

March 7, 2019

Vicky Grahovac  
Food Safety and Environmental Policy Branch  
Ontario Ministry of Agriculture, Food, and Rural Affairs  
1 Stone Road West; 2<sup>nd</sup> Floor SW  
Guelph, ON N1G 4Y2

Dear Ms. Grahovac,

**RE: Registry Posting 19-OMAFRA001: Proposed repeal of the Livestock Medicines Act and replacement with streamlined regulation under the Animal Health Act, 2009 to continue the sale of designated livestock medicines in licensed Livestock Medicines Outlets**

The Ontario Federation of Agriculture (OFA) is Canada's largest voluntary general farm organization, representing more than 38,000 family farm businesses across Ontario. These farm businesses form the backbone of our robust food system, and rural communities, with the potential to drive the Ontario economy forward.

The Ontario government has proposed new regulation to help reduce regulatory burden and modernize oversight of designated livestock medicines, while maintaining rules that support animal and public health. OFA is pleased to provide the Ontario Ministry of Agriculture, Food and Rural Affairs the following comments on the proposed repeal of the Livestock Medicines Act (LMA) and replacement with streamlined regulation under the Animal Health Act, 2009 (AHA) to continue the sale of designated livestock medicines in licensed Livestock Medicines Outlets (LMOs):

OFA supports the proposed new regulation under the AHA to replace the existing Regulation 730 and the LMA. We believe that since antimicrobial drugs have moved from over-the-counter to prescription status as of December 1<sup>st</sup>, 2018, the current level of regulation of LMOs is no longer warranted. Transferring section 2 of Regulation 730, which outlines drugs which are manufactured for use in livestock and designated as livestock medicines, to the new regulation under the AHA will allow LMOs to continue the sale of these medications. Allowing LMOs to continue the sale of livestock medicines will ensure Ontario's livestock producers timely access to medications needed to maintain animal health and welfare.

OFA is in favour of the proposed regulatory changes that would simplify the current licensing requirements for LMOs. Replacing the current two-licence system (established place of business

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and temporary) with a one-class licence, free of expiry date or licence fee, would aid in reducing operating costs and administrative burden for LMOs.

OFA believes effective and timely access to livestock medicines is essential for the health and welfare of Ontario's livestock. Removing the restrictions on location and time of sale would ensure livestock producers efficient and timely access to livestock medicines by facilitating online and temporary location sales. Modifying regulatory wording from "only sell to livestock owners" to "for treatment of livestock" will allow the valid purchase of medicines from livestock caregivers, thus ensuring the health and welfare of livestock goes unaffected. Removing the "no delivery" requirement in the regulation would facilitate online sales, increasing timely access to livestock medicines by livestock producers.

OFA supports the removal of all current requirements which are prescriptive or overlap with federal requirements and replacing the current conditions of sale with more outcome-based requirements. We believe removing section 10 in Regulation 730 regarding advertising of livestock medicines reduces regulatory burden, as this information is already covered by the Food and Drugs Act section 9 (1). Removing section 11 in Regulation 730 which covers procedures for inspectors during seizure, removal or detainment of livestock medicines will further decrease regulatory burden, as this information is already covered in the AHA.

Maintaining the requirement that livestock medicines cannot be repackaged will help to preserve medicine efficacy, as manufacturer packaging helps maintain product integrity with features such as opaque boxes to filter light, and cotton fillers to minimize physical damage to medicine. Prohibiting repackaging will ensure the package insert remains with the livestock medicine, which contains vital information not included on the medicine label. Additionally, medicine packaging may include lot and batch numbers to assist with traceability in the event of adverse drug reactions. Ensuring effective packaging and preventing mislabelling are essential to ensuring the safety and quality of livestock medicines.

Replacing outdated record-keeping requirements with an outcome-based requirement would help to streamline rules and save time and money for LMOs. OFA supports retaining only product purchasing records rather than a more extensive list of record-keeping items for at least two years and providing to the Ministry upon request. Records are used to notify producers in the event of a product recall, and product purchasing records will contain the required information needed in the event of a recall. Minimizing retained record information will help to decrease administrative burden and costs for LMOs, while maintaining the safety and quality of livestock medicines.

OFA supports the removal of the requirements for an advisory committee appointed by the Minister as there are more direct mechanisms in place for stakeholders to interact with the Ministry.

OFA would like to take this opportunity to express our concern regarding producer access to medically-important antimicrobials (MIAs). As of December 1<sup>st</sup>, 2018, MIAs are no longer available over-the-counter, and can only be obtained with a valid prescription through a veterinarian or pharmacy. We are concerned that distance, availability, and veterinarian

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specialization pose significant barriers to obtaining MIAs in a timely manner, especially to Ontario livestock farmers located in remote regions of Ontario where veterinarian services are limited. Timely access to MIAs is essential to ensure animal health and welfare is not compromised, and to safeguard a sustainable livelihood for Ontario farmers. OFA recommends that the new regulation under the AHA allow the 500 licensed LMOs in Ontario be allowed to sell and dispense MIAs with a valid veterinary prescription, to ensure timely access to MIAs for livestock producers. OFA would also recommend that the new regulation under the AHA include all sectors that utilize livestock medicines, including beekeeping and aquaculture.

Reducing regulatory burden and red tape while ensuring timely access to safe livestock medicines is crucial to Ontario's livestock sector. OFA believes new regulation under the AHA will meet the goal of red tape and regulatory burden reduction. The new regulation will also continue to protect animal health and ensure producers efficient access to livestock medicines. On behalf of our more than 38,000 farm family businesses across Ontario, OFA appreciates the opportunity to comment on the proposed repeal of the LMA and introduction of new regulation under the AHA to continue the sale of designated livestock medicines in licensed LMOs.

Sincerely,



Keith Currie  
President

cc: Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
Dr. Leslie Woodcock, Chief Veterinarian for Ontario  
Beef Farmers of Ontario  
Ontario Pork  
Ontario Sheep Farmers  
Veal Farmers of Ontario  
OFA Board of Directors