

DISTANCE SELLING

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DEFINITION

- Distance selling refers to any situation where a veterinary medicinal product is handed over to a customer away from approved retail premises.



SQP REQUIREMENTS

The Veterinary Medicines Regulations 2006 requires that when a person prescribes POM-V or POM-VPS classified medicines, or supplies NFA-VPS classified medicines -

- Before he does so, to be satisfied that the person who will use the product is competent to do so safely, and intends to use it for a purpose for which it is authorised;
- When he does so, he must advise on its safe administration and on any warnings or contra-indications on the label or package leaflet; and
- He must not prescribe (or, in the case of NFA-VPS product, supply) more than the minimum amount required for the treatment (if a smaller authorised pack size exists and he's not a person permitted to break open the pack).



SQP REQUIREMENTS

The current Regulations also requires an SQP to either:

- hand over or despatch the product himself;
- ensure that, when the product is handed over or despatched he is in a position so that he can intervene if necessary; or
- check the product after it has been allocated for supply to a customer, and satisfy himself that the person handing over or despatching it is competent to do so.



PRESCRIBING POM-VPS MEDICINES

The requirements for prescribing POM-VPS medicines apply equally to distance selling as they do to “over the counter” retail supplies.

As such, the SQP retailer must consider what information they need to obtain from a customer in order to effectively prescribe the most appropriate medicine.



PRESCRIBING POM-VPS MEDICINES

To prescribe a POM-VPS medicine, i.e. select the most appropriate product, an SQP must collect and assess information from the customer.

- The SQP can recommend the appropriate product or
- The customer requests a product and the SQP decides whether it is appropriate.
- Ultimately, it is the SQP’s decision whether to supply or not.



ADVISING ON POM-VPS AND NFA-VPS MEDICINES

- Advice must be given – either verbally or in writing
- advice in writing can be given as a hard copy document or electronically - either prior to the products being supplied or despatched or at the same time.
- The amount and level of advice should be sufficient to ensure that the customer uses the product appropriately.



ENSURING THAT THE USER IS COMPETENT TO USE THE PRODUCT SAFELY AND USE IT FOR AN AUTHORISED USE

- Remotely assessing whether the user of a product is competent is extremely difficult.
- Confirmation that the product will be used for its authorised use is much simpler.



DEALING WITH DISTANCE ORDERS

Order taken personally by SQP at retail premises
e.g. by phone, e-mail or internet

- SQP prescribes and/or advises as necessary.
- Internet Orders require detailed information to permit SQP to decide if product requested is appropriate
- Simply “add to basket” is not acceptable



DEALING WITH DISTANCE ORDERS

Order taken by field based representatives/agents -

- If representative or agent is an SQP, he/she can prescribe and advise as necessary and simply write a prescription which the premises-based SQP can supply against.
- If the order is taken by a non-SQP representative or agent, there must be sufficient information given to the premises-based SQP to enable that person to decide on the most appropriate medicine to supply (similar to internet



DESPATCH OF PRODUCTS

- SQP must either put the product up for despatch to the customer or delegate the despatch to another competent person after authorising the product.
- If using 3rd party carrier SQP should ensure that the carrier is competent e.g. by ensuring that T & Cs require a signature on delivery or are returned to depot/sender.



DESPATCH OF PRODUCTS

- Actual supply of medicine must take place from approved retail premises in accordance with the SQPs responsibilities.
- Therefore the direct supply of a product from a wholesaler dealer to a customer is not lawful.
- The wholesale dealer's premises should be additionally approved as retail premises, with an SQP, or the products must be despatched to an approved retail premises.



ADVERTISING

- The Veterinary Medicines Regulations 2006 places strict controls on the advertising of certain veterinary medicinal products. The advertising controls are set out in regulations 10 and 11.
- An advertisement is considered to be any sort of activity that promotes a product.
- Advertising of POM products is only permitted aimed at restricted categories of people



IT IS AN OFFENCE TO:

- advertise a VMP if the advertisement is misleading or contains any medicinal claim that is not in the product's SPC;
- advertise a human medicine for administration to animals, including sending a price list of or including human medicines to a veterinary surgery or practice; or



IT IS AN OFFENCE TO:

- advertise a VMP that is only available on veterinary prescription, unless
 - the product is POM-V and the advertisement or price list is aimed at veterinary surgeons, pharmacists or professional keepers of animals;
 - the product is POM-VPS and the advertisement or price list is aimed at veterinary surgeons, pharmacists, SQPs, other veterinary health care professionals, professional keepers of animals or owners or keepers of horses.



PRICE LISTS

- Price lists are not deemed to be advertisements and are specifically excluded from the advertising provisions in the Regulations.
- A price list is a list of products together with the price that is being charged for them.
- It is essential that no single product is promoted above any other for the list to fall within the exclusion in the Regulations.



PRICE LISTS

- A price list may include a short description of the type of product such as 'wormer to treat tapeworm infestation in dogs' but a similar very factual description must appear for each of the products in the list.
- Photographs of the products are acceptable provided that all the images are consistent in terms of size and type.
- Similarly, it is acceptable to include a paper copy of the SPC or a web hyperlink to an electronic version, but this



Further Information

- Further information is available from the VMD – Tel 01932 336911 or www.vmd.gov.uk
- VMGN no. 3 Marketing Authorisations for Veterinary Medicinal Products – Prescription, Distribution Categories & Supply

