

AN ACT relating to the retail sale of products used to treat animals.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 321.200 is amended to read as follows:

- (1) No provision of this chapter shall be construed to prohibit any of the following:
 - (a) Any persons from gratuitously treating animals in cases of emergency if they do not represent themselves to be veterinarians or use any title or degree pertaining to veterinary practice;
 - (b) The owner of any animal or animals and the owner's full-time, or part-time, regular employees from caring for and treating, including administering drugs to, any animals belonging to the owner. Transfer of ownership or a temporary contract shall not be used for the purpose of circumventing this provision;
 - (c) Any person from castrating food animals and dehorning cattle, as long as any drugs or medications are obtained and used in accordance with applicable federal statutes and regulations governing controlled and legend drugs;
 - (d) Any student enrolled in any approved veterinary school or college from working under the direct supervision of a veterinarian who is duly licensed under the laws of this Commonwealth and whose compensation is paid solely by the licensed veterinarian;
 - (e) Nonlicensed graduate veterinarians in the United States Armed Services or employees of the Animal and Plant Health Inspection Service of the United States Department of Agriculture or the Kentucky Department of Agriculture, Division of Animal Health while engaged in the performance of their official duties, or other lawfully qualified veterinarians residing in other states, from meeting licensed veterinarians of this Commonwealth in consultation;
 - (f) A trainer, sales agent, or herdsman from caring for animals, provided there is a veterinary-client-patient relationship, as defined in KRS 321.185;
 - (g) A university faculty member from teaching veterinary science or related

courses, or a faculty member or staff member from engaging in veterinary research, including drug and drug testing research, provided that research is conducted in accordance with applicable federal statutes and regulations governing controlled and legend drugs;

- (h) Any person who holds a postgraduate degree in reproductive physiology or a related field, and who has performed embryo transfers in Kentucky during the five (5) years immediately preceding July 14, 1992, from performing embryo transfers;~~[-or]~~
 - (i) Volunteer health practitioners providing services under KRS 39A.350 to 39A.366; or
 - (j) *A retailer or its agent from making recommendations regarding the over-the-counter products it sells to treat animals so long as the recommendations are consistent with the product label.*
- (2) Nothing in this chapter shall interfere with the professional activities of any licensed pharmacist.