



New Jersey Veterinary Medical Association

390 Amwell Road, Suite 403
Hillsborough, NJ 08844-1247

FEDERAL TRADE COMMISSION
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SEP 18 2012

GENERAL COUNSEL

September 11, 2012

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex X)
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

RE: Pet Medications Workshop, Project No. P12-1201

Dear Sir or Madam:

The New Jersey Veterinary Medical Association (NJVMA) was founded in 1884 and represents over 2,000 veterinarians in the State of New Jersey.

The FTC is conducting a workshop to examine consumers' ability to obtain written prescriptions and fill those prescriptions where they choose.

The NJVMA opposes mandating that veterinarians write a prescription for every animal they see. New Jersey law already requires that veterinarians provide a written prescription upon client request in the context of a bona fide veterinarian-client-patient relationship.

N.J.A.C. 13:44-4.2(e) Veterinary Prescription Items states:

- (e) A licensed veterinarian, in the course of professional practice and an existing veterinarian-client patient relationship, shall, upon request, provide a written prescription to a client who does not wish to purchase a prescription item directly from the licensed veterinarian.

A bone fide veterinarian-client-patient relationship is defined in N.J.A.C. 13:44-4.2 as:

1. For purposes of this section, a "veterinarian-client-patient relationship" means:

- i. The veterinarian has undertaken to make medical judgments regarding the health of an animal or animals, herd or flock being treated and the need for medical treatment;
- ii. The client has retained the services of the veterinarian;
- iii. The veterinarian has sufficient knowledge of the animal or animals, herd or flock to initiate at least a general or preliminary diagnosis of the medical condition of the animal or animals, herd or flock;
- iv. The veterinarian is available for follow-up treatment; and
- v. The veterinarian maintains records on the animal or animals, herd or flock in accordance with N.J.A.C. 13:44-4.9.

A New Jersey consumer is provided with complete freedom of choice to obtain a written prescription from his/her veterinarian and fill that prescription wherever he/she chooses. To mandate written prescriptions in every case where medications are prescribed would be redundant, add costs to consumers and would offer no more protection than currently exists under New Jersey law.

Sincerely,

Richard Alampi
Executive Director

CC: AVMA

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