WORD OF CAUTION
Dispensing of scheduled medicines based on foreign and local prescriptions

Dear Colleagues

A colleague recently received a strange looking “prescription”, purporting to be from the Bangladesh National Zoo, which was forwarded to the Legal Department by one of our savvy colleagues for advice on how to deal with the “prescription”.

The advice below was given to the veterinarian:

“You should under no circumstances fill the “prescription” attached to your earlier e-mail. You may not even fill a prescription for a South African colleague (See the information below). The “prescription” does not comply with the requirements of the Medicines and Related Substances Act, Act 101 of 1965 and its regulations. There is no export permit provided for the export of the medicines from South Africa to Bangladesh, which must be issued by the South African Health Products Regulatory Authority (SAHPRA), nor an import permit issued by the People’s Republic of Bangladesh to import the medicines into that country.

The person requesting the medicine to be supplied, should liaise with SAHPRA regarding the correct procedures to export scheduled medicines from South Africa legally.

Should you fill the so-called “prescription”, and you are found guilty of an offence in terms of the above Act by a South African court, you may be imprisoned for up to ten years, or liable for a commensurate fine.

The so-called “prescription” may even be a hoax to trap an unsuspecting victim, as it contains several
hallmarks of hoax e-mails.

When dealing with prescriptions from South African colleagues, please take note of the information below.

Section 34(1) of the Veterinary and Para-Veterinary Professions Act, Act 19 of 1982 provides that a veterinarian may only dispense medicine prescribed by him/herself or on behalf of a partner or an assistant or a locum (i.e. in the same facility). See the quote below:

“34. Dispensing of medicine.—(1) A person who is registered or deemed to be registered in terms of this Act to practise a veterinary profession, may personally compound or dispense any medicine which is prescribed by himself or by any other person with whom he or she is in partnership or with whom he or she is associated as a principal or an assistant or a locum tenens, for use in the treatment of an animal which is under his or her professional care: Provided that he or she shall not be entitled to keep an open shop or pharmacy.”

In rule 1 the “veterinarian-client-patient relationship” is defined as follows:

“‘veterinarian-client-patient relationship” means the following:

(i) the veterinary professional has assumed the responsibility for making professional judgments and/or treatment regimes regarding the health of a patient or improvement in the production of the animal or animals, at the request of the client;

(ii) the veterinary professional has sufficient personal knowledge to initiate at least a general or preliminary assessment of the condition of the patient by virtue of a consultation with the client; and clinical records are maintained.”

Rule 10(1) further sets out under what circumstances a veterinarian may dispense medicine. It reads as follows:

“10. Use of veterinary medicine

(1) Whenever a veterinary professional, administers medicine to an animal or prescribes the administering thereof, he/she must satisfy himself that the administering thereof is justified with due allowance for the benefits and risks which that medicine may hold for –

(a) The animal to which it is administered, including withdrawal times of residues where relevant in the animal and/or the effect on the environment;

(b) The person by whom it is administered; and

(c) The consumer of the products of that animal if residues of the medicine concerned should be present in those products.”

If you are presented with a prescription from another veterinarian, you should do the following:
1. Consult with the client (establishing a veterinarian-client-patient relationship);
2. Discuss the matter with the prescribing veterinarian to satisfy yourself that the administration of the medicine is indeed justified at the hand of rule 10(1); and
3. Keep notes in your clinical records of the above to safeguard yourself in the event of a complaint.”

Kind regards
Dr Glen Carlisle
Chairperson Investigation Committee