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August 18, 2015

Bernadette M. Dunham, D.V.M., Ph.D.
Director, Center for Veterinary Medicine
Food and Drug Administration
Public Health Service
Silver Spring, MD 20993

RE: FDA VFD Final Rule/VCPR
Louisiana

Dear Dr. Dunham:

By way of introduction, I am the attorney for the Louisiana Board of Veterinary Medicine (LBVM). The LBVM is in receipt of your letter regarding the referenced matter. More specifically, you are requesting if Louisiana's Veterinary-Client-Patient Relationship (VCPR) complies with the new Federal Rule, and if such is required for a LA veterinarian to write a lawful veterinary feed directive. I have been directed to provide you with the LBVM's response to your inquiry.

Pursuant to the Louisiana Veterinary Practice Act and LBVM Rule 700 (which can be found on the LBVM's website at www.lsbvm.org), the requirement and definition of VCPR in Louisiana are consistent with the terms as defined in 21 CFR Sections 558.6 and 530.3(I) of the FDA Federal Regulations.

For your convenience, LBVM Rule 700 defines the VCPR as existing when:

1. The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment; and
2. The client (owner or duly authorized agent) has agreed to follow the instructions of the veterinarian; and
3. The veterinarian has sufficient knowledge of the animal(s) to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that:

- a. the veterinarian or associate veterinarian has recently seen and is personally acquainted with the keeping and care of the animals(s) by virtue of an examination of the animals and/or the animals' records, and/or by medically appropriate and timely visits to the premises where the animals(s) are kept; or
- b. the veterinarian has agreed to serve as a consultant to the licensed, primary care veterinarian with whom the client and patient have established a relationship which meets the criteria of subparagraph a above; and
- c. the primary veterinarian is readily available for follow-up in the event of adverse reactions or the failure of the regimen of therapy.

Pursuant to your referenced letter, it is the LBVM's understanding that in the event Louisiana's VCPR and feed directive were not consistent with the Federal requirements, then the Federal requirements as set forth in the CFR's new Rules would govern.

Thank you for contacting the LBVM regarding this matter. Should you have any questions or comments, please do not hesitate to contact me directly.

With best wishes, I am

Very truly yours,

Michael A. Tomino, Jr.

/MAT
cc: LBVM