

June 2, 2010

Honorable Henry A. Waxman, Chair
Energy & Commerce Committee
U.S. House of Representatives
2204 Rayburn
House Office Building
Washington, D.C. 20515

RE: H.R. 1191, the Safe Drug Disposal Act of 2009

Dear Chairman Waxman and Members of the Energy & Commerce Committee:

The California Product Stewardship Council is an organization of over 100 California local governments in addition to hundreds of business partners, interested non-profits and individuals who support a product stewardship system where producers have the primary responsibility, but all stakeholders along the product chain share in the responsibility to manage product waste.

We urge the Energy & Commerce Committee to consider and support H.R. 1191, The Safe Drug Disposal Act, introduced by Congressman Inslee. We urge the Committee to expedite this statutory change to the Controlled Substances Act so that the Drug Enforcement Administration (DEA) can create new regulations governing safe, convenient, cost-effective drug take-back programs.

Legally prescribed controlled substances comprise roughly 11% of all prescription medicines. When leftover medications are stored in homes, tossed in the garbage, or flushed down toilets, they end up doing harm: taken accidentally, intentionally abused, or contaminating waterways. H.R. 1191 amends the Controlled Substances Act to provide additional legal avenues for safe, convenient, cost-effective disposal of controlled substances by patients and caretakers through drug take-back programs. H.R. 1191 would:

- Remove the current requirement that law enforcement officers be involved in the normal operations of residential drug take-back programs. This requirement adds cost to local governments, hampers collection efforts, places burdens on local police and sheriffs, and is not necessary for safe and secure drug take-back programs.
- Allow a broad range of appropriate parties to dispose of controlled substances through drug take-back programs, including: patients, family members or friends who act as caregivers, hospice workers, long term care facilities, boarding homes for the elderly, school nurses, and veterinarians.
- Ensure that federal requirements allow drug take-back programs to be designed and operated conveniently and cost-effectively to meet the needs of our diverse communities. Federal requirements should allow a range of collection options, including drop-off at easily accessible locations such as pharmacies, and should avoid burdensome requirements that do not enhance security or effectiveness, such as inventorying collected medicines.

- Ensure environmentally sound disposal of waste medicines by means other than flushing down sinks or toilets or disposing in a municipal solid waste landfill.

Thirteen years of successful pharmaceutical take-back programs in British Columbia, Canada demonstrate how effectively consumers, retailers, and manufacturers can collaborate to protect the health of communities when regulations are properly tailored.

We urge the Committee to take action on H.R. 1191 and move it forward as quickly as possible to a floor vote. Action on H.R. 1191 is a critical step to support our state and community level efforts to ensure that unneeded controlled substances and other medications are securely collected from homes and disposed of safely through drug take-back programs.

Sincerely,



Heidi Sanborn
Executive Director

Cc: Howard Levenson, CalRecycle

Attachments: CPSC Joint Extended Producer Responsibility Framework Principles
CPSC List of Participating Jurisdictions and Associations