



January 15, 2018

Dr. Leslie Woodcock  
Chief Veterinarian for Ontario  
Director Animal Health and Welfare Branch  
Ontario Ministry of Agriculture, Food and Rural Affairs  
1 Stone Road West  
Guelph ON N1G 4T6

Dear Dr. Woodcock,

Re: *Proposal #17-MAFRA008 - Proposed Changes to Regulation 730 under the Ontario Livestock Medicines Act*

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The Beef Farmers of Ontario (BFO) is pleased to provide comments to the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) on the proposed changes to Regulation 730 under the Ontario *Livestock Medicines Act* (LMA). BFO represents the 19,000 beef farmers in Ontario by advocating in the areas of policy planning, industry development and research, animal health and welfare, and domestic and export market development.

BFO supports initiatives aimed at promoting prudent and responsible use of antimicrobials in cattle production. However, we firmly believe that without a completed Regulatory Impact Assessment that provides a clear assessment of the costs and benefits of the proposed regulatory changes, businesses affected by the proposal, as well as the general public, are unable to make informed judgements on the reasonableness and practicality of the proposed changes. As such, BFO cannot support OMAFRA's proposal at this time.

The *Ontario Regulatory Policy* requires any proposed Ontario regulation to be accompanied by a Regulatory Impact Assessment. Although we recognize that an assessment was conducted and shared with the public with respect to the federal changes to the *Food and Drug Regulations* related to veterinary drugs and antimicrobial resistance, this did not include any assessment of the provincial regulatory changes proposed under Ontario's LMA. Stating that the province has no obligation to conduct an impact assessment because Ontario's proposed changes simply align with the federal changes is disingenuous, and represents a clear lack of transparency on the part of the province.

Given the proposed changes to the LMA extend beyond the scope of the federal impact assessment, we expect a formal Regulatory Impact Assessment to be conducted by the province as soon as practically possible. BFO would like to see the following addressed within that assessment, and for industry to have an opportunity to review and comment on the assessment before the province proceeds with regulatory changes:

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- Analysis demonstrating how the proposed action to eliminate the ability of Livestock Medicine Outlets (LMOs) to sell medically important antimicrobials (MIAs) meaningfully contributes to the goal of reducing antimicrobial resistance and/or reliance on MIAs;
- Analysis of the costs and benefits, both direct and indirect, to farmers, veterinarians, pharmacists, LMOs and the broader public if LMOs are no longer permitted to sell MIAs;
- Analysis assessing the feasibility and potential risks of allowing LMOs to sell prescription MIAs in Ontario.

Notwithstanding the absence of a completed formal Regulatory Impact Assessment, BFO wishes to present the following comments and recommendations for OMAFRA's review and consideration in response to the regulatory proposal #17-MAFRA008:

- BFO supports existing LMA requirements for sellers of livestock medicines related to expiry dates, storage requirements, sales records, etc.
- BFO supports the broadening of the LMA to include all sectors that utilize livestock medicines, including beekeeping and aquaculture, which are currently not included under LMA regulations.
- With respect to over-the-counter veterinary drugs, including vaccines and other biologics, we support existing oversight requirements and sales restrictions. BFO does not believe additional restrictions or requirements are warranted or necessary, notwithstanding proposed requirements for veterinary prescriptions, without strong evidence to support the need for additional requirements.
- BFO believes the proposed changes to Regulation 730 would promote better veterinarian-client relationships, which is positive.
- Finally, BFO recommends that OMAFRA commit to offering an updated livestock medicines training course free of charge to livestock farmers. This will help foster improved stewardship practices and prudent antimicrobial use in Ontario.

While we recognize that the overuse of certain antimicrobials in human and animal medicine can contribute to resistance and affect our ability to treat humans and animals, we also firmly believe that the oversight mechanisms put in place by government should not unduly deter access to antimicrobials needed to maintain animal health and welfare. We do not feel this balance will be achieved under the current proposal.

Although BFO understands the rationale for increasing veterinary oversight of MIAs, we strongly oppose the proposal to limit dispensary of MIAs to veterinarians and pharmacists alone. There are over 500 LMOs currently registered to dispense livestock medicines in Ontario, including MIAs, and they are more than capable of filling prescriptions provided by veterinarians. It is completely unclear how restricting LMOs from selling prescription drugs supports the goal of reducing the risk of antimicrobial resistance in human health. At a minimum, regulations must be outcome based and created to respond to a clearly identified need. BFO fails to see how this proposed change satisfies either of these guiding principles outlined in the *Ontario Regulatory Policy*.



To add, BFO is concerned that restricting LMOs from filling prescriptions provided by veterinarians will create unwarranted delays in accessing MIAs, particularly for farmers in remote regions or areas served by a single veterinarian. While OMAFRA analysis indicates that the majority of livestock farmers are within one hour of an existing veterinary clinic, there are many farmers who are not. Certain geographic regions, particularly in the north and the east, are served by a single clinic that may not have the capacity to respond to animal health requests outside of normal business hours or in a timely manner. This is a serious concern. To address this gap, BFO recommends that LMOs be permitted to sell prescription MIAs. We firmly believe that regulatory allowances be pursued to permit dispensary of MIAs beyond veterinarians and pharmacists.

Moreover, while BFO is not opposed to the prescription requirement to access MIAs, we believe greater investment needs to be made to facilitate the use of electronic prescriptions and other dispensary options to ensure access to MIAs is not obstructed or delayed.

In BFO's view, timely access to prescriptions may be as serious a concern as timely access to the livestock medicines themselves. Even if LMOs are permitted to sell prescription MIAs (as we strongly recommend), there is a need to establish an improved system to facilitate remote access and/or electronic prescriptions. Similarly, a system that would allow medications to be shipped to farmers with a valid prescription from distributors directly is important to ensuring livestock medicines can be accessed in a timely manner.

BFO does not support the proposed amendment to Section 2 of Regulation 730, which states:

*(5) A drug that is prescribed by subsection 3 (2) of Regulation 264/16 (General) made under the Drug and Pharmacies Regulation Act as being in Schedule I to the Drug and Pharmacies Regulation Act is not designated as a livestock medicine.*

Until the long-term impact of this proposed amendment is fully explained to stakeholders using evidence from an impact assessment, BFO does not support its inclusion in the current proposal. Federal and provincial laws and regulations already provide clear guidance, in our opinion, as to how livestock medicines that fall in the prescription-only category are to be dispensed in Ontario. As a result, we question the need to pursue amendments, as proposed.

BFO believes that the proposed amendment to S.2 (5) will serve to undermine future discussions regarding LMOs' potential role in filling livestock prescriptions in accordance to the original intent of Ontario's livestock medicine legislation<sup>1</sup>, which is:

- To provide approved, safe and effective medicines to livestock producers in Ontario at competitive prices and convenient locations;
- To contribute to the health and welfare of livestock;
- To protect the health of farm families and consumers;
- To contribute to a safe food supply system.

BFO would like to thank OMAFRA for providing the opportunity to comment on proposed changes to Regulation 730 under the Ontario *Livestock Medicines Act*. To reiterate, we ask that OMAFRA conduct a thorough Regulatory Impact Assessment before pursuing any of the changes proposed under

<sup>1</sup> <http://www.omafra.gov.on.ca/english/food/inspection/ahw/compmanjul10.htm#Intriduction>



*#17-MAFRA008*. Industry and the general public deserve a transparent analysis of the expected costs and benefits, both direct and indirect, to farmers, veterinarians, pharmacists, LMOs and the broader public of the proposed changes, including an explanation of how the proposed changes meaningfully contribute to the goal of reducing reliance on MIAs and reducing the threat of antimicrobial resistance. The failure to provide this is disappointing.

Sincerely,



Matt Bowman  
President

cc: BFO Board of Directors  
Vicky Grahovac, OMAFRA  
Jennifer Van Gerwen, OMAFRA  
Ontario Cattle Feeders' Association  
Ontario Pork  
Ontario Sheep Farmers  
Ontario Federation of Agriculture  
Veal Farmers of Ontario

