

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex X)
600 Pennsylvania Ave NW
Washington, DC 20580

September 8, 2012

Re: Request for Comments for the Workshop on Pet Medications Issues, , Project No. P121201

Please find the relevant comments below. As a veterinarian practicing for nearly thirty years, I have seen many changes in our profession and many have been for the better. But government interference in medical matters is not an action likely to generate an improvement in the practice of veterinary medicine, for veterinarians or for pet owners.

It is interesting that we are discussing who should distribute veterinary prescription medications yet again. In Florida, there was quite a conflict between the veterinarians and the pharmacists in the early 1980's. It seems that the pharmacy conglomerates wanted to strip veterinarians of the right to sell prescription medications at all, forcing us to send everyone to the "human" pharmacy to get their *all* pet's medications. Perhaps they did not realize that few veterinary medications are already available at a retail pharmacy. A huge number of veterinary medications have no human equivalents and are not carried by "human" pharmacies. We are required to use an veterinary labeled product unless there is no veterinary labeled product available for the species in question, and only then are we supposed to use a "human" off-label product instead. The guidelines for the use and misuse of off-label products are quite clear. So if we are supposed to send all our clients to the pharmacy at Wal-Mart, how are we to avoid that violation? Are they going to carry *all* of the veterinary drugs, products and medications normally found in a veterinary hospital's pharmacy?

It seems that we are facing this dilemma yet again 30 years later. Only now the pharmacies really do want to carry veterinary products or at least the high volume products where they think they can make money. I somehow doubt they'll start carrying the more obscure medications that often go out of date before they are dispensed. I imagine we vets will still be expected to provide those medications since there is no profit in those.

Interestingly, the issues in Florida were resolved in the 80's by veterinarians being required to attend extra Continuing Education in the specific subject of pharmacy regulations and laws biannually for every license renewal in order to be permitted to continue to prescribe and dispense veterinary pharmaceuticals as we were trained to do in our doctoral programs. Also, we were prohibited from filling the prescription from any other veterinarian and legally may only dispense medications to our own patients.

Fast forward to 2012....

Now many big retailers want to get into the pet health market again even though they have no appropriate training or education to do so. Pharmacists are not trained to handle veterinary medications in pharmacy school and are not required to attend continuing education on veterinary pharmaceuticals or pharmacy issues. So, not only

would they be handling medications on a species that are not familiar with, it would be *several* unfamiliar species whose weights may vary from a few ounces to 200+ pounds (if we restrict this discussion to companion animals only). They have no training in veterinary drug usage, species peculiarities in metabolism, drug interactions and side effects peculiar to veterinary patients. *Animals are not just little people*. One Tylenol capsule can kill a cat; oral penicillin can kill pet rabbits; neither dogs or cats can tolerate non-steroidal anti-inflammatory drugs commonly used in people; dogs require tremendously higher levels of thyroid supplement than humans, the list goes on and on. Furthermore, pharmacists often don't realize what they don't know and so have been known to change drug dosages on a written prescription because "they just knew that dose wasn't right". Yes, it wasn't right for a human, but it was absolutely correct for a Golden Retriever! They have been known to substitute the wrong type of insulin "because it was cheaper" not realizing the insulin they substituted works poorly in cats and may cause tremendous problems for the patient and owner. They have no education in veterinary pharmacokinetics or pharmacodynamics and this puts all our pet patients at substantially higher risk if we expect our clients to utilize their services for their veterinary medications. There are countless horror stories of pharmacists mishandling veterinary prescriptions because they lack the proper training. And please understand that the pharmacists seem to think they can change written prescription orders without notifying the veterinarian who wrote the prescription. This is a nightmare & we cannot be held liable for pharmacist's errors or changes in filling our patient's prescriptions. If we make a mistake filling our own prescription, then we are fully liable and responsible for that error. How long do you think the pharmacists will want to continue managing veterinary prescriptions after a few dozen malpractice suits? They truly know just enough to be dangerous when it comes to veterinary pharmaceuticals.

The online pharmacies are a whole separate dilemma. We all have clients that swear they are getting prescription medication with no prescriptions. The law requires a veterinarian-client-patient relationship in order to prescribe and dispense medication. A veterinarian can lose their license for dispensing medication without this relationship. Online pharmacies lack this relationship by definition, but that doesn't seem to stop the dispensing of prescriptive medications. I have also seen drugs purchased online that are not FDA approved in the US, but my client bought them online from a "pet pharmacy". The label is in kilograms, which few Americans can convert to pounds to dose their pets safely and correctly. One such drug was not considered safe by the criteria we use in the US and cannot be legally prescribed in this country, but my client had no trouble buying it at a US based online pharmacy. Clients can order whatever they want online, and we may get a request to confirm the prescription order. Of course, the client was simply shopping online and has no idea that they chose the wrong product for their pet's health problem, so the veterinarian steps in and provides the appropriate counseling while all the online pharmacy wants to do is make money. Do they take responsibility for educating the client about their pet's health and safety?

Counterfeit medications (especially heart worm preventives & parasite products) have become a huge problem. Since I purchase directly from my manufacturer, I know the product is exactly what it is supposed to be and feel confident dispensing the products. I am responsible to educate these clients regarding the medications and products they use and purchase. I know them and their pets and I can show them how to administer the medications whether they are topical, transdermal, transmucosal or oral. That's hard to do online, or better yet, imagine a pharmacist at Wal-Mart giving a medication

demonstration on a fractious, spitting 20lb cat! I will give pet owners a written prescription anytime they wish because that's what we do here in Florida; it's not only required here, it's the way things are done according to the guidelines of our own professional organizations. But if it's a product that often causes problems at a human pharmacy, I usually will call the pharmacist directly in the hopes of averting a disaster. Of course, the last one told me that wasn't what the drug was used for in dogs and refused to write the label as I had written it. I'm not at all sure it is legal for a pharmacist to do that, but I digress.

I don't see changing the channels of veterinary drug distribution as being safer, or cheaper, for pet owners. They can already buy their heartworm and flea products almost anywhere they want and at whatever price they find is cheapest. We already provide prescriptions for those medications that can be safely substituted at the local pharmacy. Of course, in Florida, a veterinarian is not permitted to fill another veterinarian's prescription, so I am not able to compete with these retail pharmacies or with another veterinarian. I might sell heartworm prevention cheaper than the vet down the street, but I am *not* legally allowed to fill the prescription even though I have all the training required to do so and the Wal-Mart pharmacist has none. Does that make sense?

Of course, the pet owner may choose to get their products at our veterinary hospital because they are already here and we demonstrate how to use the products and provide them with customer service as well as product. The choice is theirs. Competition keeps the prices in line already and creating more work for veterinarians isn't going to make veterinary medications any cheaper. You'll have to address the pharmaceutical companies if you want to see lower prices for veterinary medications for the consumer. Additionally, addressing the problems of recurrent drug shortages and skyrocketing generic drug prices would do more to help the consumer with the cost of medications than legislating prescriptions and drug distribution. And that would be a win-win for the small business owners (the veterinarians) and the pet owners!

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