

Acquisition and Use of Sodium Pentobarbital and Derivatives by Unlicensed Individuals in Animal Shelters

Animal Services Division

1. A.R.S. § 3-1213 requires the State Veterinarian to establish procedures for county, city and town animal pounds that do not have a licensed veterinarian on the staff to obtain and administer sodium pentobarbital or a derivative of sodium pentobarbital. This proposed rule outlines the procedures to be established by the State Veterinarian to effectively execute this statutory mandate.

The Arizona Department of Agriculture is proposing to incorporate by reference the following national laws:

1. AVMA Guidelines for the Euthanasia of Animals: 2020 Edition
2. The Federal Controlled Substances Act

Adds sections

1. R3-2-1201 Definitions
2. R3-2-1202 General Provisions
3. R3-2-1203 Requirements of Euthanasian Approved Curriculum; Record Keeping; Inspection.

Important Language

Any shelter that does not employ a licensed supervisory veterinarian may apply for a DEA controlled-substances registration for each physical location in order to administer euthanasia. DEA will only grant the registration if the shelter is approved by, and meets the standards of, the State Veterinarian, as follows:

1. The responsible person is formally designated by the controlling person of the shelter as the individual responsible to obtain and manage controlled substances on behalf of the shelter;
2. The responsible person must successfully complete an approved euthanasia training course;
3. The responsible person and the State Veterinarian must execute an agreement obligating the responsible person to comply with this Article;
4. The responsible person is 21 years of age or older; and
5. The responsible person shall provide three professional references to the State Veterinarian to demonstrate professionalism and good moral character.

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The responsible person shall keep records of all euthanasia-related activities including, but not limited to:

1. Identification of animals euthanized;
2. Reason for euthanasia;
3. Method of euthanasia;
4. Adverse events; and
5. All recordkeeping required by the Controlled Substances Act.

The agency's contact person who can answer questions about the economic, small business, and consumer impact statement: Name: Dr. Ryan Wolker, State Veterinarian Address: Arizona Department of Agriculture 1802 W. Jackson St., #78 Phoenix, AZ 85007 Telephone: (602) 542-4293 Fax: (602) 542-4290 Email: rwolker@azda.gov Website: agriculture.az.gov 10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule: Written comments can be submitted to the address listed in item 9 by the close of the comment period, which is at **5:00 p.m. on November 14, 2022.**