
1. The Independent Review of Dispensing by Veterinary Surgeons was announced by the Minister of Agriculture, Fisheries and Food as part of the Government’s Action Plan for Farming launched on 30 March 2000. On 7 August 2000, Agriculture Ministers announced the appointment of Professor Sir John Marsh CBE as Chairman, and Dr Jeremy Lucke, Mr John Moffitt CBE and Lady Patsy Yardley as members of the Review Group.

2. The terms of reference of the Independent Review of Dispensing were determined by Agriculture Ministers as follows:

(a) to review the procedures by which prescription-only medicines for veterinary use are classified and sold in the UK and the impact current practices may be having on availability and prices; and

(b) to make recommendations to the Minister of Agriculture, Fisheries and Food by 31 March 2001.

The Review Group reported on 16 March 2001 and the Government issued its response on 10 December 2002.¹

3. The following are the Marsh review recommendations that we consider will affect competition:

— **Recommendation 1.** That veterinarians, having made a diagnosis and prescribed medicine, should be required to provide a written prescription, either at no additional charge or for a fee to be determined by the RCVS acting in the public interest. This recommendation would not apply where emergency treatment is needed, for treatments during surgical procedures or for the use of anaesthetics.

— **Recommendation 2.** That once recommendation 14 below is implemented prescriptions written by veterinarians should be dispensed by any suitably qualified person, including the prescribing veterinarian, other veterinarians, pharmacies and, in the case of POM(C) products, by persons holding AMTRA SQP qualifications and employed by registered agricultural merchants or other registered retail outlets.

— **Recommendation 3.** That veterinary practices apply improved business practice in the operation of their pharmacy services with a view to reducing costs.

— **Recommendation 4.** That the VMD should permit the import of medicines authorised in other member states, provided that they are properly labelled in English and sold via the approved distribution system within the UK.

— **Recommendation 5.** That farmers and veterinarians join with pharmacists, agricultural merchants and farm management advisers to create health plans for farm animals, within which medicines can be supplied at least cost.

— **Recommendation 7.** That the Minister supports the proposals made by the European Commission to allow the extrapolation of MRLs for major species to be used to calculate MRLs for minor food-producing species and so increase the availability of veterinary medicines on the market.

— **Recommendation 8.** That the Minister encourages the European Commission to amend the existing legislation to allow veterinarians to prescribe [human] generic treatments for

companion animals where, after consultation with the owner, they come to the conclusion that this is the best treatment for the animal concerned.

— **Recommendation 9.** That the role of registered agricultural merchants and saddlers in the dispensing of cat and dog wormers classified as PML medicines be extended to suitably registered pet shops, provided that all sales in these outlets are made by people who are suitably qualified having passed courses established by AMTRA. We see no need for the pet shop to register as a saddler as is currently the case.

— **Recommendation 11.** That if, as a result of its review of the operation of the centralised procedure, the European Commission should open it up to a wider range of products, the Minister should urge that it also introduces a mechanism for reviewing the distribution classification given to authorised products.

— **Recommendation 13.** That the VMD should set in train a review of existing distribution classifications applied to therapeutic product groups of medicines to ensure their consistency and that it should be willing to consider requests for the revision of a product’s distribution classification from any party which offers evidence of the appropriate nature and quality.

— **Recommendation 14.** That the Minister should consider moving in the longer term towards adopting a system of distribution classification that has two major categories Prescription Only Medicines and General Sale List products. We would suggest that the POM category should be divided into three sub-groups as follows:

- **POM (A)**—medicines which may be administered only by veterinary surgeons or under their direct supervision. In the latter instance the veterinary surgeon should be present and in a position to render assistance if necessary.

- **POM (B)**—medicines which may be sold or dispensed by veterinary surgeons to animals under their care after a prior clinical examination of the animal or animals; or sold or dispensed in a pharmacy in response to a written veterinary prescription.

- **POM (C)**—medicines which may be sold or supplied by veterinarians for administration to animals under their care, or by pharmacists or, provided the purchaser can demonstrate evidence of competence in their use, by registered agricultural merchants. For this group of products a prior clinical examination of the animal(s) is not a requirement; however, in cases where no evidence of competence is available the products in this category should only be made available by pharmacists, registered agricultural merchants or other registered outlets against a written prescription from a veterinarian.