By-Laws

OF

NEW BRUNSWICK VETERINARY MEDICAL ASSOCIATION

AS OF

September 25, 2004

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BY-LAW 21
MINIMUM STANDARDS FOR THE HANDLING AND DISPENSING OF DRUGS

DEFINITIONS

In this by-law and in any rules made by Council, unless the context otherwise requires:

[A reference to Schedule B, C, D, E, F, G, H or N is a reference to such schedule set out as part of the Pharmacy Act and a reference to Schedule Z is a reference to Schedule Z to these by-laws.]

“controlled drug” means any drug or substance included in Schedule G;

“dispense” means sell, distribute, give away and supply and includes offer to dispense, sell, distribute, give away and supply;

“drug” means any substance or preparation containing any substance,

(a) manufactured, sold or represented for use in,

(i) the diagnosis, treatment, prevention of a disease, disorder, abnormal physical or mental state or the symptoms thereof, in humans, animals or fowl, or

(ii) restoring, correcting or modifying functions in humans, animals or fowl,

(b) referred to in Schedule C, D, E, F, G, H, N or Z;

(c) named in this by-law;

but does not include,

(d) any medicine registered under the Proprietary or Patent Medicine Act (Canada) and sold in accordance with its provisions, or
(e) a substance or preparation named in the rules;

“external application” means application to the outer surface of the body;

“internal use” means local or systemic absorption upon introduction into the body by the parenteral route or through a body orifice;

“narcotic” means any substance included in Schedule N or Z or anything that contains any substance included in Schedule N or Z;

“Pharmacist” means a person who is licensed under the Pharmacy Act;

“prescription” means a direction from a member directing the dispensing of any drug or mixture of drugs;

“Schedule G preparation” means a drug that contains one drug referred to in Schedule G and one or more active medicinal ingredients not referred to in Schedule G in a recognized therapeutic dose or a drug that contains as the only medicinal ingredient phenobarbital or any of its salts in an amount not exceeding 32.4 milligrams per unit dosage;

“Schedule N/Z preparation” means a drug that,

(a) contains one drug referred to in the definition of “narcotic” and two or more active medicinal ingredients which are not referred to in the definition of “narcotic” or a recognized therapeutic dose, and

(b) is not intended for parenteral administration; and

“sell” includes offer to sell, dispense, distribute, give away and supply and “sale” has a corresponding meaning.

Purchase and Dispensing Record

21.01 Every member who dispenses drugs shall maintain a system for filing his or her records of the purchase and dispensing of the drugs.

Prescriptions

21.02 If a member decides to treat a patient with a drug and either does not dispense it or is asked by the client for a prescription, the member shall give a written prescription to the client or offer to give a verbal prescription to a pharmacist acceptable to the client.
Dispensing Record

21.03 A member who dispenses a drug shall,

(a) make a written record showing,

(i) the name and address of the owner of the animal or group of animals for which the drug is prescribed,

(ii) the name, strength where applicable and the quantity of the prescribed drug,

(iii) the directions for use,

(iv) the date on which the drug is dispensed,

(v) the price charged, if any,

(vi) withholding time for drugs used in food producing animals.

(b) retain the written record required by clause (a) for a period of at least two years or until he or she ceases to practise veterinary medicine, whichever occurs first, and

(c) mark the container in which the drug is dispensed with,

(i) the name of the drug,

(ii) the quantity of the drug,

(iii) the date the drug is dispensed,

(iv) the name and address of the member or his or her impersonal practice name and address,

(v) the identity of the animal or group of animals for which it is dispensed, if applicable, and the name of the owner, and

(vi) the prescribed directions for use,

(vii) withholding time for food producing animals.

(d) Except for a drug referred to in Schedule G, N or Z or Part 1 of Schedule F, a member need not mark a container in which a drug is dispensed as required by subsection (c) if the container is merely the original and unopened container in which the drug was packaged, and the original label on the container has not been altered in any way.
Narcotics and Controlled Drugs

21.04 A member who dispenses a drug referred to in Schedule G, N or Z shall keep a “narcotics and controlled drug register” in which is entered,

(a) the date of the dispensing,

(b) the name and address of the owner of the animal or animals for which the drug was dispensed, and

(c) the name, strength where applicable and quantity of the drug dispensed.

21.05 A member shall,

(a) take adequate steps to protect controlled drugs and narcotics in his or her possession from loss and theft,

(b) report any loss or theft forthwith upon the discovery thereof to a police officer, and

(c) report any loss or theft within ten days of the discovery thereof to the Minister of Health and Welfare, Canada.

21.06 Only a member may,

(a) have access to controlled drugs and narcotics, or

(b) dispense or sell controlled drugs or narcotics.

21.07 All controlled drugs and narcotics shall be kept at all times in a locked cabinet of adequate design and construction to assure the reasonable security of the drugs contained therein.

21.08 The cabinet mentioned in subsection 21.07 shall be kept locked at all times except when drugs are being placed in or removed from the cabinet.

21.09 A member may not prescribe or dispense a controlled drug or narcotic unless,

(a) the animal for which the controlled drug or narcotic is prescribed or dispensed is a patient under his professional treatment, and

(b) the controlled drug or narcotic is required for a condition for which the animal is receiving treatment from a member.
Corrosives and Aromatics

21.10 (a) A member shall not dispense a substance listed in Schedule B unless it is labelled in accordance with this section.

(b) A container in which a substance referred to in Schedule B is dispensed shall include on the label, legibly and conspicuously displayed on the outer surface of the container, the name of the substance and a caution or warning that the substance should be kept out of reach of children, and where appropriate, a caution or warning that the substance should be used only with adequate ventilation, but this subsection does not apply where the substance is referred to in the Hazardous Products Act (Canada).

Withholding time-label

21.11 (a) When a drug is sold or dispensed for use in food producing animals, the container shall include on the label, legibly and conspicuously displayed on the outer surface of the container, a warning of the withholding time recommended by the manufacturer.

(b) Extra-label use of drugs in food producing animals must be based on a valid veterinarian/client/patient relationship. When a member knows or suspects that a drug to be used on a food producing animal is to be administered at a dosage or in a manner that is different than what is recommended by the manufacturer, the member should advise the client of an appropriate withholding time that should be substantially longer than the recommended withholding time on the label of the drug or substance administered. [September 28, 2002]

Child Resistant Package

21.12 (a) In this section, “child resistant package” means a container or package that meets the standards for child resistant packages approved by the responsible departments of the governments of New Brunswick and Canada.

(b) A member shall dispense all drugs in a child resistant package except where,

(i) a child resistant package is not suitable because of the amount or physical form of the drug, or

(ii) the member is unable to obtain a child resistant package because supplies of such packages are unavailable on the market, or

(iii) the owner of the animal is physically disadvantaged, making the use of a child resistant package difficult for the owner.
General

21.13 No member shall,

(a) sign a blank prescription form under any circumstances,

(b) administer, dispense or prescribe a drug unless:

(i) the veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, and the client (owner or caretaker) has agreed to follow the instructions of the veterinarian; and when

(ii) there is sufficient knowledge of the animal(s) by virtue of an examination of the animal(s) and/or by medically appropriate and timely visits to the premises where the animal(s) is/are kept; and when

(iii) the prescribing veterinarian or designated practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy, or [September 28, 2002]

(c) knowingly represent or permit a representation that a drug is a drug which it is not or that it contains a substance which it does not.

(d) A licensed veterinarian’s prescription may be dispensed by a member if it is current and verifiable. Verification of the prescription is to be confirmed by facsimile (fax) from the veterinarian with the VCPR to the member dispensing the medication to the client. (2006)

(e) Members shall not sell or supply any pharmaceutical product listed in Schedule F Part I and Part II of the Food and Drug Act. Biological product or any product specifically labelled for exclusive sale by a veterinarian, to a person, persons or group for resale. This does not apply to the sale or supply of such products to other licensed veterinarians. (2006)
Veterinary Students and the dispensing of drugs

21.14 (a) In this by-law section and in any rules made by Council, unless the context otherwise requires:

“senior student” means any person currently following a course of studies at a recognized college of veterinary medicine and who has completed all but the final year of the course of studies.

“direct supervision” means that a student employed in a practice will handle, examine, diagnose, and treat animals in the presence of a practising veterinarian.

“indirect supervision” means that a student employed in a practice will be able to handle, examine, diagnose, treat, and prescribe treatment of animals not necessarily in the presence of a practising veterinarian. The student will be accountable for his actions to the veterinarian on a call by call basis and at least on a daily basis. The supervising veterinarian will at all times be available for consultation, and/or assistance should the student require such help.
Standards

(a) Senior students will not use or dispense any Schedule G, N or Z drugs except under the direct supervision of a practising veterinarian.

(b) The senior student, under indirect supervision may prescribe Schedule F drugs at his or her discretion, as circumstances warrant for the treatment of animals, provided that the material and the amount is clearly stated on the invoice issued with the sale. This privilege will be in effect only at the discretion of the supervising veterinarian.
BY-LAW 22
MINIMUM PRACTICE STANDARDS

5. **Pharmacy:**

The following items are required in order to conform to Companion Animal Hospital status, Companion Animal Clinic status, Companion Animal Mobile Clinic status and Large Animal/Equine Mobile status;

1. Facilities are provided for the storage, safekeeping and preparation of drugs in accordance with federal and provincial laws.

2. All areas must be clean and orderly.

3. A secure locked area must be provided for controlled drugs and narcotics.

4. There must be a separate log of controlled drugs and narcotics.

5. **Biologics** and other drugs requiring refrigeration must be kept in a refrigerator.

6. **Biologics** and other drugs in the base unit of a mobile facility that require refrigeration must be kept in a refrigerator.

7. **Biologics** and other drugs in the mobile unit must be kept in a device adequate to maintain the temperature recommended by the manufacturer of the biologic or other drug.

8. The **CA Hospital/CA Clinic/CA Mobile unit** must contain:

a) adrenalin
b) atropine
c) at least one of each of the following,
   1) analgesics
   2) sedatives or tranquillizers
   3) agents for induction of local and regional anaesthesia
   4) anti-inflammatory agents
   5) antibiotics or antibacterial agents for parenteral use
   6) anti-convulsants
   7) diuretics
   8) emetics and anti-emetics
   9) replacement fluids for intravenous administration
   10) if narcotics are used, the narcotic antagonist naloxone must be readily available within the facility
   11) if xylazine is used, the antagonist yohimbine must be readily available within the facility
   12) antiparasitics
   13) euthanasia solution
d) biologic agents for common infectious diseases

9. The **Large Animal/Equine Mobile unit** must contain:

a) adrenalin
b) atropine

c) at least one of each of the following,
   1) analgesics
   2) tranquillizers
   3) agents for induction of local, regional and epidural anaesthesia
   4) anti-inflammatory agents
   5) antibiotics or antibacterial agents for parenteral use
   6) diuretics
   7) oral electrolytes
   8) replacement fluids for intravenous administration
   9) surfactants
  10) cathartics
  11) antiparasitics
  12) if xylazine is used, the antagonist yohimbine must be readily available in the large animal/equine mobile unit

d) biologic agents for common infectious diseases

e) bulk supplies of drugs/biologics are kept in the base unit and the mobile unit contains drugs sufficient only for the reasonably expected daily need.

f) euthanasia solution

10. Dispensing labels must indicate hospital or doctor, dispensing date, patient, owner, drug, quantity, strength and instructions for use.

11. Prescription pads must be available.

12. Sterile needles, syringes and intravenous catheters must be available.

13. Child proof dispensing containers should be used unless a child resistant package is not suitable for the drug being dispensed or the owner of the animal is physically disadvantaged.

14. Dispensing labels for food producing animals must include the warning indicating the meat and/or milk withholding times as recommended by the veterinarian.
ITEM    SUBSTANCE

1. Opium Poppy (Papaver somniferum) its preparations, derivatives, alkaloids and salts, including:

(1) Opium
(2) Codeine (Methylmorphine), except when in preparations listed in Schedule C.
(3) Morphine
(4) Thebaine
and their preparations, derivatives and salts, including:
(5) Acetorphine
(6) Acetyldihydrocodeine
(7) Benzylmorphine
(8) Codoxime
(9) Desomorphine (dihydrodeoxymorphine)
(10) Diacetylmorphine (heroin)
(11) Dihydrocodeine
(12) Dihydromorphine
(13) Ethylmorphine
(14) Etorphine
(15) Hydrocodone (dihydrocodeinone)
(16) Hydromorphone (dihydromorphanone)
(17) Hydromorphinal (dihydro-14-hydroxymorphine)
(18) Methyldesorphine (dehydo-6-methylmorphine)
(19) Methyldihydromorphine (dihydro-6-methylmorphine)
(20) Metopon (dihydromethylmorphinone)
(21) Morphine-N-oxide (morphine-N-oxide)
(22) Myrophine (benzylmorphine myristate)
(23) Nalorphine (N-allylnormorphine)
(24) Nicocodine (6-nicotinylcodeine)
(25) Nicomorphine (dincocodine)
(26) Norcodeine
(27) Normorphine
(28) Oxycodone (dihydroxycodeinone)
(29) Oxymorphone (dihydroxymorphinone)
(30) Pholcodine (p-4-morpholinomorphine), and
(31) Thebacon (acetyldihydrocodeinone)

but not including

(32) Apomorphine
(33) Cyprinorphine
(34) Narcotine
(35) Papaverine, and
(36) Poppy seed

2. Coca (Erythroxylon), its preparations, derivatives, alkaloids, and salts, including
   (1) Coca leaves
   (2) Cocaine, and
   (3) Ecgonine (3-hydroxy-2-tropane carboxylic acid).

3. Cannabis sativa, its preparations, derivatives and similar synthetic preparations, including:
   (1) Cannabis resin
   (2) Cannabis (marihuana)
   (3) Cannabidiol
   (4) Cannabinol (3-n-amyl-6,6,9-trimethyl-6-dibenzopyran-1-ol),
   (5) Pyrahexyl (3-n-hexyl-6,6,9-trimethyl-7,8,9,10-tetrahydro-6-
       dibenzopyran-1-ol), and
   (6) Tetrahydrocannabinol

4. Phenylpiperidines, their preparations, intermediates, derivatives and salts, including:
   (1) Allyprodine (3-allyl-1-methyl-4-phenyl-4-piperidylpropionate)
   (2) Alphameprodine (a-3-ethyl-1-methyl-4-phenyl-4-piperidylpropionate)
   (3) Alphaprodine (a-1,3-dimethyl-4-phenyl-4-piperidylpropionate)
   (4) Anileridine (ethyl 1-[2-(aminophenyl) ethyl]-4-phenylpiperidine-4-carboxylate)
   (5) Beta,meprodine (p-3-ethyl-1-methyl-4-phenyl-4-piperidylpropionate)
   (6) Betaprodine (p-1,3-dimethyl-4-phenyl-4-piperidylpropionate)
   (7) Benzethidine (ethyl 1-(2-benzyloxyethyl)-4-phenylpiperidine-4-carboxylate)
   (8) Diphenoxylate (ethyl 1-(3-cyano-3,3-diphenylpropyl)-4-phenylpiperidine-4-carboxylate)
   (9) Etoxeridine (ethyl 1-[2-(2-hydroxyethoxy) ethyl]-4-phenylpiperidine-4-carboxylate)
   (10) Fentanyl (1-phenylethyl-4-(phenylpropionyl-amino)-piperidine)
   (11) Furethidine (ethyl 1-(2-tetrahydrofurfuryloxyethyl)-4-phenylpiperidine-4-carboxylate)
   (12) Hydroxyxymethyldidine (ethyl 4-(m-hydroxyphenyl)-1-methyl-4-phenylpiperidine-4-carboxylate)
   (13) Ketobemidone (1-[4-(m-hydroxyphenyl)-1-methyl-4-piperidyl]-1-propanone)
   (14) Methylphenylisonipeconitride (4-cyano-1-methyl-4-phenylpiperidine)
   (15) Morpheridine (ethyl 1-(2-morpholinioethyl)-4-phenylpiperidine-4-carboxylate)
(16) Norpethidine (ethyl 4-phenylpiperidine-4-carboxylate),
(17) Pethidine (ethyl 1-methyl-4-phenylpiperidine-4-carboxylate),
(18) Phencyclidine (1-(1-Phenylcyclohexyl) piperidine)
(19) Phenoperidine (ethyl 1-(3-hydroxy-3-phenylpropyl)-4-phenylpiperidine-4-carboxylate),
(20) Piminodine (ethyl 1-[3-phenylamino) propyl-4-phenylpiperidine-4-carboxylate),
(21) Properidine (isopropyl l-methyl-4-phenylpiperidine-4-carboxylate), and
(22) Propiram (N-(l-methyl -2-piperidinoethyl)-N-2-pyridylpropionamide)
(23) Trimeperidine (1,2-5-trimethyl-4-phenyl-4-piperidyl propionate),
but not including:
(24) Carbamethidine (ethyl 1-(2-carbamylethyl)-4-phenylpiperidine-4-carboxylate),
(25) Oxpheneridine (ethyl 1-(2-hydroxy-2-phenylethyl-4-phenylpiperidine-4-carboxylate).

5. Phenazepines, their preparations, derivatives and salts including:
(1) Proheptazine (hexahydro-1,3-dimethyl-4-phenyl-4-azepinyl propionate),
but not including:
(2) Ethoheptazine (ethyl hexahydro-1 methyl-4-phenyl-azepine-4-carboxylate),
(3) Metethoheptazine (ethyl hexahydro-1,3-dimethyl-4-phenylazepine-4-carboxylate), and
(4) Metheptazine (ethyl hexahydro-1,2-dimethyl-4-phenylazepine-4-carboxylate).

6. Amidones, their preparations, intermediates, derivatives and salts including:
(1) Dimethylaminodiphenylbutanonitrile (4-cyano-2-dimethylamino-4,4-diphenyl butane),
(2) Dipipanone (4,4-diphenyl-6-piperidino-3-heptanone),
(3) Isomethadone (6-dimethylamino-5-methyl-4,4-diphenyl-3-hexanone),
(4) Methadone (6-dimethylamino-4,4-diphenyl-3-heptanone),
(5) Normethadone (6-morpholino-4,4-diphenyl-3-hexanone), and
(6) Phenadoxone (6-morpholino-4,4-diphenyl-3-heptanone).

7. Methodols, their preparations, derivatives and salts, including:
(1) Acetylmethadol (6-dimethylamino-4,4-diphenyl-3-heptanoyl acetate),
(2) Alphacetylmethadol (a-6-dimethylamino-4,4-diphenyl-3-heptanoyl acetate),
(3) Alphamethadol (a-6-dimethylamino-4,4-diphenyl-3-heptanol),
(4) Betacetylmethadol (6-dimethylamino-4,4-diphenyl-3-heptanylacetate),
(5) Betamethadol (6-dimethylamino-4,4-diphenyl-3-heptanol),
(6) Dimepheptanol (6-dimethylamino-4,4-diphenyl-3-heptanol), and
(7) Noracymethadol (a-6-methylamino-4,4-diphenyl-3-heptanylacetate).

8. Phenalkoxams, their preparations, derivatives and salts, including:
   (1) Dimenoxadol (dimethylaminoethyl 1-ethoxy-1,1-diphenylacetate),
   (2) Dioxaphetylbutyrate (ethyl 2,2-diphenyl-4-morpholino butyrate),
   but not including:
   (3) Propoxyphene (4-dimethylamino-3-methyl-1,2-diphenyl-2-butyl propionate).

9. Thiambutenes, their preparations, derivatives and salts, including:
   (1) Diethylthiambutene (N,N-diethyl-1-methyl-3,3-di-2-thienylallylamine),
   (2) Dimethylthiambutene (N,N,1-trimethyl-3,3-di-2-thienylallylamine), and
   (3) Ethylmethylthiambutene (N-ethyl-N,1-dimethyl-3,3-di-2-thienylallylamine).

10. Moramides, their preparations, intermediates, derivatives and salts, including:
    (1) Dextromoramide (d-1-(3-methyl-4-morpholino-2,2-diphenylbutyryl) pyrrolidine),
    (2) Diphenylmorpholinoisovaleric acid (2-methyl-3-morpholino-1,1-diphenylpropionic acid),
    (3) Levomoramide (∫-1-(3-methyl-4-morpholino-2,2-diphenylbutyryl) pyrrolidine), and
    (4) Racemoramide (d,∫-1-(3-methyl-4-morpholino-2,2-diphenylbutyryl) pyrrolidine).

11. Morphinans, their preparations derivatives and salts, including:
    (1) Levomethorphan (∫-1,2,3,9,10, 10a-hexahydro-6-methoxy-11-methyl-4H-10,4a-iminoethanophenanthrene),
    (2) Levorphanol (∫-1,2,3,9,10,10a-hexahydro-11-methyl-4H-10,4a-iminoethanophenanthren-6-ol),
    (3) Levophenacylmorphan (∫-1,2,3,9,10,10a-hexahydro-11-phenacyl-4H-10,4a-iminoethanophenanthren-6-ol),
    (4) Norlevorphanol (∫-1,2,3,9,10,10a-hexahydro-4H-10,4a-iminoethanophenanthren-6-ol),
    (5) Phenomorphan (d,∫-1,2,3,9,10,10a-hexahydro-11-phenethyl-4H-10,4a-iminoethanophenanthren-6-ol),
(6) Racemethorphan (d, 1,2,3,9,10,10a-hexahydro-6-methoxy-11-methyl-4H-10,4a-iminoethanophenanthrene), and
(7) Racemorphan (d, 1,2,3,9,10,10a-hexahydro-11-methyl-4H-10,4a-iminoethanophenanthren-6-ol), but not including:
(8) Dextromethorphan (d-1,2,3,9,10,10a-hexahydro-6-methoxy-11-methyl-4H-10,4a-iminoethanophenanthrene),
(9) Dextrorphan (d,1,2,3,9,10,10a-hexahydro-11-methyl-4H-10,4a-iminoethanophenanthren-6-ol),
(10) Levallorphan (11-allyl-1,2,3,9,10,10a-hexahydro-4H-10,4a-iminoethanophenanthren-6-ol), and
(11) Levargorphan (11-propargyl-1,2,3,9,10,10a-hexahydro-4H-10,4a-iminoethanophenanthren-6-ol).

12. Benzazocines, their preparations, derivatives and salts, including:
   (1) Phenazocine (1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-phenethyl-2,6-methano-3-benzazocin-8-ol), and
   (2) Metazocine (1,2,3,4,5,6-hexahydro-3,6,11-trimethyl-2,6-methano-3-benzazocin-8-ol), but not including:
   (3) Pentazocine (1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-(3-methyl-2-butetyl)2,6-methano-3-benzazocin-8-ol), and
   (4) Cyclazocine (1,2,3,4,5,6-hexahydro-6,11-dimethyl-3-(cyclopropylmethyl)-2,6-methano-3-benzazocin-8-ol).

13. Ampromides, their preparations, derivatives and salts, including:
   (1) Diampromide (N-[2-(methylphenethyl-amino)-propyl]-propionanilide),
   (2) Phenampromide (N-[2-(1-methyl-2-piperidyl)-ethyl]-propionanilide).

14. Benzimidozoles, their preparations, derivatives and salts, including:
   (1) Clonitazene (2-(p-chlorobenzyl)-l-diethylaminoethyl-5-nitrobenzimidazole),
   (2) Etonitazene (2-{p-ethoxybenzyl)-l-diethylaminoethyl-5-nitrobenzimidazole).