

either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the OW Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OW Docket is (202) 566-2426.

**FOR FURTHER INFORMATION CONTACT:**

Sherri Comerford, Underground Injection Control (UIC) Program, Drinking Water Protection Division, Office of Ground Water and Drinking Water (MC-4606M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone number: (202) 564-4639; email address: [Comerford.Sherri@epa.gov](mailto:Comerford.Sherri@epa.gov). For general information, visit the Underground Injection Control Program's Hydraulic Fracturing and the Safe Drinking Water Act Web site, <http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/hydraulic-fracturing.cfm>.

**SUPPLEMENTARY INFORMATION:**

Underground injection of fluids through wells is subject to the requirements of the Safe Drinking Water Act (SDWA) except where specifically excluded by the statute. In the 2005 Energy Policy Act (EP Act), Congress revised the SDWA definition of "underground injection" to specifically exclude from UIC regulation the "underground injection of fluids or propping agents (other than diesel fuels) pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities" (SDWA Section 1421(d)(1)(B)). UIC regulations further provide that "[a]ny underground injection, except into a well authorized by rule or except as authorized by permit issued under the UIC program, is prohibited" (40 CFR 144.11). Thus, owners or operators who inject diesel fuels during hydraulic fracturing related to oil, gas, or geothermal operations must obtain a UIC permit before injection begins. While the EP Act references hydraulic fracturing related to geothermal activities, the draft guidance only covers hydraulic fracturing using diesel fuels related to oil and gas activities. Permits for oil and gas hydraulic fracturing using diesel fuels are available through the UIC Class II Program, the well class for oil and gas activities. Geothermal activities are not considered Class II.

The draft guidance provides information on SDWA UIC Class II

requirements and recommendations for permitting hydraulic fracturing injection wells where diesel fuels are used in fluids or propping agents. The draft guidance is intended for EPA permit writers and, as a result, is relevant where EPA directly implements the UIC Class II program. Others may find the information in this document useful also. Recommendations in the draft guidance may change based on the comments we receive on the draft publication and this will be reflected in the final guidance. The deadline for submitting comments is August 23, 2012.

Dated: July 3, 2012.

**Pamela S. Barr,**

*Acting Director, Office of Ground Water and Drinking Water.*

[FR Doc. 2012-16694 Filed 7-6-12; 8:45 am]

**BILLING CODE 6560-50-P**

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## FEDERAL ELECTION COMMISSION

### Sunshine Act Meeting

**AGENCY:** Federal Election Commission.

**DATE AND TIME:** Thursday, July 12, 2012 at 10:00 a.m.

**PLACE:** 999 E Street NW., Washington, DC (Ninth Floor).

**STATUS:** This Meeting Will Be Open to the Public.

### Items To Be Discussed

Correction and Approval of the Minutes for the Meeting of June 21, 2012; Proposed Final Audit Report on National Right to Life PAC (A09-19); Management and Administrative Matters.

Individuals who plan to attend and require special assistance, such as sign language interpretation or other reasonable accommodations, should contact Shawn Woodhead Werth, Secretary and Clerk, at (202) 694-1040, at least 72 hours prior to the meeting date.

**PERSON TO CONTACT FOR INFORMATION:** Judith Ingram, Press Officer, Telephone: (202) 694-1220.

**Shelley E. Garr,**

*Deputy Secretary of the Commission.*

[FR Doc. 2012-16841 Filed 7-5-12; 4:15 pm]

**BILLING CODE 6715-01-P**

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## FEDERAL TRADE COMMISSION

### Workshop on Pet Medications Issues

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of workshop and request for comments.

**SUMMARY:** The Federal Trade Commission seeks public comments in connection with a workshop to examine competition and consumer protection issues in the pet medications industry. The workshop will consider how current industry distribution and other business practices affect consumer choice and price competition for pet medications; the ability of consumers to obtain written, portable prescriptions that they can fill wherever they choose; and the ability of consumers to verify the safety and efficacy of pet medications that they purchase. The workshop will also examine the extent to which recent changes to restricted distribution and prescription portability practices in the contact lens industry might yield lessons applicable to the pet medications industry. The Commission seeks the views of consumers, veterinarians, business representatives, economists, lawyers, academics, and other interested parties on these issues. This notice poses a series of questions relevant to those issues about which the Commission seeks comment. After conducting the workshop and reviewing comments, the Commission may prepare a report discussing these issues. **DATES:** The workshop will be held on October 2, 2012, in the Conference Center of the FTC office building at 601 New Jersey Avenue NW., Washington, DC. Prior to the workshop, the Commission will publish an agenda and further information on its Web site. Comments in response to this notice must be received on or before September 14, 2012.

**ADDRESSES:** Interested parties are invited to submit written comments electronically or in paper form by following the instructions in the **SUPPLEMENTARY INFORMATION** section below. Comments in electronic form should be submitted by using the following Web link: <https://ftcpublic.commentworks.com/ftc/petmedsworkshop> (and following the instructions on the Web-based form). Comments filed in paper form should be mailed or delivered to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex X), 600 Pennsylvania Avenue NW., Washington, DC 20580, in the manner detailed in the supplementary section below.

**FOR FURTHER INFORMATION CONTACT:** Stephanie A. Wilkinson, Attorney, Office of Policy Planning, Federal Trade Commission, 600 Pennsylvania Avenue NW., Washington, DC 20580, 202-326-2084, [petmedsworkshop@ftc.gov](mailto:petmedsworkshop@ftc.gov).

**SUPPLEMENTARY INFORMATION:** The quality and cost of pet medications is an

important pocketbook issue for many consumers. In 2011, 62 percent of U.S. households owned a pet, and Americans spent an estimated \$50 billion on their pets,<sup>1</sup> including nearly \$7 billion for prescription and over-the-counter (OTC) pet medications.<sup>2</sup> Drawing on the Federal Trade Commission's expertise as a competition and consumer protection agency, the workshop will examine ways to inform and empower consumers to obtain the highest quality and most cost-effective healthcare products for their pets.

Pet owners spend significantly more money on their pets than in past decades, and the market for pet medications has grown significantly in recent years.<sup>3</sup> Manufacturers and veterinarians have introduced new and improved diagnostic and therapeutic treatments for pets; pet medications have become available at some online and brick-and-mortar retail outlets; and veterinarians and others have increasingly emphasized preventative pet care. In addition, market participants note, in recent years it has become easier to administer flea and tick control products and heartworm preventatives, and the products themselves have become more effective. These products comprise the bulk of chronic pet medications sold in the United States. Indeed, the sale of prescription and OTC flea, tick, and heartworm products totaled nearly \$3.7 billion in 2011.<sup>4</sup>

### Distribution Practices in the Pet Medications Industry

Historically, veterinarians have been the principal dispensers of pet medications because of their unique role in the veterinarian-client-patient relationship, whereby a veterinarian examines, diagnoses, and treats the animal (patient), while also providing information to the animal's owner (client). Consumers still purchase most of their pet medications from the veterinarians who examine their pets, and most pet medication manufacturers choose to distribute their products

exclusively through the veterinary channel.

Nonetheless, pet medications are no longer sold exclusively by veterinarians. Over the last ten years, brick-and-mortar and online retail and pharmacy entities (hereinafter collectively referred to as "retailers") also have begun selling pet medications, especially OTC medications. Some evidence suggests that these retailers may offer substantial pro-consumer benefits, such as increased convenience and lower prices.

Although retailers may obtain some portion of their pet medication products directly from manufacturers or authorized distributors, they also rely heavily on secondary supply channels. Most manufacturers state that they restrict the distribution of their pet medications to the veterinary channel, and that they use well-established tracking procedures to ensure the safety and efficacy of their products. Certain veterinarians purchase pet medications from manufacturers or authorized distributors and then resell some portion of their purchase to secondary suppliers for a profit, a practice sometimes referred to as "diversion."<sup>5</sup> Some secondary suppliers and retailers claim to have protocols in place to verify that the retailers receive bona fide products that originated with the manufacturer. Other industry participants, however, have questioned whether secondary suppliers and retailers always receive bona fide products (as compared to, for example, counterfeit product from non-U.S. sources), thereby raising potential questions about product safety and authenticity. The workshop will examine how competition in sales of pet medications to consumers has developed in light of these practices and how prices, product supply, and product quality may be affected.

In the workshop, the Commission seeks to examine issues related to the distribution of pet medications from practical, economic, and legal perspectives. The Commission invites public comment on questions relevant to this topic, including:

- How are pet medications distributed to consumers?
- What are the business rationales for various pet medication distribution practices?

<sup>5</sup> It should be noted that the term "diversion" as used in human pharmaceutical markets means the illegal trade in prescription narcotics, in which products are not being used by the consumer in the manner intended. This is distinct from the situation in the pet medications market, in which products obtained through secondary supply channels are being used by the consumer in the manner intended.

- How has competition to sell medications to pet owners evolved in light of these distribution practices?
- How do these practices affect prices to consumers?
- How do these practices affect product supply and quality?
- How do these practices affect consumer choice?
- How do these practices affect entry into the pet medications market?
- How do these practices affect innovation in the pet medications market?
- What efficiencies or inefficiencies are associated with these practices?
- What, if any, product safety or counterfeiting issues exist with respect to these practices? Have there been instances in which false or misleading information about product safety risks was disseminated to consumers?
- Are there other factors that should be considered when analyzing the competition and consumer protection issues related to the distribution of pet medications?

### Prescription Portability for Pet Medications

All industry participants agree that pets should be properly examined and diagnosed by a veterinarian to determine the most appropriate course of treatment for any medical condition, including whether any medication should be prescribed. When a veterinarian writes a prescription for a medication to be dispensed and subsequently administered by a pet's owner, the prescription must be filled with the correct medication and dosage and the owner must have access to relevant information about the medication and proper administration techniques. Some observers argue that veterinarians are in the best position to carry out these responsibilities; these observers believe, therefore, that veterinarians alone should dispense prescription pet medications to their clients. Others argue that licensed pharmacists are equally capable of dispensing pet medications to consumers, provided the pharmacists dispense the correct medication and dosage as prescribed by a veterinarian; these advocates point out that veterinarians can still provide relevant information and follow-up care to their clients even if they do not dispense the medication. Concerns about the safety of pet medications dispensed by pharmacists appear less pronounced for OTC medications, which do not require a prescription and typically do not require direct supervision by a veterinarian.

<sup>1</sup> American Pet Products Association Industry Statistics & Trends.

<sup>2</sup> Packaged Facts estimates.

<sup>3</sup> The size of the overall U.S. pet industry grew steadily from \$17 billion in 1994 to over \$50 billion in 2011. (American Pet Products Association Industry Statistics & Trends.) The size of the U.S. pet medications market grew from approximately \$4.5 billion in 2006 to approximately \$6.7 billion in 2011, and is projected to reach \$9.25 billion by 2015. (Packaged Facts estimates.)

<sup>4</sup> *Id.* Of the estimated \$6.7 billion in U.S. retail sales of pet medications in 2011, 36% was for flea and tick control products, and 19% was for heartworm preventatives. (Packaged Facts estimates.)

A consumer cannot legally obtain prescription pet medications from a retailer without a written, portable prescription from a veterinarian. The American Veterinary Medical Association (AVMA) advises veterinarians to honor a client's request for a prescription, provided that a valid veterinarian-client-patient relationship exists.<sup>6</sup> This guidance is not mandatory, however. State regulations vary as to whether veterinarians are legally required to provide written prescriptions to clients, and it is unclear to what extent such regulatory obligations may be actively enforced against veterinarians. It appears that, while many veterinarians provide written prescriptions to their clients when requested, some veterinarians have refused to provide prescriptions or otherwise have discouraged their clients from obtaining pet medications from retailers.

Federal legislation proposed in House Bill 1406 ("H.R. 1406" or "the Bill") would require veterinarians to provide clients with written prescriptions for all pet medications, regardless of whether requested, and to inform clients of their right to have pet medications dispensed elsewhere.<sup>7</sup> The Bill also would prohibit veterinarians from charging a fee or requiring waivers of liability for providing written prescriptions. H.R. 1406 would require the Federal Trade Commission to promulgate rules implementing the statute within 180 days of its enactment.

In the workshop, the Commission seeks to examine issues related to the portability of pet medication prescriptions from practical, economic, and legal perspectives. The Commission invites public comment on questions relevant to this topic, including:

- How varied are current veterinarian practices with respect to providing written, portable prescriptions to clients?
- To what extent are consumers aware that they can request a portable prescription from their veterinarian and have the prescription dispensed elsewhere?
- Which states require prescription portability for pet medications? Which do not? Are there states in which a proposal for prescription portability for pet medications was rejected by the legislature and, if so, why?
- In states that do require prescription portability, what recourse

do consumers have if a veterinarian refuses to provide a written, portable prescription?

- What evidence exists to support a need for federal legislation requiring veterinarians to provide written prescriptions to their clients?
- What price and non-price benefits can accrue to consumers from prescription portability for pet medications?
- What risks or inefficiencies may be posed by prescription portability for pet medications?
- Is there a need for federal legislation requiring veterinarians to notify clients that they have the right to fill their prescriptions at the pharmacy of their choice?
- Is it appropriate to deny veterinarians the ability to charge a fee or require a waiver of liability for providing a written prescription to clients?
- How might the passage of H.R. 1406 affect price, consumer choice, and other forms of competition in the pet medications market?
- How can the prices charged to consumers for pet medications by veterinary clinics and retailers best be quantified and compared?
- To what extent do retailer prices for pet medications affect the prices of medications sold at veterinary practices, or other aspects of veterinary clinic operations?
- To what extent would H.R. 1406 affect veterinarians' sales of pet medications?
- What compliance costs would veterinarians face if H.R. 1406 were enacted?
- How might the passage of H.R. 1406 affect pet medication distribution practices?
- Should possible amendments to H.R. 1406 be considered?
- Are there other factors that should be considered when analyzing the competition and consumer protection issues related to the portability of pet medication prescriptions?

#### **Comparison to Fairness to Contact Lens Consumers Act**

Some restricted distribution and prescription portability issues existed in the contact lens industry at the time that Congress passed the Fairness to Contact Lens Consumers Act ("FCLCA"), Public Law 108-164. Industry participants have noted both similarities and differences between the contact lens industry and the pet medications industry. The workshop will examine whether consumer experiences with the FCLCA might provide insights about the potential impact of H.R. 1406. The

Commission invites public comment on questions relevant to this topic, including:

- What was the impact of the FCLCA, if any, to consumers?
- What was the impact of the FCLCA, if any, to optometrists and ophthalmologists?
- What was the impact of the FCLCA, if any, on entry into the contact lens industry?
- What was the impact of the FCLCA, if any, on innovation in the contact lens industry?
- What was the impact of the FCLCA, if any, to contact lens distribution practices?
- Are there significant similarities or differences between the contact lens industry and the pet medications industry, particularly with respect to industry distribution practices and issues of prescription portability? If so, how should those similarities or differences be taken into account in assessing the likely effects of H.R. 1406 compared to the FCLCA?
- Are there other factors that should be considered when analyzing the competition and consumer protection issues related to the FCLCA, and how consumer experiences with the FCLCA might provide insights about the potential impact of H.R. 1406?

#### *Instructions for Filing Public Comments*

Interested parties are invited to submit written comments electronically or in paper form. We must receive your comment by September 14, 2012. Because paper mail addressed to the FTC is subject to delay due to heightened security screening, please consider submitting your comments in electronic form. Comments filed in electronic form should be submitted using the following Web link: <https://ftcpublish.commentworks.com/ftc/petmedsworkshop> (and following the instructions on the Web-based form). To ensure that the Commission considers an electronic comment, you must file it on the Web-based form at the Web link: <https://ftcpublish.commentworks.com/ftc/petmedsworkshop>. If this notice appears at <http://www.regulations.gov/#/home>, you may also file an electronic comment through that Web site. The Commission will consider all comments that [regulations.gov](http://www.regulations.gov) forwards to it. You may also visit the FTC Web site at <http://www.ftc.gov> to read the notice and the news release describing it.

Comments should refer to "Pet Medications Workshop, Project No. P12-1201" to facilitate the organization of comments. Please note that your comment—including your name and your State—will be placed on the public

<sup>6</sup> See Principles of Veterinary Medical Ethics of the AVMA, III.C.1.

<sup>7</sup> See Fairness to Pet Owners Act, H.R. 1406, 112th Cong. (2011), available at <http://www.gpo.gov/fdsys/pkg/BILLS-112hr1406ih/pdf/BILLS-112hr1406ih.pdf>.

record of this proceeding, including on the publicly accessible FTC Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. Because comments will be made public, they should not include any sensitive personal information, such as any individual's Social Security Number; date of birth; driver's license number or other State identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. Comments also should not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, comments should not include "trade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential" as provided in Section 6(f) of the Federal Trade Commission Act (FTC Act), 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled "Confidential," and must comply with FTC Rule 4.9(c).<sup>8</sup>

A comment filed in paper form should include the "Pet Medications Workshop, Project No. P12-1201" reference both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex X), 600 Pennsylvania Avenue NW., Washington, DC 20580. The FTC is requesting that any comment filed in paper form be sent by courier or overnight service, if possible, because U.S. postal mail in the Washington area and at the Commission is subject to delay due to heightened security precautions. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives, whether filed in paper or electronic form. Comments received will be available to the public on the FTC Web site, to the extent practicable, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the FTC makes every effort to remove home contact information for

individuals from the public comments it receives before placing those comments on the FTC Web site. More information, including routine uses permitted by the Privacy Act, may be found in the FTC's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

By direction of the Commission.

**Donald S. Clark,**  
Secretary.

[FR Doc. 2012-16594 Filed 7-6-12; 8:45 am]

**BILLING CODE 6750-01-P**

## GENERAL SERVICES ADMINISTRATION

[FMR Bulletin—PBS-2012-03; Docket 2012-0002; Sequence 11]

### Federal Management Regulation; FMR Bulletin PBS-2012-03; Redesignations of Federal Buildings: Correction

**AGENCY:** Public Buildings Service (PBS), General Services Administration (GSA).

**ACTION:** Notice of a bulletin; correction.

**SUMMARY:** The U.S. General Services Administration published in the *Federal Register* of June 13, 2012, a bulletin announcing the designation and redesignation of three Federal buildings. Inadvertently, the two-letter State "AL" was incorrectly identified with the city of Anchorage. This document corrects the abbreviation of the State of Anchorage to "AK".

**DATES:** *Effective Date:* July 9, 2012.

**FOR FURTHER INFORMATION CONTACT:** U.S. General Services Administration, Public Buildings Service (PBS), 1800 F Street NW., Washington, DC 20405, telephone number: 202-501-1100.

**SUPPLEMENTARY INFORMATION:** The GSA published a document in the *Federal Register* of June 13, 2012, (77 FR 35393). Inadvertently, the two-letter State for the city Anchorage was identified incorrectly. This document corrects the abbreviation of the State for the city Anchorage to read "AK".

#### Correction

In FR Doc. 2012-14416 published in the *Federal Register* at 77 FR 35393, June 13, 2012 make the following correction:

On page 35393, in the table, first and second columns, second entries, remove "Anchorage, AL" and add "Anchorage, AK" in their places.

Dated: June 21, 2012.

**Dan Tangherlini,**  
Acting Administrator of General Services.

[FR Doc. 2012-16712 Filed 7-6-12; 8:45 am]

**BILLING CODE 6820-23-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Meeting of the Scientific Advisory Committee on Alternative Toxicological Methods (SACATM)

**AGENCY:** Division of the National Toxicology Program (DNTP), National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH), HHS.

**ACTION:** Meeting announcement and request for comments.

**SUMMARY:** Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. appendix 2), notice is hereby given of a meeting of SACATM on September 5-6, 2012, at the Rodbell Auditorium, Rall Building at the NIEHS, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709. The meeting is open to the public with attendance limited only by the space available. The meeting will be webcast through a link at (<http://www.niehs.nih.gov/news/video/live>). SACATM advises the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM), the NTP Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM), and the Director of the NIEHS and NTP regarding statutorily mandated duties of ICCVAM and activities of NICEATM.

**DATES:** The SACATM meeting will be held on September 5-6, 2012. The meeting is tentatively scheduled from 8:30 a.m. Eastern Daylight Time to 5:30 p.m. on September 5 and 8:30 a.m. until adjournment on September 6. All individuals who plan to attend are encouraged to register online at the NTP Web site (<http://ntp.niehs.nih.gov/go/32822>) by August 29, 2012. In order to facilitate planning, persons wishing to make an oral presentation are asked to notify Dr. Lori White, NTP Designated Federal Officer, via online registration, phone, or email by August 29, 2012 (see **ADDRESSES** below). Written comments should also be received by August 29, 2012, to enable review by SACATM and NIEHS/DNTP staff before the meeting. TTY users should contact the Federal TTY Relay Service at 800-877-8339. Requests should be made at least 5 business days in advance of the event.

**ADDRESSES:** The SACATM meeting will be held at the Rodbell Auditorium, Rall Building at the NIEHS, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709. Public comments and other correspondence should be directed to Dr. Lori White (Office of Liaison, Policy and Review, DNTP, NIEHS, P.O. Box 12233, MD K2-03,