



# Veterinary Medicines Directorate



## Sales of NFA-VPS online – use of disclaimers

The Veterinary Medicines Regulations (VMR) set out the distribution categories for UK veterinary medicines, to define who may sell certain types of products. One of these categories is Non-Food Animal – Veterinary, Pharmacist, Suitably Qualified Person (abbreviated to NFA-VPS).

The VMR state that products classified as NFA-VPS may be supplied without prescription, but may only be supplied by:

- a veterinary surgeon
- a pharmacist
- a suitably qualified person (SQP)

The person who is supplying a product classified as NFA-VPS:

- must 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
- must advise on its safe administration and on any warnings or contra-indications on the label or package leaflet
- must not supply more than the minimum amount required for the treatment

**It's therefore a legal requirement for an online retailer to make sure that their customer is competent to use the product and will use it for an authorised use. This obligation cannot be shifted onto the customer. Website 'disclaimers' that, for example, simply inform a customer that they must answer yes or no to a following list of questions do not meet this obligation. Examples of disclaimers are given in Annex 1.**

Online retailers may meet their legal obligation by:

- using a questionnaire that is completed as part of the ordering process
- contacting the customer by phone or email prior to despatch
- face to face discussion, including video links, Skype etc.

Online retailers should also ask for sufficient information about the animal to be treated to allow them to check that the medicine will be used for an authorised use. They should also advise the customer on how to use the product safely and on any warnings or contra-indications. The following are examples of the type of information that online retailers should obtain before supplying NFA-VPS products:

- the animal's species, breed, weight and age the animal's general health
- if the animal is pregnant or lactating
- if the animal is on any other medication has the customer used the product before on this animal [if so, did the animal have an adverse reaction]
- does the customer require additional information on how to use the product
- has the customer read the Summary of Product Characteristics (SPC) for this product
- confirmation that the customer will use the product in accordance with its SPC and it will not be resold

If a questionnaire is being used after the order is placed, then an explanatory note should be displayed to the customer immediately before they confirm their order.

For example:

“When purchasing veterinary medicines classified as NFA-VPS you will be required to complete a questionnaire after checkout. Veterinary medicines will not be despatched unless the questionnaire is properly completed. Our vet/pharmacist/SQP will contact you if they have any queries regarding the appropriateness of the medicine for your animal. Payment for the medicines will not be taken until the questionnaire has been assessed and the supply authorised’.

All retailers supplying veterinary medicines via the internet must comply with the VMR. All non-compliances brought to the attention of the VMD will be dealt with in accordance with our Enforcement Strategy:

<http://www.vmd.defra.gov.uk/pdf/EnforcementStrategy.pdf>

Reports of non-compliance can be sent to the Enforcement Team on [enforcement@vmd.defra.gsi.gov.uk](mailto:enforcement@vmd.defra.gsi.gov.uk) Reports are actively pursued and are treated in the strictest confidence.

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### Examples of disclaimers

“This product is classified as an NFA-VPS product. Before you use this product you must answer the following questions: Is your pet on no other medication? Is your pet over 12 weeks of age and not pregnant? Is your pet currently healthy? Are you over 18 years old and are you competent to use this product? Have you, or will you, read the instructions with this product before its use? Have you ensured the correct product has been ordered for the correct weight and species of pet? IF YOU CANNOT ANSWER YES TO ALL THESE QUESTIONS YOU MUST NOT USE THE PRODUCT UNTIL YOU HAVE CONSULTED YOUR VET OR US. FAILURE TO FOLLOW THIS ADVICE MAY PUT YOUR PETS HEALTH AT RISK”

**“Do you have enough information on how to use this product safely and effectively prior to administering?”**

If you select 'No', you will be contacted by one of our SQP's who can discuss this with you further before we will dispatch your order.”