

Dear Senators CORDER, Winder & Malepeai, and
Representatives TRAIL, Andrus & Pence:

The Legislative Services Office, Research and Legislation, has received the enclosed
rules of the Board of Veterinary Medicine:

**IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine –
(Docket No. 46-0101-1001).**

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by
the co-chairmen or by two (2) or more members of the subcommittee giving oral or written
notice to Research and Legislation no later than fourteen (14) days after receipt of the rules'
analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no
later than 10-25-10. If a meeting is called, the subcommittee must hold the meeting within forty-
two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a
meeting on the enclosed rules is 11-23-10.

The germane joint subcommittee may request a statement of economic impact with
respect to a proposed rule by notifying Research and Legislation. There is no time limit on
requesting this statement, and it may be requested whether or not a meeting on the proposed rule
is called or after a meeting has been held.

To notify Research and Legislation, call 334-4845, or send a written request to the
address or FAX number indicated on the memorandum attached.



Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

Jeff Youtz
Director

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

FROM: Katharine Gerrity - Principal Legislative Research Analyst **KAG**

DATE: October 5, 2010

SUBJECT: Board of Veterinary Medicine

**IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine –
Docket No. 46-0101-1001**

The Board of Veterinary Medicine submits notice of a proposed rule at IDAPA 46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine. The Board has very clearly, within the notice, identified those areas of the rule that are being revised.

According to the Board, the changes include:

- Some simple “housekeeping” revisions;
- Clarification of the definition of a valid veterinarian/client/patient relationship relating to the time period for examination of an animal;
- Increasing the term of service for members of the Certified Euthanasia Task Force from two to three years due to the complex nature of the Board’s certified euthanasia program;
- Clarification of the three specific categories of approved euthanasia, pre-euthanasia sedation and chemical capture drugs, restriction of the use of chemical capture drugs to certified euthanasia technicians classified as law enforcement personnel working at certified euthanasia agencies classified as law enforcement agencies, and removal of the use of any carbon monoxide-induced euthanasia chambers as an approved method of euthanasia based on the authorization of euthanasia by injection in the state;

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Mike Nugent, Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

Don H. Berg, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

- Clarification regarding certification invalidation and reinstatement procedures for certified euthanasia technicians and imposition of a requirement that law enforcement certified euthanasia technicians that use chemical capture attend recertification training every third year.

Negotiated rulemaking was not conducted. The Board indicates it did, however, discuss the changes at several board meetings where input from affected parties was received and considered. In addition, the Board notes that many of the changes were proposed by the Euthanasia Task Force, which is composed of representatives from the profession that perform or have an interest in animal euthanasia.

The proposed revisions appear to be authorized by Section 54-2105, Idaho Code.

cc: Board of Veterinary Medicine
Karen Ewing

IDAPA 46 - BOARD OF VETERINARY MEDICINE

46.01.01 - RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

DOCKET NO. 46-0101-1001

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-2105, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2010.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Rule 004 is being amended to identify a facsimile number for the Board of Veterinary Medicine (BVM) and authorize a procedure for filing of written communications and documents by facsimile, as enabled by Section 54-2105, Idaho Code.

Rule 150 is being amended to provide clarity to the definition of a valid veterinarian/client/patient relationship (VCPR) regarding the time period for examination of an animal. A valid VCPR must exist prior to the administration, dispensation, distribution, or prescription of any legend/prescription drug or controlled substance as provided by Section 54-2115(15), Idaho Code.

Rule 200 is being amended to increase the term of service for members of the Certified Euthanasia Task Force (CETF) from two (2) years to three (3) years, due to the complex nature of the BVM's certified euthanasia program, as enabled by Section 54-2105, Idaho Code.

The BVM and CETF find it necessary to amend Rule 201 to clarify the three (3) specific categories of approved euthanasia, pre-euthanasia sedation, and chemical capture drugs. A 2009 rule change resulted in the allowance of all Certified Euthanasia Technicians (CETs) to use pre-euthanasia sedation drugs to enhance safety of personnel. This rule change provides clarification of the three (3) drug categories, and restricts the use of chemical capture drugs to CETs classified as law enforcement personnel, working at Certified Euthanasia Agencies classified as law enforcement agencies. In addition, the use of carbon monoxide-induced euthanasia chambers is removed as an approved method of euthanasia, based on the authorization of euthanasia by injection in the State of Idaho. Rule 201 is enabled by Section 54-2105, Idaho Code.

Rule 205 is being amended to remove unnecessary verbiage regarding euthanasia injections, and to reorganize a rule section regarding animal restraint and human safety. The modification of Rule 205 also includes clarification regarding certification invalidation and reinstatement procedures for CETs whose employment at a Certified Euthanasia Agency has been terminated, and adds a requirement that law enforcement CETs using chemical capture must attend recertification training every third year. Rule 201 is also enabled by Section 54-2105, Idaho Code.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because one of the rule changes is merely a "housekeeping" matter to authorize facsimile filing with the agency and the remaining rulemaking has been a subject of discussion during several board meetings during which the Board received and considered input from affected parties. In addition, the bulk of the rulemaking concerns revisions to euthanasia procedures and requirements proposed by the Euthanasia Task Force, which is composed of representatives from the profession that perform or have an interest in animal euthanasia. For these reasons, the rulemaking has been substantially "vetted" to all interested and affected parties.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Karen Ewing, Executive Director, at (208) 332-8588.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 27, 2010.

DATED this 18th day of August, 2010.

Karen Ewing, Executive Director
Board of Veterinary Medicine
2270 Old Penitentiary Rd.
P. O. Box 7249
Boise, ID 83707
Phone: (208) 332-8588
Fax: (208) 334-2170

THE FOLLOWING IS THE PROPOSED TEXT FOR DOCKET NO. 46-0101-1001

004. GENERAL PROVISIONS.

- 01. Office.** (7-1-97)
- a.** The office of the Board is located at 2270 Old Penitentiary Road, Boise, Idaho 83712. (7-1-97)
- b.** The office mailing address is P.O. Box 7249, Boise, Idaho 83707. (7-1-97)
- c.** The office telephone number is (208) 332-8588. (7-1-97)
- d.** The Board's facsimile (FAX) number is (208) 334-2170. ()
- e.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday except holidays designated by the state of Idaho. (7-1-97)

02. Communications. All written communications and documents concerning any matter covered by these rules should be addressed to the office of the Board, and not to individual members of the Board or the Board's staff. All communications and documents are deemed to be officially received only when delivered to the Board office during office hours. (7-1-97)

03. Filing of Documents. All written communications and documents that are intended to be part of an official record for decision in a rulemaking or contested case must be filed with the executive director of the Board. One (1) original is sufficient for submission to the executive director, one (1) copy for the Board, one (1) copy for the hearing officer, and one (1) copy submitted to the opposing party, as applicable. Whenever documents are filed by FAX transmission, originals and copies shall be deposited in the mail the same day or hand delivered the following business day to the executive director, the Board, the hearing officer, and opposing parties, as applicable. ()

(BREAK IN CONTINUITY OF SECTIONS)

150. VALID VETERINARIAN/CLIENT/PATIENT RELATIONSHIP.

An appropriate veterinarian/client/patient relationship will exist when: (7-1-97)

01. Responsibility. The veterinarian has assumed the responsibility for making medical judgements regarding the health of the animal and the need for medical treatment, and the client (owner or other caretaker) has followed the instructions of the veterinarian. (7-1-97)

02. Medical Knowledge. There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has ~~recently~~ seen the animal within the last twelve (12) months and or is personally acquainted with the keeping and care of the animal, either by virtue of an examination of the animal, or by medically appropriate ~~and timely~~ visits to the premises where the animals are ~~kept~~ maintained within the last twelve (12) months. (~~7-1-97~~)()

03. Availability. The practicing veterinarian or designate is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

200. EUTHANASIA TASK FORCE.

Pursuant to Section 54-2105(8), Idaho Code, a Certified Euthanasia Task Force (CETF) is established for the purpose of training, examining, and certifying euthanasia agencies and euthanasia technicians. The CETF shall consist of no fewer than five (5) members appointed by the Board. At its discretion, the Board may appoint itself as the CETF. The membership of the CETF shall always include at least one (1) member of the Board. New members shall be nominated by either the Board or the CETF and be confirmed by the Board. Applicants for a CETF position shall be certified euthanasia technicians (CETs) as defined by Section 54-2103(9), Idaho Code, and employed by a certified euthanasia agency as defined by Section 54-2103(8), Idaho Code, or be an Idaho licensed veterinarian. (4-2-08)

01. Term. Each member shall serve for ~~two~~ three (23) years, at the pleasure of the Board. A CETF member may be eligible for reappointment. If there is a vacancy for any cause, the CETF or the Board shall nominate and the Board shall confirm a successor to fill the unexpired term. (~~7-1-97~~)()

02. Duties. The duties of CETF members shall include, but not be limited to, the following: (7-1-93)

a. Coordinate and provide euthanasia training classes as needed. (7-1-97)

b. Inspect and certify agencies. (3-30-01)

c. Review the applications, records, performance, methods and procedures used by agencies and persons seeking to be certified or to renew their certification as a Certified Euthanasia Agency (CEA) or Certified Euthanasia Technician (CET). (3-30-01)

d. Conduct written and practical examinations for applicants applying for certification and authorize certification through the Board. (3-30-01)

e. Recommend suspension or revocation of a certification when necessary. (3-30-01)

03. Compensation. Members of the CETF shall be compensated as provided by Section 59-509(n), Idaho Code. (7-1-97)

201. METHODS OF EUTHANASIA, PRE-EUTHANASIA SEDATION, AND CHEMICAL CAPTURE.

Methods ~~of euthanasia~~ approved by the CETF and used for the purpose of humanely euthanizing, ~~sedating, or remote chemical capturing~~ injured, sick, homeless, or unwanted pets and animals: (7-1-97)()

~~01. Approved Drugs. (7-1-97)~~

~~a01. Euthanasia ~~Drugs.~~ ~~are a~~ Any Schedule II non-narcotic or Schedule III non-narcotic euthanasia drug covered by the Controlled Substances Act that has first been approved in writing by the ~~Idaho Board of Pharmacy, the~~ CETF and the Board. A list of approved euthanasia drugs is on file at the Board office. (3-30-01)()~~

~~b02. Restraint Pre-Euthanasia Sedation ~~Drugs.~~ ~~are a~~ Any Schedule III or Schedule IV narcotic or non-narcotic controlled substance as defined by the Controlled Substances Act, or other legend drugs that have been approved for use by ~~certified~~ CEAs or CETs at a CEA facility. Such ~~restraint pre-euthanasia sedation~~ drugs shall be limited to those approved in writing by the ~~Idaho Board of Pharmacy, the~~ CETF and the Board. A list of approved ~~restraint pre-euthanasia sedation~~ drugs is on file at the Board office. (3-29-10)()~~

~~03. Remote Chemical Capture Restraint Drugs. Any Schedule III or Schedule IV narcotic or non-narcotic controlled substance as defined by the Controlled Substances Act, or other legend drugs that have been approved for use by CEAs or CETs. Such remote chemical capture restraint drugs shall be limited to those approved in writing by the CETF and the Board. A list of approved remote chemical capture restraint drugs is on file at the Board office. Use of remote chemical capture is limited to CEAs and CETs who are classified as law enforcement agencies or law enforcement personnel who have successfully completed a Board-approved course in remote chemical capture. ()~~

~~02. Carbon Monoxide Induced Euthanasia Chambers. Carbon monoxide induced euthanasia chambers are acceptable only when the equipment is properly designed and operated. (3-30-01)~~

(BREAK IN CONTINUITY OF SECTIONS)

205. CERTIFIED EUTHANASIA TECHNICIAN.

01. Training and Examinations. The CETF or the Board shall develop training sessions and materials that shall include, but not be limited to, the following topics: (3-30-01)

- a. Euthanasia: (3-30-01)
 - i. The theory and history of euthanasia methods; (3-30-01)
 - ii. Animal anatomy; (3-30-01)
 - iii. Proper animal handling to ease trauma and stress; (3-30-01)
 - iv. Dosages of chemical agents, record keeping and documentation of usage, storage, handling, and disposal of out-dated drugs and their containers, instruments and equipment used in their administration in accordance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations; (3-30-01)
 - v. Proper injection techniques; and (3-30-01)
 - vi. Proper use and handling of approved euthanasia drugs and equipment; (3-30-01)
 - vii. Examination. Following the euthanasia training, a written examination shall be given. Those passing the written examination will be eligible for the practical examination. (3-30-01)
- b. Remote Chemical Capture: (3-30-01)

- i. An overview of remote chemical capture; (3-30-01)
- ii. Description and basic mechanism of action of approved drugs; (3-30-01)
- iii. Laws, regulations and rules governing remote chemical capture; (3-30-01)
- iv. Post-injection care; (3-30-01)
- v. Proper use and handling of approved restraint drugs and equipment; (3-30-01)
- vi. Human safety; (3-30-01)
- vii. Tactics and strategy; and (3-30-01)
- viii. Delivery systems and equipment. (3-30-01)

02. Certification Standards. Applicants for certification as a CET shall be eighteen (18) years of age or older and demonstrate proficiency in compliance with the following standards; ~~(3-30-01)~~(____)

a. Demonstrate efficiency in ~~venous access~~ euthanasia techniques in the presence of a CETF or Board member, or a person approved by the Board; ~~(5-8-09)~~(____)

i. CETs are fully responsible for all actions that take place in the euthanasia area when an animal is brought to the area including, but not limited to, animal handling, use of the proper restraint technique, the proper drug dosage, and drug handling; (3-30-01)

~~ii. Each animal shall be handled with the least amount of restraint necessary, but human safety shall always be the primary concern;~~ ~~(3-30-01)~~

iii. CETs shall be able to properly perform intravenous injections on dogs and intraperitoneal injections on both dogs and cats. Intravenous injections on cats shall not be required as part of the certification process, but when performed, shall meet the standards listed in Subparagraph 205.02.a.iii.(1) of these rules. Intracardiac injections on dogs and cats shall not be required as part of the certification process, but when performed, are restricted to the limitations listed in Subparagraph 205.02.a.iii.(3) of these rules. ~~(3-30-01)~~(____)

(1) Intravenous Injections: The CET shall be able to properly and efficiently insert the needle into an animal's vein in no more than two (2) attempts on ninety percent (90%) of the animals injected by this method. ~~IV injections in the cephalic vein shall be used on all dogs over the age of three (3) months unless the animal's physical condition or size makes this type of injection impossible, or the animal's behavior would make this type of injection a serious danger to the CET or handler.~~ A minimum of two (2) people shall be required for any IV injection. One (1) person shall be a CET and one (1) or more people shall be the handler. The handler does not need to be a CET, but the handler should be trained in human safety and animal handling techniques; ~~(3-30-01)~~(____)

(2) Intraperitoneal Injections: The CET shall be able to efficiently insert the needle into the proper injection site in no more than two (2) attempts on ninety-five percent (95%) of the animals injected by this method. It is recommended that animals injected by this method be ~~held or otherwise restrained by the handler until the animal is unconscious. If an animal cannot be held, it shall be~~ placed into a cage with no other animals. The front of the cage shall be covered with cloth or other material that can keep the cage isolated from the normal activities in the euthanasia area. ~~The animal shall be checked every five (5) minutes until death occurs.~~ Intraperitoneal injections may be administered by a CET without a handler. ~~(3-30-01)~~(____)

(3) Intracardiac Injections: Intracardiac injection shall be performed only on an anesthetized animal. CETs shall be able to efficiently insert the needle into the heart of an animal in no more than two (2) attempts on ninety percent (90%) of the animals injected by this method. Intracardiac injections may be administered by a CET without a handler. (3-30-01)

- ~~iv~~ii. No other injection procedures are permitted in any type of animal; (3-30-01)
- ~~v.~~ *Injections:* (3-30-01)
- (1) ~~On all injections, the CET shall aspirate the syringe to determine if the needle is in the correct site;~~ (3-30-01)
- (2) ~~For human safety, the cap shall be kept on the needle until such time as the injection is ready to be made;~~ (3-30-01)
- (3) ~~The needle shall be of the size and length appropriate for the specific animal involved; and~~ (3-30-01)
- (4) ~~The dosage of any approved drug used shall be no less than the minimum dosage recommended by the drug's manufacturer.~~ (7-1-97)
- ~~vi~~iv. Oral administration of approved drugs is permitted for any animal that cannot be captured or restrained without serious danger to human safety; (3-30-01)
- ~~vii.~~ *Demonstrate an understanding of carbon monoxide induced euthanasia chambers.* (3-18-99)
- b.** Demonstrate proper record keeping. A record of all approved drugs received and used by the agency shall be kept. The record shall contain the following information: (3-30-01)
- i. A weekly verification of the drug stock on hand, signed by the CET; (3-30-01)
- ii. An entry of the date that a new bottle of any approved drug is opened and the volume of the bottle, signed by the CET; (3-30-01)
- iii. The species and approximate weight of each animal administered a drug; (3-30-01)
- iv. The amount of the drug that was administered; (3-30-01)
- v. The signature of the CET who administered the drug; (3-30-01)
- vi. A record of the amount of the drug wasted, if any, signed by the CET administering the drug; and (3-30-01)
- vii. A record of any disposal of expired or unwanted approved drugs, other chemical agent or the containers, instruments and equipment used in their administration, signed by the CET and disposed of in accordance with the Idaho Board of Pharmacy law and rules and the Code of Federal Regulations. (3-30-01)
- c.** Demonstrate understanding and concern for the needs and humane treatment of individual animals: (3-18-99)(____)
- ~~i.~~ *Once they have collapsed, injected animals shall be lowered to the surface on which they were being held at the time of injection. Injected animals shall not be permitted to drop or otherwise collapse without human support;* (3-30-01)
- ~~ii.~~ All animals shall be handled in a manner that minimizes stress to the animal and maximizes the personal safety of the CET and the handler. Each animal shall be handled with the least amount of restraint necessary, but human safety shall always be the primary concern. Handling includes all aspects of moving an animal from one (1) area to another; (3-30-01)(____)
- ~~iii.~~ The use of control sticks and other similar devices shall be limited to fractious or potentially dangerous animals; and (3-30-01)

~~iv~~**ii.** Animals shall not be placed in cages or kennels with other breeds or species that are incompatible with the animal in question. Animals shall not be overcrowded in a cage or kennel. (7-1-93)

d. Demonstrate ability to verify death. The animal should become unconscious and show terminal signs within ~~thirty (30) seconds after an IV or IC injection, within fifteen (15) minutes after an IP injection, or within sixty (60) minutes after an oral~~ of drug administration. If any animal does not show any of these signs within the designated time periods, the CET shall re-administer the drug. An animal that has received an approved drug orally may be injected with the same or another approved drug after it has become unconscious. Verification is the responsibility of the CET and shall be made by physical examination of the individual animal. One (1) of the following two (2) standards for death shall be met: ~~(4-2-08)~~()

i. Rigor mortis; or (7-1-93)

ii. Complete lack of heartbeat (as checked with a stethoscope), complete lack of respiration, and complete lack of corneal and palpebral reflexes. (4-2-08)

e. Demonstrate ability to communicate with handlers during the euthanasia process. (3-18-99)

03. Certification. An individual shall not be certified as a CET until such time as he has demonstrated proficiency in the practical examination that shall be conducted following the successful passing of the written exam. Training courses and written and practical examinations will be given as needed. Certification and renewal training sessions and examinations will be conducted prior to July 1 of each year at a place selected by the CETF or the Board. (3-29-10)

a. An individual who has passed the written exam, but has not attended a training session and has not passed the practical examination, may serve as a probationary euthanasia technician under the direct supervision of a currently certified CET until such time as the next training course, practical exam and certification are conducted by a CETF or Board member. (3-30-07)

b. An individual who has not passed the written exam may not serve as a euthanasia technician ~~or assistant~~. ~~(3-30-01)~~()

c. An individual who attends a training session and passes the written exam but fails the practical exam may serve on probation until the CETF member re-examines the individual. If the individual fails to pass the practical exam a second time and wishes to apply again, the individual shall attend the next regular training session and written exam. (3-30-01)

d. Upon termination from an agency as defined in Section 204 of these rules, a CET's certification immediately becomes invalid and the CET shall not perform animal euthanasia until employed by another certified euthanasia agency, as defined by Section 54-2103(8), Idaho Code at which time the certification may be reinstated. ~~(3-30-01)~~()

e. The agency shall notify the Board office in writing within thirty (30) days from the date the CET's employment at that agency is terminated. (3-29-10)

f. If a CET is employed again by a CEA prior to the expiration of his certification, the ~~CET or CEA~~ employer, ~~or both~~, may request reinstatement of the CET's certification. If a CET has not attended a euthanasia training in the three (3)-year period preceding recertification, the CET may not be recertified and will need to reapply for certification, at CETF discretion. ~~(3-29-10)~~()

g. All certifications expire on July 1 of each year and are effective for no longer than twelve (12) months from the date of certification. (3-30-01)

04. Certification Renewal. ()

a. Certifications may be renewed each year by payment of the annual renewal fee, provided that, every third year following the date of certification, the CET will need to attend a euthanasia training and pay the

current training and certification fee prescribed by Section 014 of these rules. (~~3-30-01~~)()

b. In addition to the above euthanasia training recertification requirement, CETs classified as law enforcement personnel who use chemical capture must recertify in remote chemical capture every third year following their original remote chemical capture certification. ()

05. Duties. The duties of a CET shall include, but are not limited to: (7-1-97)

a. Preparing animals for euthanasia; (7-1-97)

b. Accurately recording the dosages for drugs that are administered and amounts for drugs wasted; (3-30-01)

c. Ordering supplies; (7-1-93)

d. Maintaining the security of all controlled substances and other approved drugs; (3-30-01)

e. Directly supervising probationary CET; (7-1-97)

f. Reporting to the Board violations or suspicions of a violation of these rules or any abuse of drugs; (3-30-01)

g. Humanely euthanizing animals; and (3-30-01)

h. Proper and lawful disposal of euthanized animals and expired or unwanted drugs, other chemical agent or the containers, instruments and equipment used in the administration of approved drugs. (3-30-01)