PVMA

PENNSYLVANIA VETERINARY MEDICAL ASSOCIATION

Dedicated to ensuring the vitality of the veterinary profession by promoting excellence in veterinary medicine, advancing animal health and welfare, and protecting and enhancing human health.

April 28, 2023

On behalf of the of The Pennsylvania Veterinary Medical Association, we want to thank Governor Shapiro's Office for their quick action to hear our concerns and their willingness to work with us regarding the scheduling of xylazine as a Schedule III controlled substance.

Xylazine is an FDA-approved prescription sedative with pain-relieving and muscle relaxing properties for use in animals. It is one of the most widely used veterinary drugs across many species, including cats, dogs, horses, cattle, deer, elk, rats, mice, wildlife, and zoo animals.

We agree that xylazine in combination with illicit drugs is a serious public health concern and applaud the Governor for taking prompt action to protect the citizens of Pennsylvania. We have concerns, however, about any action that could cause xylazine, an FDA approved product, to become unavailable to Pennsylvania veterinarians for its critical uses.

Xylazine is an important drug used to facilitate safe handling and treatment of many species, especially large animals and wildlife, and for performing diagnostic and surgical procedures. It is necessary for the safety of veterinarians and animal handlers while performing elective and emergent procedures on livestock. Lack of expedient access to xylazine for veterinary patients will be a detriment to animal welfare and human safety. Veterinarians and animal handlers rely on the safe, ready access to xylazine when performing elective and emergent procedures on livestock in the event an animal becomes agitated. Further, there is no practical alternative for sedation in cattle.

There are currently only two manufacturers of xylazine for veterinary use in the United States. Xylazine is a generic drug that generates low revenue for the manufacturers. If xylazine is scheduled as a controlled substance, there is a very real risk that it will cease to be available in Pennsylvania because of the increased regulatory burden and costs for the manufacturers as well as regulatory uncertainty for distributors.

8574 Paxton Street
Hummelstown, PA 17036

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There is no significant evidence that illicit xylazine is being diverted from veterinary sources. On the contrary, there is ample evidence that xylazine is being illegally imported as raw material from other countries. We encourage the Commonwealth to address illicit xylazine entering Pennsylvania either as a raw ingredient or as adulterant to other narcotic drugs.

The Combating Illicit Xylazine Act (H.R. 1839/S. 993) was introduced last month before the U.S. Congress. The bill would increase penalties for trafficking of xylazine, while preserving its use in veterinary medicine. There is strong bipartisan, bicameral support for this bill, and it was drafted with input from the Drug Enforcement Administration (DEA), veterinary community and animal drug manufacturers. It is our position that the Commonwealth of Pennsylvania should support this legislation and withhold issuing a final notice to temporarily schedule xylazine as a Schedule III controlled substance, and use provisions within the Combating Illicit Xylazine Act as a template for near-term executive action for the Commonwealth.

Furthermore, recognizing the urgent need to move forward with state-level action in Pennsylvania, we ask that the Department of Health include a sunset provision in its final-form rule so that federal action such as the Combatting Illicit Xylazine Act, once signed into law, preempts Pennsylvania's regulation. Consistent treatment of xylazine across states will help minimize the likelihood of supply disruptions or cuts.

We appreciate the Governor's Office attention to this matter and consideration of our request. We further appreciate the Governor's leadership to safeguard Pennsylvania's communities and look forward to our continued working relationship on this important issue.