 4 equal installments. R10 000 suspended on proviso that Dr Malan is not found guilty of unprofessional conduct during a period of five years.</p> <p>2. The matter to be reported to the State Veterinary Services of Mpumalanga.</p> <p>3. Dr Malan to collate the protocols for the rendering of clinical services by state veterinarians in nine provinces, collate and draft a paper for the SAVC, setting out the different standards required within six months from date hereof.</p> <p>Following review: Fined an additional R20 000 for failing to comply with item 3 above, payable within 90 days, of which R 10 000 is suspended subject to the submission of the article within ninety days of being notified.</p>	10/4/2013
ART06/7876 Mr P Grimbeek	P.O Box 20933 Noordbrug 2522	Contravention of Rule 4 [rules for Animal Health Technicians]. He offered to render services of an AHT, i.e. vaccinations, TB testing, dehorning, and/or castration, via an advertisement for a fee, outside employment of and/or on behalf of the state and/or a registered veterinarian.	<p>1. Fined R5 000, suspended for two years on condition that he is not found guilty of transgressing Rule 4 during the time of suspension.</p> <p>2. Must write an article on the matter of allowing AHTs to advertise services, with specific reference to touting, and the reasons why it is not permitted.</p>	10/4/2013

D83/1924 Dr PC Burger	P.O Box 6495 Flamwood 2572	Contravened S 34 of the Act. He prescribed and dispensed scheduled medicine for use in the treatment of an animal, which was not under his professional care.	Fined R5 000, R3 500 of which is suspended for a period of one year on condition that he does not transgress S 34 of the Act during the period of suspension.	11/4/2013
D85/2404 Dr SB Pringle	P.O Box 201 Gillits 3603	Unprofessional, improper and disgraceful conduct in that in the matter of the State vs Dr SB Pringle, he was found guilty by the Regional Court, Regional Division of KZN of unlawfully and intentionally: a) selling unregistered medicines without the necessary written authority from the Medicines Control Council to sell such unregistered medicines and that such medicines were not compounded or supplied for the treatment of a particular animal or group of animals. b) Failed to properly keep a Schedule 6 register of all the Schedule 6 substances purchased and sold by him; c) kept on his premises, wherefrom Schedule 2 to Schedule 6 substances were sold, a prescription book or other permanent record in respect of such sales; d) kept veterinary medicines without package inserts, containing information set out in sections 40(1)(a)-(p) of the Medicines and Related Substances Control Act, 1965; and e) kept veterinary medicines that were not labeled in the prescribed manner.	Suspension of registration for a period of thirty months effective as of 12/5/2013. During this period he must pass the SAVCs Jurisprudence examination.	12/4/2013
D72/103 Dr JD Prinsloo (Snr)	P.O Box 1259 Bronkhorstspuit 1020	Contravention of: 1. Rule 7. He entered into an arrangement with non-registered persons for the introduction of clients to his veterinary practice, and/or 2. Rule 8 in that he- i. entered into a partnership; and/or ii. was involved in co-operation or collaboration with a non-veterinarian which adversely affected other veterinary professionals; 3. S 34 by keeping an open shop or pharmacy when he was not entitled to do so; and/or in the alternative: i. Rule 10 in that he prescribed and/or supplied medicines without satisfying himself that the administration thereof is justified with specific reference to the risk and benefits of it, as he did not prescribe medicines to be administered to an animal or animals which was/were under his professional care and examined by himself; and/or ii. prescribe medicines to be administered to animals which were under his professional care and examined by himself; and/or iii. know to what animals the medicines were to be administered; and/or iv. administer the medicines personally;	1. Suspension for twelve months. The sentence is suspended for three years on condition that no similar offence is committed during the period of suspension, and 2. Fined R25 000.	15/4/2013

		<p>and</p> <p>v. advise the consumer of the products of those animals as to the possible residue of that medicine in the products.</p> <p>4. These prescriptions were being issued or medicines supplied to a non-registered veterinarian, to be used for mass synchronisation inter alia on the animals on various farms.</p>		
D72/1033 Dr JD Prinsloo (Snr)	P.O Box 1259 Bronkhorstspuit 1020	<p>Found guilty of unprofessional conduct in that-</p> <p>1. He allowed an unregistered person to create the impression on his professional stationary that he was a registered person and/or a registered veterinarian and thereby entitled to render veterinary services;</p> <p>2. He acted in contravention of Rules-</p> <ul style="list-style-type: none"> • 6 in that he shared professional fees with a person not registered with, or authorised by Council to render veterinary and/or para-veterinary services and/or in alternative; • 5(5) in that the documents were not signed by him personally as he instructed a person to append his signature stamp on the document without having seen the documents; and/or in the alternative • 8 in that he; <ul style="list-style-type: none"> i. entered into a partnership; and/or ii. was involved in co-operation or collaboration with a non-veterinarian which adversely affected other veterinary professionals. 	<p>1. Suspension for twelve months, the sentence is suspended for three years on condition that no similar offence is committed during the period of suspension</p> <p>2. Fined R25 000.</p>	15/4/2013
D96/3755 Dr LP Thenga	43 Conrad Dr Blairgowrie 2194	<p>Found guilty of improper conduct in that:</p> <p>1. he contravened Rule 26(5) by failing to submit all records relating to a complaint, charge and/or allegation in a complaint lodged with Council in terms of section 31(1) of the Act, when requested by Council;</p> <p>2. he allegedly and fraudulently charged a client for veterinary services that were not rendered to the patient;</p> <p>4. he failed to euthanase two dogs when requested and entrusted to do so by the owner;</p> <p>5. he failed to maintain proper control over two dogs which had been left in his professional care to be euthanased, resulting in one dog being found alive in the area of Soweto.</p>	Registration withdrawn with immediate effect.	29/4/2013
D73/1048 Dr LR Bracher	145 Milner Rd Rondebosch 7700	He failed to follow an appropriate post-anaesthetic care protocol or provide the necessary supportive treatment after performing the surgical debridement and the two dental extractions on the patient.	<p>1. Cautioned.</p> <p>2. Fined R5 000. Payment of the fine was suspended for a period of three years.</p>	30/4/2013

D11/6078 Dr KA Morris	P.O Box 32165 Glenstantia 0010	<p>She advertised her veterinary service by:</p> <ol style="list-style-type: none"> 1. Affixing corrugated boards to various road signs containing the following words " VET ON WHEELS, THE VET THAT COMES TO YOUR PET 071 998 2983"; and/or 2. published a webpage at http://www.hatfieldvetonwheels.co.za; and/or 3. Included an advert in a local newspaper on 25 July 2012 for "Hatfield Vet on Wheels" containing the words as set out in paragraph a) above as well as the e-mail address hatfieldvetonwheels@gmail.com, whilst there is no facility named "Hatfield Vet on Wheels" and/or "Vet on Wheels" registered with the South African Veterinary Council, and/or 4. That the advertisement of veterinary services by affixing corrugated boards to various road signs containing the following words " VET ON WHEELS, THE VET THAT COMES TO YOUR PET 071 998 2983" was <ol style="list-style-type: none"> i. not in good taste regarding the prominence and medium of advertising as is required in terms of Rule 15(2); and/or ii. did not comply with the requirements of Rule 15(4) as it did not contain information regarding emergency and out of-hours service. 5. She failed to maintain the prestige, honour, dignity and interests of the veterinary profession and its members as required by Rule 4 by affixing corrugated boards to various road signs without obtaining the necessary Municipal approval. 	<ol style="list-style-type: none"> 1. Fined R2 500, suspended for three years. 2. Must write an article on the importance of being aware of the ethical rules of the veterinary profession before starting in practice, intended for publication in the newsletter and/or for discussion in the Ethics course at the Faculty of Veterinary Science with the students. 	29/5/2013
D96/3861 Dr JF van der Meijden	Private Bag X 05 Fauresmith 9978	<p>Found guilty of unprofessional, improper and disgraceful conduct in that:</p> <ol style="list-style-type: none"> 1. He prescribed a scheduled medicine in contravention of Rule 10 without satisfying himself that the administration thereof is justified with specific reference to the risks and benefits of it, as he did not: <ol style="list-style-type: none"> i. prescribe medicine to be administered to an animal or animals which was/were under your professional care and examined by himself; and/or ii. know to what animals the medicine were to be administered; and/or iii. administer the medicine personally; and/or iv. know by whom it will be administered; and/or advise any consumers of the products of those animals as to the possible residue of that medicine in the products. 2. On 14 June 2011 he signed a prescription for a client for various lions to be transported from Lichtenburg to Vryburg for the delivery of 50 x Zoletil bottles to "Dr A S.." on a veterinary 	Withdrawal of Registration with immediate effect	4/6/2013

		<p>prescription that contained the words "PRACTICE: "Dr A S..."; ADDRESS: Unknown" under the words "VETERINARY PRESCRIPTION" whilst he was not associated with that veterinarian or his practice at all nor did he liaise with the veterinarian regarding the issue and delivery of the aforesaid Zoletil.</p> <p>3. He failed to keep records as is required in terms of Rule 26 when issuing the prescriptions, alternatively he failed to submit the records when requested to do so.</p>		
H05/7124 Mr BY Hamilton	138 Azalea Road Wilro Park Rodepoort	<p>1. He rendered primary health care and/or extension services to the public which includes, but is not limited to, the vaccination of animals, either in contravention of:</p> <p>i. Rule 3.2 to wit that he administered injections and/or medicines whilst not carrying out these services under the instructions or supervision of a person registered to practise a veterinarian profession; or</p> <p>ii. Rule 4, read with Rule 2, in that these services were not rendered on behalf of the State, nor whilst he was employed by a registered veterinarian.</p>	Cautioned.	24/6/2013
D90/2985 Dr B Bard***	P.O. Box176 Prince Albert 6930	Failure to comply with CPD.	<p>Fined R2 000.</p> <p>Following review: Upheld R2 000 fine.</p>	15/10/2013
D94/3572 Dr DI Mtshali***	Private Bag X1048 Richards Bay 3900	Failure to comply with CPD.	<p>Fined R10 000.</p> <p>Following review: Upheld R10 000 fine.</p>	15/10/2013
D87/2605 Dr DJ Goosen	Postnet Suite 490 Private Bag X1 Wilgers 0041	He contravened Council Policy (as published in the SAVC News in June 2005) by prescribing a scheduled substance, to wit M99 (Captivon), used for anaesthetizing animals, whilst not being the end user and thereby allowing persons other than a veterinarian to administer same.	<p>1. Fined R20000</p> <p>2. Registration as a veterinarian suspended for a period of five years. The sentence was wholly suspended for a period of five years, on condition that he doesn't commit a similar offence during the period of suspension.</p>	30/10/2013
D00/0146 Dr AJ Lewis***	Plot 6, Moepel Rd Hoedspruit Limpopo 1380	<p>Found guilty of unprofessional conduct in that:</p> <p>1. He failed to maintain the prestige, honour, dignity and interests of the veterinary profession and its members as required by Rule 4(1)(a) by:</p> <p>i. using inappropriate and/or lewd language when addressing the media on his arrival at Monate Lodge.</p> <p>ii. not exercising professional restraint in making inappropriate comments when addressing the public and/or the media.</p> <p>iii. failing to maintain the prestige,</p>	<p>1. A warning and discharged.</p> <p>2. To review and critically evaluate the Act and Regulations and make recommendations as regards to the improvement of the Act to accommodate wildlife veterinarians which must be submitted to Council within six months.</p> <p>Following review: Fined R25 000 for failing to</p>	28/5/2014

		<p>honour, dignity and interests of the veterinary profession and its members as required by Rule 4(1)(a) by standing on top of a dead hippopotamus in full view of the media and the public without exercising professional discretion and by so doing bringing the profession into disrepute.</p> <p>2. Contravention of Rule 26(5) in that he failed to submit records after being requested by the Council.</p>	comply with item 2 above.	
D68/0786 Dr AE Riley	Cornwall View Shopping Centre Cnr Boeing & Piering Streets Elarduspark Pretoria, 0075	<p>Contravention of:</p> <p>1. Rule 5(5) and/or Rule 5(7), in that he required and/or allowed a registered student, namely Ms M Kruger to render veterinary services by issuing veterinary certificates to Mr Gilder, subsequent to vaccinating his dogs and by not signing the said certificates personally; and</p> <p>2. Rule 26(5), in that he failed to submit records after being requested by the Council.</p>	<p>1. A fine of R2000-00, suspended for three years on condition that he is not convicted of a similar offence during the period of suspension; and</p> <p>2. To submit an article of at least five hundred words to be published in the South African Veterinary Council's newsletter with regards to the duties and responsibilities of veterinary professionals in respect of students employed at their practises and the requirements of submitting records to the Council when so requested.</p>	6/6/2014
D99/4348 Dr IR Heyns	P.O Box 178 Simondium 7670	<p>Found guilty of improper conduct in that:</p> <p>1. He signed a Lloyd's Veterinary Foal Certificate for Mortality insurance, attached and marked Annexure A, that did not comply with the provisions of the Rules relating to the practising of veterinary professions in that he failed to complete:-</p> <p>i) the address of the premises where the animal was kept as is required in terms of Rule 5(4)(b);</p> <p>ii) the colour and age of the animal as is required in terms of Rule 5(4)(c);</p> <p>iii) the date of issue of the certificate, as well as the date of examination of the animal in terms of Rule 5(4)(f); and</p> <p>iv) he failed to ensure that no blank spaces were left on the certificate as is required in terms of Rule 6(d).</p> <p>2. He appended his signature on Annexure A and thereby certified that the WBC (white blood count) was between 5,0 and 12,6 before receiving any blood results for the animal.</p>	Reprimanded on each of the counts which he was found guilty of. A further condition was imposed that he consults with a colleague who has suitable knowledge regarding the correct manner of drawing up of documents for certification.	27 & 28/10/2014
D06/5105 Dr VR Geddes***	71 Longships Ave Plettenberg Bay Western Cape	<p>Found guilty of unprofessional and improper conduct in that:</p> <p>1. She contravened Rule 4(5) and Regulation 2(1) in that she rendered veterinary services, by diagnosing and/or treating and/or supplying 3 boxes of Clomicalm, from an unregistered facility;</p>	<p>Registration was suspended for two years.</p> <p><u>Following review:</u> Above suspension varied with a suspension of six months.</p>	20/11/2014

		and 2. She rendered veterinary services, by diagnosing and/or treating and/or supplying 3 boxes of Clomicalm, to be administered during a house call, whilst she was neither the principal of a registered veterinary facility nor was she employed full or part time at a registered veterinary facility that could serve as a base facility.		
T88/0077 Mr O Matthee	Onderstepoort Veterinary Institute Pvd.Ovi Onderstepoort Parasitology Ovi	Found guilty of unprofessional and improper conduct in that: 1. He contravened Rule 2.2 of the veterinary technologists' rules. He rendered veterinary services, on the back of a bakkie, without veterinary supervision or direction; 2. He contravened S 35 of the Act in that he recovered remuneration in the amount of R400 for the services; and 3. He contravened Rule 2 in that he: 3.1 Performed a surgical operation or procedure; and 3.2 Administered medicines whilst not being registered as a veterinarian.	Fined R15 000. In addition, his registration is suspended for a period of twelve months, which suspension is wholly suspended for three years on condition that he is not found guilty of similar offences.	25 /11/ 2014
DM87/2616 Dr GP Retief	P.O Box 183 Dolphin Coast 4404	1. Contravention of Rule 4(5) and Reg 2(1) relating to the registration of veterinary facilities on 12 June 2012 in that he rendered veterinary services to by vaccinating dogs, Bayleigh and Zeke, whilst he was not rendering those services at or from a veterinary facility registered with the Council. 2. He acted in contravention of Rule 4(5) and Reg 2(1) relating to the registration of veterinary facilities on 26 June 2012 in that he rendered veterinary services by vaccinating a dog, Fudge, whilst he was not rendering the services at or from a veterinary facility registered with the Council. 3. The vaccines used to vaccinate the animals in paragraphs 1 and 2 above expired in January 2012.	Fined R15 000. In addition, he had to keep up to date with CPD. Furthermore, he was required to decide on or before 31 March 2015 whether to retain his registration with Council or not.	10 /11/ 2014
		TRANSGRESSIONS RESCINDED		
<u>Name of Person</u>	<u>Address</u>	<u>Found guilty of unprofessional conduct</u>	<u>Penalty Imposed</u>	<u>Date convicted</u>
D89/2936 Dr Hilldidge Beer	39 Scholtz Rd Somerset Wes 7130	She published an advertisement and advertorial in contravention of Rule 7 (touting) and Rule 15 (advertising) of the Rules.	Caution.	23/06/2005
D96/3830 Dr JM Lamb*	P.O Box 6813 Zimbali KZN 4418	He allowed or caused to publish an advertisement and advertorial in contravention of Rule 7 (touting) and Rule 15 (advertising) of the Rules.	Reprimand.	01/03/2007
D93/3454 Dr BP Lourens*	17 Dianthus St Helderview Somerset West 7130	He published advertisements and advertorials in contravention of Rule 7 (touting) and Rule 15 (advertising).	Caution.	23/06/2005
D87/2616 Dr GP Retief*	P.O Box 33395 Montclair 4061	He distributed pamphlets in contravention of Rule 7.	Reprimand.	26/10/2006

D72/1045 Dr PH Mapham*	339 Prince Alfred St PMB 3201	He advertised the services, products and facility of Veterinary House CC which: a. Exceeded the limitations in Rule 15(3) in that the article contained references to: -the history of the practice and its former partners; -the history of its current members; and -information about a former satellite practice; and b. Contrary to Rule 15(8) it states that Veterinary hospital House has a "specialist ophthalmologist on the team" whilst not being registered as such with Council.	Reprimand.	09/10/2008
D85/2471 Dr AG Niven*	P. O. BOX 3301 CRAMERVIEW 2060	He published an advertisement in contravention of Rule 15.	Reprimand	15/05/2008
D98/4213 Dr MNP SehloDIMELA*	P.O Box 8330 Bonaero Park 1622	He acted in contravention of Rule 15 by having fees and incentives as the subject matter of an advertisement.	Fined R1 000 Penalty suspended for period of three years on condition that he does not commit a similar offence during the period of suspension.	28/01/2008
D83/1833 Dr HG Azorin*	1A Jangada Street Sun Valley 7975	He, in contravention of Rule 7, sent unsolicited printed material.	Reprimand.	29/01/2009
D97/3940 Dr H Davies*	P.O Box 573 Derdepoort Park 0035	1. The services and facility was advertised together with products in the form of unsolicited printed material (a pamphlet/flyer) and placed unaddressed in the postal box of the unidentified recipient. The pamphlet/flyer exceeded the limitations stipulated by Rule 7(2)(d), read with Rule 7(3) in that the pamphlet/flyer : • was not contained in an envelope; and • did not contain the name and address of person to whom it was directed; 2. The advertising of the facility together with a veterinary shop is in contravention of Rule 16 in that: • the name of the facility was used directly and/or indirectly, to promote the business of Bosveld Voere in which Dr H Davies has an interest; and • the name of the veterinary shop was used in connection with Bosveld Direkliniek.	Reprimand.	25/03/2010
D92/3265 DR JC Botha*	Gerfa Centre 5 & 6 C/O Mostert 7& 6th Ave	He contravened Rule 16(7)(d), read with Rule 7(2)(c) in that he touted for work by advertising on his website a discount	Reprimand.	05/10/2011

	Melkbosstrand Cape Town 7441	and/or an incentive on the fee usually charged for a clinical service, viz. a vaccination or clinical examination, with a view to attracting clients.		
D00/0101 Dr DJ Clowes*	P.O Box 238 Kokstad 4700	1. Contravention of Rule 7 in that he granted discounts on the fees usually charged for veterinary services by charging between 50% and 66% of the minimum recommended fees, particularly: i) On 18 August 2006 he charged: 1 Injection fee @ R5-00; and ii) On 11 March 2006 he charged: 1 Professional services @ R80-00 1 Blood slide @ R15-00 2 Injection fee @ R10-00	R 5,000-00 fine. Penalty suspended for one year on the condition that he submitted proof that the practice fees have been brought in line with the Guideline of Tariffs by February 2010.	25 /02/ 2009
D99/4350 Dr TA Dickerson*	P.O Box 238 Kokstad 4700	1. Contravention of Rule 7 in that he granted discounts on the fees usually charged for veterinary services by charging between 50% and 66% of the minimum recommended fees, particularly: On 11 March 2006 he charged: 1 Professional services @ R80-00 1 Blood slide @ R15-00 2 Injection fee @ R10-00 2. In contravention of S 34, he dispensed Lutalyse in bulk to Mr Bryden for his dairy herd whilst the herd was not under his professional care.	Warning.	25 /02/ 2009