November 5, 2009

eBay Inc. Headquarters
Whitman Campus
2065 Hamilton Avenue
San Jose, California 95125

Dear Sir/Madam:

I am writing on behalf of the American Veterinary Medical Association (AVMA), established in 1863 and the largest veterinary medical association in the world. As a not-for-profit association established to advance the science and art of veterinary medicine, the AVMA is the recognized national voice for the veterinary profession. The association’s more than 78,000 members comprise approximately 85% of U.S. veterinarians, all of whom are involved in a myriad of areas of veterinary medical practice including private, corporate, academic, industrial, governmental, military, and public health services.

The AVMA commends eBay’s prohibition of the sale of certain products on your website. In particular, we applaud eBay’s “Prescription Drugs Policy” which, in part, states the following:

“Any substance that requires a prescription from a licensed practitioner (such as a doctor, dentist, optometrist, or veterinarian) isn’t allowed on eBay.”

Recently, however, our member veterinarians have found veterinary prescription products for sale on eBay, including heartworm preventive drugs for dogs and cats. While in some countries, we understand heartworm preventive drugs are sold over-the-counter (OTC), in the United States heartworm products must be sold within a Veterinarian-Client-Patient Relationship (VCPR). In addition, despite the OTC availability of certain products in other countries, these products cannot be legally imported if they are not approved in the USA. The Food and Drug Administration (FDA) regulates certain drug products as “prescription” based on whether or not a layperson can use the drugs safely and effectively. Administration of heartworm preventive drugs can cause substantial adverse effects in animals especially when used improperly and outside the order of a veterinarian.

Thank you in advance for your policy enforcement and for ensuring that veterinary prescription drugs are not being offered and/or sold through eBay in the United States.
Please feel free to contact Dr. Lynne White-Shim (800-248-2862 ext. 6784, lwhite@avma.org) and Dr. Kristi Henderson (800-248-2862 ext. 6651, khenderson@avma.org) should you have any questions or comments about AVMA's statement.

Sincerely,

[Signature]

W. Ron DeHaven, DVM, MBA
Executive Vice President
American Veterinary Medical Association

cc: Dr. Bernadette Dunham, Director, Food and Drug Administration Center for Veterinary Medicine
    Dr. Kenneth Schell, President, California State Board of Pharmacy
    Ms. Linda Starr, President, California Veterinary Medical Board