

Livestock – being prey animals – tend to be stoic when displaying clinical signs of disease. Even the most astute diagnostician knows that by the time an animal shows visible signs of illness, the injury from disease pathology has already occurred. As technology may improve the veterinarian’s ability to detect and diagnose bacterial infections in animals, the necessity to have the appropriate drug available in order to treat, control, or in limited circumstances, prevent disease in an animal will always be a priority ([4.5 FAC § 14402](#)). It is essential for veterinarians that have a relationship with remotely located livestock producers to know what is required by law for a valid veterinarian-client-patient relationship and what options a producer may have for purchasing the appropriate drug you have deemed necessary to treat, control, and prevent disease in a timely manner.

As of January 1st, 2018 a prescription from a California licensed veterinarian (within a valid veterinarian-client-patient relationship [VCPR]) will be required for the use of all medically important antibiotics in California livestock ([4.5 FAC § 14400-14408](#)). These include all antibiotics for which a prescription is currently required (Excede, Nuflor, Draxxin, etc.), plus a few others, like penicillin (PPG) and oxytetracycline (LA-200, -300, Biomycin, etc.), that could previously be purchased over-the-counter at California Department of Food and Agriculture (CDFA) licensed retailers.

Veterinarian-Client-Patient Relationship (VCPR):

- It is the veterinarian’s obligation to establish a VCPR before practicing veterinary medicine, unless the patient is a wild animal or the owner is unknown ([16 CCR § 2032.1](#)).
- While in general, telemedicine is permissible within an existing VCPR, the Veterinary Medical Board is on record that it is below the acceptable standard of care to establish a VCPR over the phone or by means of an electronic device. In an emergency care situation, advice may be given telephonically or by other electronic means until the patient can be seen by or transported to a veterinarian.
- The criteria that must be met in order to establish a valid VCPR include ([16 CCR § 2032.1](#)):
 - The client has authorized the veterinarian to assume responsibility for making medical judgments regarding the health of the animal, including the need for medical treatment
 - The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the care of the animal(s) by virtue of
 - an examination of the animal
 - **or** by medically appropriate and timely visits to the premises where the animals are kept, and
 - The veterinarian has assumed responsibility for making medical judgments regarding the health of the animal and has communicated with the client a course of treatment appropriate to the circumstance.

Veterinary Prescriptions:

- If a veterinarian decides that a medically important antibiotic is necessary to treat, control, or in some cases, prevent disease: before dispensing the drug, the veterinarian must offer the client a written prescription that the client may choose to have filled by the veterinarian or by any pharmacy registered with the California Board of Pharmacy ([9 BPC § 4170](#)).
- Veterinarians must notify the client in writing that they have a choice to obtain either the medication or a written prescription and that they shall not be charged for the written prescription ([16 CCR § 2032.2\(c\)](#)). This may be posted in their place of business.

- A drug cannot be prescribed for a period of time longer than one year from the date the veterinarian examined the animal(s) without examining the animal again ([16 CCR § 2032.1\(c\)](#)). This does not mean that a veterinarian is obligated to provide a medication for an entire year. The amount of medication that the veterinarian dispenses or prescribes is based on their professional judgement in relation to the medical condition of the animal or group of animals for which the VCPR is established.

Options for Filling Prescriptions:

- Veterinary Food Animal Drug Retailer (VFADRs): Licensed by the California Board of Pharmacy, can fill prescriptions for pick-up or delivery. You can look up licensed VFADRs at http://www.pharmacy.ca.gov/about/verify_lic and select Veterinary Food-Animal Drug Retailer under Facilities. To get a complete list, do not enter any sorting criteria before clicking on “Find.” Use the license information to look up the retailer’s contact information, and ask the retailer how they will accept prescriptions and options for obtaining antibiotics.
- Licensed Pharmacies: Ask your local pharmacy if they will carry veterinary livestock drugs as of January 1st, 2018. Search for your local licensed pharmacy at http://www.pharmacy.ca.gov/about/verify_lic and select Pharmacies under Facilities.
- Licensed Online Pharmacies: Several veterinary internet pharmacies are registered with the California Board of Pharmacy to fill prescriptions in the state.
- You: Veterinarians may dispense medically important antibiotics for their patients within a valid VCPR, but they cannot fill prescriptions from veterinarians outside of their practice ([BPC, Ch 9 § 4170](#)), except under limited circumstances ([16 CCR § 2032.25](#)).

Additional Information

Businesses that Would Like to Sell Prescription Antimicrobials:

- Facilities that wish to sell medically important antibiotics not in feed* in California must apply for a license with the Board of Pharmacy. Applications and requirements for facilities and the designated representative may be found at <http://www.pharmacy.ca.gov/applicants/vet>.

*Livestock: Use of Antimicrobial Drugs law does not change where medicated feed can be purchased. The Veterinary Feed Directive (VFD) is an existing federal requirement that went into effect January 1st, 2017.

If finding options to provide timely access to treatment is challenging in your area, please contact CDFA AUS at CDFA_AUS@CDFA.CA.GOV to address potential solutions in these areas.