# ISVMA Opposes Senate Bill 2612

Senator Don Harmon (D, Oak Park) has introduced SB2612. The bill creates the Dog and Cat Overpopulation Act. A separate fund is created with the Department of Agriculture to reimburse 80% of the fees of participating veterinarians for spaying and neutering a dog or cat. This fund is maintained by a $3 tax that the veterinarian must charge to anyone who has his/her dog or cat inoculated against rabies. Veterinarians are required to collect the tax from responsible pet owners. The veterinarian would send the fees to the State Treasurer who would deposit the fee in a dedicated account. There is a $1000 fine for any violation of the act.

1. SB 2612 calls for the Director of Agriculture to establish a spay and neutering program at the county level. The State would receive the fees collected by a veterinarian with no guarantee that funds to support this program would be returned to the collecting county.

2. Adoption programs. Counties presently operate adoption programs through their licensed animal shelter. SB2612 requires a $30 fee to be assessed for sterilization. A $15 fee would be assessed for a dog or cat owner by a Medicaid or food stamp recipient. Currently, shelters already include the cost of spaying and neutering in their adoption fees. Under SB2612 all fees go to the state. Would the shelter be allowed to include the sterilization and the cost of adoption in its charge to the person who adopts the pet?

3. The dedicated fund would only reimburse the participating veterinarian 80% of his/her fee if funds are available. The Director of Agriculture would also reimburse the veterinarian for any examination fees, if funds are available. Veterinarians already customarily discount their sterilization fee by 50 to 75 percent. This bill provides for reimbursement of 80% of the already reduced fee. The bill also stated there shall be no additional charge to the owner of the dog or cat sterilized under Section 20(b) (Medicaid or food stamp recipient) but the owner of an adopted dog or cat shall pay all pre-examination fees directly to the Veterinarian.

4. This bill is modeled after a similar program in New Hampshire. The supporters of this bill have failed to recognize that the entire population of New Hampshire is less than the population of the City of Chicago. In fact, the population of New Hampshire (1.2 million) is approximately a mere 10% of Illinois (11.5 million). Furthermore, New Hampshire has only 10 counties versus the 100+ in Illinois, thus making for a poor comparison. ISVMA has been in contact with the State ofMaine and New Hampshire. Maine's program is a voluntary check off program. ISVMA supports this type of program. New Hampshire has a $2 tax collected by the township. A significant problem with the New Hampshire program is that people from other states are "dumping" dogs and cats in New Hampshire; after hearing about the program. The bill also has an exemption to avoid unfunded mandates. The state is under no obligation to pay for service if no funds are available.

5. Under an amendment to SB2612, veterinarians would be allowed to keep $.50 of the tax. Not all counties require cats to be inoculated. ISVMA is opposed to SB2612 because it makes veterinarians tax collectors for performing a medical service.

Veterinarians support spaying and neutering programs and have supported these programs for years. In fact, Illinois has these programs because veterinarians started these programs.

# Governor Announces New Safeguard to Prevent Animal Diseases and Protect Public Health

SPRINGFIELD, ILL – Governor Rod R. Blagojevich announced today that Illinois will put in place an additional safeguard to prevent the introduction of animal diseases that might pose a threat to public health or endanger the state's livestock industry.

Beginning Feb. 1, the Illinois Department of Agriculture (IDOA) will require a permit for all imported livestock into the state for production or exhibition. The requirement will give state agriculture officials advance notice of farm animals entering Illinois and the means to stop the shipment of a diseased animal before it arrives in the state.

"State government has no greater responsibility than protecting the health and welfare of its citizens," Blagojevich said. "This new safeguard will strengthen our ability to prevent animal diseases that not only pose a threat to public health, but also can cause production losses that harm the financial welfare of our farmers."

Illinois currently requires a health certificate to accompany imported livestock. The certificate attests that the animals show no visible signs of contagious, infectious or communicable diseases and will be a condition for obtaining a permit.

The Illinois Department of Agriculture will issue the permits no more than 72 hours before the animals are transported. In addition to an approved health certificate signed by a veterinarian, applicants also must furnish the name and mailing address of the Illinoisdestination, the name and address of the consignor and the number and species of animals in the shipment.

"The permit requirement also will improve our preparedness for an emergency," Agriculture Director Chuck Hartke said. "It will enable the department to better track the movement and location of livestock in the state, more easily identify animals that have been exposed to a disease and respond more quickly to contain an outbreak before it spreads."

The permit requirement is the latest in a series of agriculture-related safety measures that have been implemented to protect Illinois consumers and farmers. Previous measures include:

- The hiring of ten additional inspectors and three staff veterinarians in the department's Bureau of Meat and Poultry Inspection to maintain public confidence in Illinois' food supply.
- Increasing inspections of feed mills and sampling of feed products to ensure that cattle feed does not contain prohibited byproducts that can transmit Bovine Spongiform Encephalopathy, or "mad cow" disease.
- Providing specialized training in the diagnosis of emerging foreign animal diseases to local veterinarians, who frequently are the first to respond to an animal disease outbreak. The goal of the "first responder" program is to provide the training to one veterinarian in every Illinois county.
- Funding the development of an Internet-based system to track agricultural assets such as farms, grain elevators and food processing plants. Once completed, the first-of-its-kind system will contain a valuable database of information to identify sensitive resources and aid decision-making during emergencies.
- Organizing meetings with neighboring states to develop regional communications plans and guidelines for tracing and controlling the movement of livestock in an emergency.

Permits can be obtained by calling the Illinois Department of Agriculture's Bureau of Animal Health at (217) 782-4944. The phone line is staffed 24 hours a day, seven days a week. Electronic permits also will be issued through the department's website atwww.agr.state.il.us. Veterinarians, however, first must call the bureau to receive apasscode.

## EPA Orders Retailers to Stop Sales of Counterfeit Flea & Tick Products

The Environmental Protection Agency is acting to disrupt an effort to distribute counterfeit products for controlling fleas and ticks on dogs and cats. The agency has ordered pesticide distributors and retailers in a number of states to stop selling counterfeit products that contain false EPA registration numbers and labeling for Advantage and Frontline brands of pesticides. The orders prohibit retailers and distributors from distributing or selling the counterfeit products and make them responsible for their proper disposal.

The counterfeit pesticides appear to have been unlawfully imported and packaged in retail cartons designed to look similar to legitimately registered pesticides sold in the United States. The EPA investigation is ongoing and, so far, it appears that the counterfeit products have been sold to distributors and retailers throughout the country.

"We strongly applaud the EPA's recent actions and their notification of their efforts pertaining to counterfeit pet products. This supports Bayer's efforts to take a strong stand against counterfeit products within the industry," said Bob Walker, communications director for Bayer Corp., which markets Advantage for cats and dogs.

Legitimate Advantage and Frontline products that have been through the EPA's review process are registered for use in the United States, and are not affected by this action. Pet owners who are concerned their pet may be affected by counterfeit products should contact their veterinarian.

"A good safeguard to ensure the integrity of products such as these is to purchase them from a reputable source. The best way to be confident about the source of Frontline products is to purchase through your veterinarian," said Dr. Zachary Mills, executive director of veterinary services for Merial.

Counterfeit products should be disposed of according to local accepted procedures for other household chemicals. Many communities and municipalities have local resources to dispose of household chemicals, and consumers are encouraged to contact their local solid waste authority for more information on disposal programs for chemicals.

Before a pesticide can be marketed in this country, the EPA performs a scientific review to ensure that use of the product is unlikely to cause harmful effects on people, pets, or the environment. According to EPA spokesman David Deegan, "We cannot make any assurances to the public that these counterfeit products would be equivalent (to the rigorously tested legitimate Advantage and Frontline products.)"

The only way to determine whether a product is legitimate or counterfeit is to open the package. The EPA has posted detailed information, including photos of legitimate products, at www.epa.gov/pesticides/factsheets/petproduct.htm. Veterinarians and consumers concerned about a product's authenticity can also visit www.nofleas.com for information about Advantage or www.FRONTLINE.com/epa to find out more aboutMerial's products.

## FDA Warns Compounders/Veterinarians

The Food and Drug Administration has issued at least five warning letters to pharmacies compounding human and/or animal drugs since issuing a Compliance Policy Guide clarifying the department's stance on drug compounding. The FDA has also warned two veterinary practices about extra-label drug use and illegal drug residues in food animals.

The compounding warning letters allege that the pharmacies have failed to comply with the Food, Drug, and Cosmetic Act, which limits drug compounding to situations in which a product is medically necessary for treatment and is prescribed as part of a valid veterinarian-client-patient relationship for a specific patient. The CPG, available atwww.fda.gov, and an article in the Dec. 1, 2003 issue of JAVMA on page 1558, or online at www.avma.org/onlnews/javma/ dec03/031201l.asp, describes in greater detail the compounding oversight and circumstances when the FDA is likely to exercise discretionary authority and not prosecute those who are acting outside the regulations.

The letters require the pharmacies to take corrective actions and cover a range of alleged infractions. Those infractions include:

- Compounding drugs for use in animals where an approved drug is available
- Compounding outside a valid veterinarian-client-patient relationship
- Manufacturing commercial-sized lots of drugs in anticipation of receiving prescriptions
- Failing to comply with FDA current good manufacturing practices
- Compounding from bulk drugs

- Using compounded drugs, made from bulk ingredients, in situations where the health of the animal is not threatened
- Compounding from bulk drugs that have been removed from the market for human use for safety reasons
- Labeling drugs inadequately

At least two warning letters have been issued to veterinary practices since December for illegal extra-label drug use, and illegal residues in food animals.

One letter warned a veterinary hospital about prescribing, compounding, and dispensinggentamicin and gentamicin combined with other antimicrobials for the treatment of bacterial infections in dairy cows, with labeling specifying a 30-day withdrawal time.Gentamicin is not FDA-approved for use in cows, and extra-label use of the drug must comply with FDA regulations, according to the warning letter. The letter noted that the specified withdrawal time was not supported by science. According to the letter, there is no scientifically established withdrawal time for the use of gentamicin in cattle; however, the Food Animal Residue Avoidance Bank advises that a minimum pre-slaughter withdrawal period of 18 months or more be established.

Another letter warned a veterinary practice about the sale of prescription drugs for extra-label use without a valid veterinarian-client-patient relationship.