

## **Over The Counter (OTC) Drugs and Vaccine Sales in Oregon (Draft FAQ)**

### **1. Can veterinary facility sell over the counter drugs (OTC) to persons who are not clients of the clinic?**

The Oregon Veterinary Medical Examining Board (OVMEB) does not have rules prohibiting an owner or staff of a veterinary facility from also setting up a separate business selling OTC drugs to persons who are not clients of the clinic or do not have a current VCPR (a nonprescription drug outlet).

Selling OTC drugs to persons where there is no veterinary care provided would not fall under the veterinary clinic's license or the veterinarian's license. OTC sales where no veterinary care is provided to the animal falls under the jurisdiction of the Oregon Board of Pharmacy.

Nonprescription drug outlets need to be registered with the Oregon Board of Pharmacy and are subject to the rules of the Oregon Board of Pharmacy.

Please note that veterinarians should not prescribe drugs unless there is a current VCPR in place (unless the animal is wild, feral or the owner unknown).

### **2. How do I get registered with the Oregon Board of Pharmacy as a nonprescription drug outlet?**

You can find information about registering with the Oregon Board of Pharmacy here:

<https://www.oregon.gov/pharmacy/Pages/FacilityOutlet.aspx>

### **3. What if I sell pharmaceuticals clients of with a VCPR?**

When a veterinarian dispenses drugs (whether OTC or prescription) under their veterinarian license at a veterinary facility, veterinarians are acting as a dispensing practitioner drug outlet (DPDO). Under a long-standing agreement with the Oregon Board of Pharmacy, veterinary DPDOs do not have to separately register with the Oregon Board of Pharmacy and are only subject to inspection and regulation by the OVMEB. Controlled substances are regulated by DEA.

A veterinary facility does not need to register with the Oregon Board of Pharmacy when dispensing drugs under a veterinarian license and in conjunction with veterinary care and having a VCPR, from a registered veterinary facility.

### **4. What if recommendations are made from the person to buy specific OTC drugs?**

If there is any veterinary care, including advice, is provided with the purchase of OTC drugs, the consultation would be subject to the Oregon Veterinary Medical Examining Board's laws and a VCPR should exist between the veterinarian and the animal.

### **5. Are there special rules that apply to the sales of vaccines?**

Please note that by statute, ORS 686, licensed veterinarians are prohibited from the "dispensing or giving to anyone live culture or attenuated live virus vaccine to be administered by a

layperson without providing instructions as to its administration and use and without prior written authorization from the Oregon State Veterinarian when such product is declared to be prohibited under ORS 596.075.”

As noted above, a VCPR must exist for a veterinarian to prescribe or administer vaccines to animals.

As to nonprescription drug outlets, amongst other requirements by the Board of Pharmacy, a nonprescription drug outlet must ensure that the vaccine:

- is an over the counter and not a prescription drug,
- is not expired,
- is acquired from a registrant of the Board of Pharmacy,
- is sold in the original and unbroken packages only,
- properly labeled according to state and federal law, in conformity with rules of the Board.

OAR Chapter 855, Division 35

<https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=19>.