



MARYLAND DEPARTMENT OF AGRICULTURE

LEGISLATIVE COMMENT

DATE: 02/15/17 BILL NO: HB 602

SUBJECT: KEEP ANTIBIOTICS EFFECTIVE ACT OF 2017

COMITTEE: ENVIRONMENT AND TRANSPORTATION

MDA POSITION: WRITTEN OPPOSITION

EXPLANATION:

HB 602 prohibits on or after a certain date, a certain owner of cattle, swine, or poultry premise from administrating medically important antimicrobial drugs without a certain antimicrobial drug prescription (Rx) or Veterinary Feed Directive (VFD) order.

HB 602 states on or after a certain date only a veterinarian licensed in Maryland operating in the course of that veterinarian's professional practice, and in the context of a veterinarian-client-patient relationship (VCPR) can issue a Rx or VFD order. The Rx or VFD order can only be issued for cattle, swine and poultry in accordance with certain conditions and certain purposes.

Additionally, HB 602 requires that certain cattle, swine and poultry owners issued an Rx or a VFD order by a licensed veterinarian after a certain time must submit to the Maryland Department of Agriculture all records and information relating to a medically important antimicrobial drug prescription (Rx) or a Veterinary Feed Directive (VFD) order. The Department shall maintain all records and information, and on or after a certain date report that certain information to the General Assembly. Also, the Department shall make the records and information available for public review.

COMMENT:

The Maryland Department of Agriculture (MDA) opposes HB 602 as written because it is duplicative and incomplete compared to the national effort by FDA's Center for Veterinary Medicine (CVM) to place the use of medically important antibiotics in feed and water under veterinary oversight. More importantly HB 602 would cause an unnecessary operational and fiscal impact on the Department. **The added fiscal impact on the Department will be in the range of \$185,000 to \$262,000 in added funding.**

Additionally, HB 602 would require the hiring of an additional office administrator to manage and maintain the Rx and VFD antimicrobial usage from a yet to be determined list of owners of cattle, swine and poultry. Plus, HB 602 would pull away other administrators, field veterinarians, and legal councilors within the Department to oversee, to inspect and to impose administrative penalties from their mission to protect livestock and poultry from infectious and contagious diseases.

Also, the FDA, CVM has the authority through the Federal Food, Drug & Cosmetic Act (FD&C Act) to regulate the development, production and distribution of antimicrobial drugs. That is, FDA, CVM has the national authority and resources to enforce proper judicious use of medically important antimicrobials by licensed veterinarians not just in certain cattle, swine and poultry as is stated in HB 602, but in all major and minor species that could benefit from these antimicrobials. The Department again opposes HB 602 because it does not have same authority or resources.

Finally, HB 602 places unclear restrictions on the criteria that the licensed veterinarian uses in the context of a valid Veterinarian-Client-Patient Relationship (VCPR) to determine the indications for the use of medically important antimicrobials. That is, licensed veterinarians need to be able to prevent pain, suffering and death through therapeutic usage of medically important antimicrobials. According to the FDA, the American Veterinary Medical Association (AVMA) and the World Organization for Animal Health (OIE) therapeutic usage of medically important antimicrobials includes disease treatment, disease control and disease prevention. The confusing exclusion indication of routine disease prevention should be stricken from HB 602 as one of the conditions where medically important antimicrobials may not be administered.

MDA respectfully requests an unfavorable report for HB 602.