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Response to the Draft Substantive Order and Undertakings Regarding: Remedies as part of the Vet Market Investigation

- Petscribers continues to support the CMA's aim of developing a functioning, competitive market in veterinary medicines. By supporting competition, pet owners will be empowered to access savings on veterinary medicines where clinically appropriate. The proposed measures, including increasing owner awareness of the presence of online retailers, capping prescription charges, and increasing transparency within the veterinary medicines market, are vital steps towards this aim.
- In the recent RSPCA Kindness Report, 75% of owners feel pet ownership has become more expensive in the past 12 months. 56% now worry about being able to afford veterinary care for their pet, but perhaps more concerningly 18% worry about being able to feed their pet. In light of these findings, it remains crucial that the veterinary profession finds ways to reduce the financial burden of pet ownership on existing owners.
- Petscribers has considered the Order and Undertakings relating to the remedies that we believe to be within our area of expertise. We have provided our thoughts on whether the draft will achieve the aims proposed by the CMA in the March final report, and any potential unforeseen impacts we consider may be deleterious to achieving the desired outcomes from the chosen remedies.
- Trust and transparency are vital in the owner-vet-pet relationship. Petscribers believes the remedies proposed by the CMA will overall strengthen this relationship by increasing consumer confidence in the industry, if implemented carefully. Importantly, animal welfare will benefit from this relationship working more effectively, so careful remedy design is critical for all involved.
- Veterinary professionals will always be required in the care of animals, but dispensing medication is not a service that necessarily needs to be provided solely by practices. We agree that barriers to pet owners purchasing their medication online from more competitively priced suppliers can be reduced, whilst still safeguarding animal welfare. As long as alternative suppliers are properly regulated (i.e. they are a VMD-authorised retailer or pharmacy), and it is clinically appropriate for that owner and pet to purchase online, then we agree that veterinary professionals should support owners to use these suppliers wherever possible,

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- Petscribers was built on a foundation of extensive industry knowledge and a desire to reimagine the written prescribing process from nose to tail. The extent of the CMA Order directly relating to medications, and industry concerns over delivering these aspects of the Order, highlights the level of dysfunction in this area of the veterinary industry. There is an evident need for digital infrastructure that supports veterinary written prescription creation and fulfilment. This is something we intend to address when we enter full end-to-end beta testing within the next month.
- Being founded by vets is the cornerstone of our business; we come from within the profession and remain committed to working with the profession. Petscribers strongly believes that solutions can, and should, be born from collaboration within the sector. We continue to strive for this, whilst keeping animal welfare at the heart of everything we do.
- Petscribers remains supportive of the CMA's investigation and overall supportive of the Articles within the Draft Substantive Order which seek to (a) improve pet owners' awareness of the options available to them to obtain veterinary medicines and (b) removes barriers to pet owners accessing such options.

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- Petscribers is aware of the following remedies relating to medication, which we will address in turn;
 - **Remedy 6: the prescription awareness remedy**
 - provision of written materials
 - information and standardised literature on the RCVS website
 - oral prompts
 - **Remedy 7: the same day written prescriptions remedy**
 - when a written prescription is requested by a pet owner, it must be provided either in hard copy by the end of the consultation, or digitally within 48 hours
 - digital copies can either be sent directly to an online pharmacy or given to the pet owner
 - **Remedy 8: own brand medicines remedy**
 - All veterinary businesses operating one or more FOPs that sell Own Brand medication must inform pet owners that there is a Reference Product alternative available, and what it is, by:
 - ensuring that, in a consultation when an Own Brand medication is prescribed, vets prescribing that medication inform the pet owner orally that they are being prescribed an Own Brand medication, and that the Reference Product alternative is available for purchase from third parties;
 - when the Own Brand medication is dispensed, providing the pet owner with the name of the Reference Product; and
 - specifying clearly on both the labelling applied to Own Brand medicines and on the invoice that the Reference Product alternative is available for purchase elsewhere

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■ Remedy 9: ongoing medication information remedy

- Veterinary businesses operating one or more FOPs must provide additional information to pet owners receiving ongoing medications
- They must be told about their ability to request a written prescription and that they could make significant savings from purchasing long term medication online, or elsewhere

■ Remedy 10: the prescription fee cap remedy

- A maximum fee of £21 for providing a written prescription for the first medication prescribed within a consultation (the Primary Prescription Fee Cap)
- Any additional medicines for which a written prescription is required within the same consultation will have a maximum fee of £12.50 per medicine (the Additional Prescription Fee Cap)

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1) Remedy 6: the prescription awareness remedy

- provision of written materials
 - information and standardised literature on the RCVS website
 - oral prompts
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- Petscribers notes that the CMA is requesting both digital and physical signposting for owners with regards the ability to request a written prescription for medications, and the potential for this to result in savings versus buying over-the-counter (OTC). Petscribers agrees that this broad approach is likely to be effective in addressing the lack of awareness amongst owners, and empowering them to make a written prescription request should they wish to do so.
 - However, Petscribers believes the CMA should be aware that the wording on the posters has been poorly received in the veterinary community, and may generate ill-feeling towards the remedy. A researched figure, with a “average X% saving” may be more well-received amongst the scientifically-minded veterinary community than the unsubstantiated “may be significantly cheaper online” that exists in the current copy.
 - Petscribers also notes that Article 14(7) stipulates that the Primary Notice must be displayed in at least A2 size and Secondary Notices must be displayed in at least A3 size. This may prove challenging for some practices given their existing layout and architecture, however Petscribers recognises that a minimum specification is necessary to ensure the notice is prominent, and remains visible and legible for all owners.
 - Interestingly, Petscribers felt the CMA might be interested to hear that following the final report in March, several of our partnered pharmacies have reported increases in sales volumes. This supports the CMA conclusion that the previous measures in the Supply of Veterinary Medicines Order 2005 were not sufficient at ensuring all owners were aware of the option to purchase online. Social media, and traditional media have increased owner awareness of online retailers, but some consideration needs to be given to making sure that owners are aware this is not always appropriate in every situation. The current posters design put forward by the RCVS may lose that messaging somewhat given the proposed aesthetics.

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- Petscribers believes an oral offer of a prescription in a consult room, Article 14(5), could be of particular value for owners that struggle with literacy or processing visual prompts. This ensures accessibility to messaging covered elsewhere in Article 14 by written materials.
- Where the requirement to provide an oral offer of a written prescriptions does not apply; i.e. **“in the case of any medicine where there is a clinical need for it to be administered by a Veterinary Professional or for the Pet to start taking it urgently”**, the CMA may wish to consider providing some additional clarity. Guidance on how vets prove, and document, that they meet these criteria may assist vets with compliance on this point, as this is often not as clear-cut as it might initially appear. This might especially be true for non-urgent but acute presentations. Animals in those situations may indeed require medication, but what constitutes “urgent”? In such cases, the animal may sometimes have been delayed in presenting for veterinary attention, either due to owner or practice factors. If that delay is considered acceptable, then a short delay (i.e. up to 24 hours) in starting medication in similar cases presenting earlier in the disease course, could also be considered acceptable. This would present challenges for practices in consistency across cases. It may also lead to consumer confusion, which runs counter to the aims of CMA. Petscribers considers that an oral offer for a prescription, with a subsequent explanation of why it is inappropriate for that specific case would better protect owners and vets from misunderstandings and compliance issues.
- Petscribers would also like the CMA to provide guidance on drop-shipping solutions. Some practices offer this as an option for owners, whereby the owner receives the medication directly from a supplier chosen by the practice (such as the wholesaler or the practice buying group). Whilst these can be competitively priced, this could be considered consumer steering. Petscribers would welcome clarification over whether these would need to be offered alongside a standard written prescription that could be fulfilled at a retailer of the owner’s choosing, or whether their provision is sufficient to be deemed CMA-compliant.

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2) Remedy 7: the same day written prescriptions remedy

- **when a written prescription is requested by a pet owner, it must be provided either in hard copy by the end of the consultation, or digitally within 48 hours**
 - **digital copies can either be sent directly to an online pharmacy or given to the pet owner**
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- Petscribers believes that ensuring prompt delivery of prescriptions could significantly reduce the barriers to owners purchasing medication online. Article 15(1), which temporally constrains delivery is reasonable and proportionate to the impact of delays on owners trying to access medication online. However, it is not clear from the CMA Orders whether owners can request a paper copy (rather than a digital copy), or whether practices select their means of provision. Petscribers feels that clarity around that point would be useful for practices and owners.
 - Petscribers has been developing a digital solution to prescription issue and fulfilment. The software is about to enter beta testing with a pool of over 80 practices, with the belief that we can help practices deliver on this remedy. We believe these timescales are achievable with the right digital infrastructure in place. The current system is inefficient and flawed, and this creates an opportunity to build an innovative system that will significantly improve the convenience around written prescriptions for both vets and owners.
 - Petscribers remains concerned over the potential for consumer steering within LVG-owned practices. As many of the LVGs also own an online pharmacy, there may be a desire to ensure written prescriptions are fulfilled within the group. Clearly and prominently displaying their common ownership (Article 5) could inadvertently steer more sales to the LVG-owned pharmacy and limit awareness of competition. Petscribers continues to advocate for no preferential promotion of LVG-owned pharmacies within LVG-practices.
 - Whilst Petscribers believes consumers should be aware of alternative suppliers for medication, as this ensures a competitive market, this principle must apply equally to both independent FOPs and LVGs. Petscribers remains concerned that LVGs owning their own pharmacies may, consciously or unconsciously, reduce competition as described above.

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- Petscribers also wishes to reiterate our point above. Article 15(1) outlines provisions for owners to choose an Authorised Online Retailer/Pharmacy, and the vet to email it directly to the pharmacy for fulfilment. As a result of this wording, and the 48 hour delivery timeframe vets are obligated to honour as part of Article 15(1), Petscribers is concerned owners asking for written prescriptions may be put under pressure to nominate a pharmacy within the consult . Petscribers believes that allowing LVGs to market their own online pharmacies on their FOP or Referral premises may influence owner choice, and reduce market competitiveness.

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3) Remedy 8: own brand medicines remedy

- **All veterinary businesses operating one or more FOPs that sell Own Brand medication must inform pet owners that there is a Reference Product alternative available, and what it is, by:**
 - **ensuring that, in a consultation when an Own Brand medication is prescribed, vets prescribing that medication inform the pet owner orally that they are being prescribed an Own Brand medication, and that the Reference Product alternative is available for purchase from third parties;**
 - **when the Own Brand medication is dispensed, providing the pet owner with the name of the Reference Product; and**
 - **specifying clearly on both the labelling applied to Own Brand medicines and on the invoice that the Reference Product alternative is available for purchase elsewhere**
- Petscribers believes the remedy relating to own brand medications is proportionate and fair. Petscribers still regularly receives communications from owners that have been prescribed own-brand medication and cannot find it online, unaware that only the Reference Product, or other bioequivalent ones, are available to purchase online (not the Own Brand version)
- Petscribers supports the provision of brand equivalent information as detailed in Article 17, as we believe this is a key step in addressing transparency issues within veterinary medicine. Article 17(4) addresses where there are issues with the Reference Product (e.g. relating to supply or appropriateness of the formulation), by asking clinicians to provide a different medication which they consider to be clinically appropriate in the circumstances.
- However, Petscribers does not believe that this remedy goes far enough in relation to providing information on bioequivalence, Petscribers considers that owners should be provided with a list of all products that are bioequivalent in all dispensing cases. Such a list is currently difficult to provide to owners under current Veterinary Medicines Regulations (VMR), however, allowing owners to identify bioequivalent products would improve competition within the industry and increase consumer choice.

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- Petscribers believes that such a list is feasible whilst staying true to the intention behind the VMR; provided the list was complete; every licensed product was mentioned, none were given prominence over another and this list could not be influenced by the manufacturers.
- Petscribers notes that the CMA would need to make provision for such a list to be maintained, kept accurate and up-to date.

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4) Remedy 9: ongoing medication information remedy

- **Veterinary businesses operating one or more FOPs must provide additional information to pet owners receiving ongoing medications**
 - **They must be told about their ability to request a written prescription and that they could make significant savings from purchasing long term medication online, or elsewhere.**
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- The potential savings from buying medication online over the lifetime of a pet that is on ongoing medication is significant. Petscribers believes it is fair and right, that owners are made aware of their option to buy this medication online, instead of OTC.
 - However, Petscribers does not agree with the exemption to this requirement in Article 16(4), for owners receiving the medication as part of a Pet Care Plan. Many owners may struggle to appreciate whether the saving from buying their medication online and switching to a “pay as you go” model, outweighs the savings from being covered by a Pet Health Care Plan. Without the signposting to the option of buying the medication online, owners may not be aware this is an option for them. Petscribers feels owners in this situation should still be provided with the information to help them make an informed choice.

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5) Remedy 10: the prescription fee cap remedy

- **A maximum fee of £21 for providing a written prescription for the first medication prescribed within a consultation (the Primary Prescription Fee Cap).**
 - **Any additional medicines for which a written prescription is required within the same consultation will have a maximum fee of £12.50 per medicine (the Additional Prescription Fee Cap)**
- Petscribers supports the CMA decision to cap veterinary written prescription costs. Petscribers acknowledges there is some debate within the profession about the level of the cap and concerns about the profitability of providing prescription-writing as a service at that price point. However, Petscribers has heard of some practices charging fees below the cap, and believes that this is a sign that the cap is around a reasonable level, and provides scope for the market to work effectively. Capping the fee is important, because it helps ensure high prescription fees are not a barrier to purchasing medicines online.
- Petscribers believes that many of the concerns around the prescription fee cap could be mitigated through the provision of effective digital infrastructure. The challenge for practices is not simply the level of the fee, but the cost of time and administrative resource required to generate and fulfil a written prescription, alongside the potential loss of revenue from the OTC sale of the medicine. If the time required to generate and process a prescription can be significantly reduced, the impact on the practice is also reduced. Time previously spent on prescription administration can then be redirected towards other fee-earning clinical activities, or towards activities that support customer retention and acquisition. This is precisely the problem Petscribers has been designed to address. Our e-prescribing software reduces the time required to create a prescription, and automates much of the administrative work surrounding its fulfilment, while retaining appropriate clinical oversight and record keeping. Petscribers e-prescribing is due to launch this month, providing practices with a secure digital solution ahead of the September 2027 compliance deadline.

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- Petscribers has always believed that increasing transparency for consumers is the right approach. The CMA has addressed a broad range of issues within the sector and the overwhelming theme is around driving competition in the market, something Petscribers fully endorses. Whilst some practices are concerned about the potential challenges to profitability, it also provides opportunities for practices and service providers. As a direct result of the CMA Order, there is a greater focus on transparency over costs and ownership, and practices will be better able to differentiate themselves based on their unique selling points, .

Petscribers would be happy to continue to engage with the CMA if desired, and continues to wish the CMA all the best with the implementation of the Veterinary Services Market Investigation Order 2026.

Kind Regards,



(Co-founders of Petscribers Ltd.)