

Sale of Non-Drug Veterinary Products

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Introduction

The College's *Policy Statement: Sale of Non-Drug Veterinary Products* outlines the expectations for when a veterinarian chooses to sell a non-drug veterinary product to a client for the purpose of maintaining or promoting the health of an animal(s) or group of animals. Using a question-and-answer format, this *Guide to the Policy Statement* addresses questions and offers suggestions on how to apply the *Policy Statement* in situations that arise in veterinary practice. It also offers scenarios that outline suggested approaches.



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Frequently Asked Questions

1. Why is a veterinarian expected to abide by a higher standard when selling non-drug veterinary products than a retail facility?

A veterinarian's professional status, licence, and prescribing and dispensing privileges provide them with authority and obligations that a non-veterinarian does not possess. The public has higher expectations of a veterinarian than a retail worker and is likely to rely on a veterinarian's advice and oversight. Further, Regulation 1093 states that a veterinarian must establish a veterinarian-client-patient relationship (VCPR) in order to provide veterinary services, which includes the sale of substances such as non-drug veterinary products.

2. Does a veterinarian need to complete a physical examination or premise visit before selling a non-drug veterinary product to a client?

No, although a veterinarian is required to establish a VCPR before the sale of any substance, inclusive of a drug and non-drug veterinary product, the establishment of a VCPR for the sale of non-drug veterinary products does not necessarily require a physical examination or premise visit.

3. How should a veterinarian determine whether they should sell a non-drug veterinary product to a client?

A veterinarian is required to have a VCPR with a client before selling them a non-drug veterinary product. Establishing a VCPR involves a conversation in which a relationship is created. Beyond this, a veterinarian should use their professional judgment and consider:

- The type of product being sought and its intended use;
- The information that they have regarding the animal and its health status;
- The known risks or side effects of the product; and
- Whether they are comfortable with providing the product without conducting a physical examination or premise visit.

4. Can a veterinarian sell a non-drug veterinary product intended to be used in an extra-label manner to a client?

No. Non-drug veterinary products may only be sold to a client if they are to be used in an onlabel manner. If the product is intended to be used in an extra-label manner, then its sale is subject to the same prescribing and dispensing rules that regulate the dispensing of drugs.

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5. When can a veterinarian sell non-drug veterinary products without an established VCPR?

A VCPR is not required when a veterinarian dispenses any substance or preparation manufactured, offered for sale or sold as, or as part of, a food, drink or cosmetic (not defined as a drug). Currently, natural health products require a VCPR to be dispensed.

A veterinarian can sell therapeutic diets to someone who is not a client. Before therapeutic diets are sold to non-clients, the potential risks to this group of animals should be assessed. Therapeutic diets used in the treatment of specific disease conditions that are fed to an animal without that condition can potentially put that animal's health at risk. For these situations, it would be best for a veterinary clinic to either call the regular clinic for verification and/or discuss further with the non-client before selling that product. For other therapeutic diets, (e.g. a maintenance-type diet), selling directly to a non-client without consulting with their regular veterinarian/veterinary clinic is low risk.

6. What information should a veterinarian make a written note of when a client is sold a non-drug veterinary product?

A veterinarian is expected to make a written entry of a transaction when a client is sold a nondrug veterinary product. It is reasonable to expect that a veterinarian would make note of the client's name, the identification of the animal(s), the product sold, the name of the individual who sold the product, and the date of sale. The entry may also include a summary of any conversations held with the client.

7. What tasks may a veterinarian delegate to an auxiliary when selling a non-drug veterinary product?

A veterinarian is not permitted to delegate the establishment of a VCPR to an auxiliary. Beyond this limitation, a veterinarian is permitted to use their professional judgement in determining which aspects of the sale of non-drug veterinary products they choose to delegate to an auxiliary.

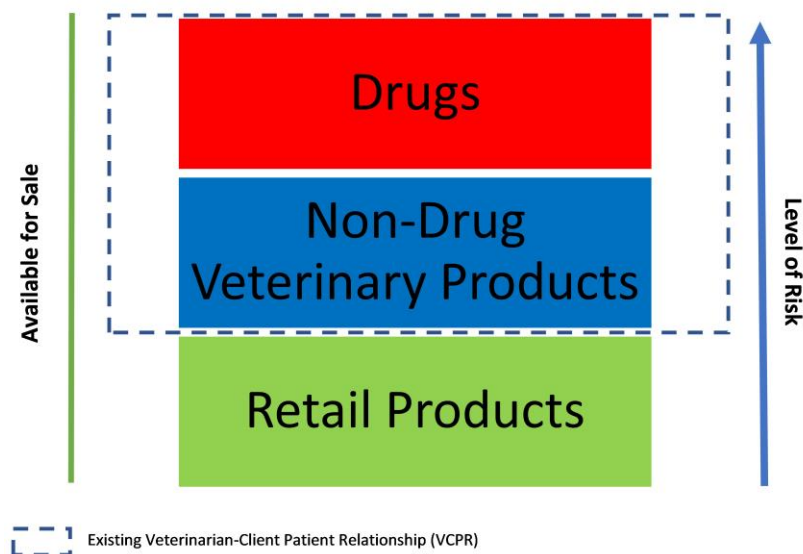
8. How can a veterinarian determine what is listed on Schedule "U" of the National Drug Schedules produced by the National Association of Pharmacy Regulatory Authorities?

The National Drug Schedules are found online on the National Association of Pharmacy Regulatory Authorities' [website](#). The database may be searched by a variety of methods, including drug name, active ingredient, and specific schedule.



9. Are all products that are not defined as drugs non-drug veterinary products?

Please see the attached diagram which outlines three categories of products that may be sold at veterinary clinics:



Appropriate Use Scenarios

Scenario One

A client attends at Dr. Kimbel's veterinary clinic with their cat. Upon examination, Dr. Kimbel diagnoses the cat with fleas and sells Advantage II for treatment. The client then informs Dr. Kimbel that there are other cats in their household who have not seen a veterinarian. Dr. Kimbel is aware of the need to treat all animals in the household in order for the flea product to be effective and to eliminate the flea infestation. After discussion, Dr. Kimbel decides to sell additional doses of the pesticide to the client to be used on the other cats. Dr. Kimbel makes a written entry of this transaction, noting the client's name, the identification of the animal(s), the product sold, the name of the individual who sold the product, and the date of sale.

Scenario Two

An individual attends at Dr. Ahuja's veterinary clinic for the first time and asks Dr. Ahuja if there are any supplements that they can use for their geriatric dog whose movements are described as slow and stiff. Dr. Ahuja believes that chewable glucosamine tablets would be appropriate for the dog in question. He explains to the individual that, in order to sell the tablets, he will need to establish a VCPR. The VCPR is established via a brief conversation in which the individual agrees to retain Dr. Ahuja, they reach an agreement as to the scope of the services to be provided by the Dr. Ahuja, which in this case is narrow, and Dr. Ahuja advises the individual that services will only be provided in accordance with the standards of practice of the profession. Dr. Ahuja makes a written record of this transaction, noting the client's name, the identification of the animal(s), the product sold, the name of



the individual who sold the product, and the date of sale.

Scenario Three

An individual enters a veterinary clinic owned by Dr. Sobry for the first time looking for a leash of a particular brand which the veterinary clinic stocks and displays at the front of the store, in the retail section. That section of the store displays pet food, leashes, cosmetics, medical supplies, nutraceuticals, etc. A veterinary technician who greets the individual determines that since the leash is a retail item that is not a drug or a non-drug veterinary product used in the maintenance or promotion of the health of an animal(s), it may be sold without establishing a VCPR, and sells the leash to the individual.

Scenario Four

A client attends at Dr. Bodnar's veterinary clinic and informs a staff member at the front desk that they are seeking a calcium supplement for their dairy cows. Dr. Bodnar has worked with this client before and has a current VCPR. Dr. Bodnar has trained his staff about the non-drug veterinary products available in the clinic to allow them to provide assistance to clients. After discussion, the staff member decides to sell the client an oral calcium supplement. The staff member makes a written record of this transaction, noting the client's name, the identification of the animal(s), the product sold, the name of the individual who sold the product, and the date of sale.

Legislative Authority

Food and Drugs Act and Regulations (Federal)

Controlled Drugs and Substances Act and Regulations (Federal)

Drug and Pharmacies Regulation Act and Regulation 58/11 (Provincial)

Veterinarians Act (Provincial)

Regulation 1093 made under the Veterinarians Act (Provincial)

Resources

The following can be found at the College's website at cvo.org:

1. *Policy Statement: Sale of Non-Drug Veterinary Products*
2. *Professional Practice Standard: Prescribing a Drug*
3. *Guide to the Professional Practice Standard: Prescribing a Drug*
4. *Professional Practice Standard: Dispensing a Drug*
5. *Guide to the Professional Practice Standard: Dispensing a Drug*
6. *Professional Practice Standard: Extra-Label Drug Use*
7. *Guide to the Professional Practice Standard: Extra-Label Drug Use*
8. *Professional Practice Standard: Use of Compounded Drugs in Veterinary Practice*
9. *Practice*
10. *Guide to the Professional Practice Standard: Use of Compounded Drugs in Veterinary Practice*
11. *Professional Practice Standard: Management and Disposal of Controlled Drugs*
12. *Guide to the Professional Practice Standard: Management and Disposal of Controlled Drugs*



13. *Professional Practice Standard: Informed Client Consent*
14. *Guide to the Professional Practice Standard: Informed Client Consent*
15. *Professional Practice Standard: Establishing, Maintaining and Discontinuing a Veterinarian Client Patient Relationship (VCPR)*
16. *Guide to the Professional Practice Standard: Establishing, Maintaining and Discontinuing a Veterinarian Client Patient Relationship (VCPR)*

College publications contain practice parameters and standards which should be considered by all Ontario veterinarians in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained. The College encourages you to refer to the website (www.cvo.org) to ensure you are referring to the most recent version of any document.