MEMORANDUM OF SUPPORT

Drug Take-Back Act

A.9576a Gunther

An ACT to amend the public health law, in relation to enacting the drug take-back act

JUSTIFICATION
Well over four billion prescription medications are dispensed in the U.S. annually, and many of those drugs go unused. Many people stockpile unused drugs in household medicine cabinets, which are then accessible to abusers or lead to accidental poisonings, especially among children. Deaths from drug overdoses and chronic drug abuse in NYS have increased at an alarming rate of 71 percent between 2010 and 2015.

The lack of safe disposal options is perpetuating the antiquated and harmful practices of flushing unwanted drugs or throwing them in the trash. Sewage treatment plants and septic systems are not designed to remove these contaminants; therefore, every time we flush we are polluting our waters with trace amounts of drugs. Drugs thrown in the trash are most often sent to landfills, with pharmaceuticals ending up in landfill leachate (water that passes through the landfill). Both disposal practices threaten water quality and aquatic life.

Mounting evidence demonstrates the need for safe and secure disposal options for pharmaceuticals that match the convenience of purchasing pharmaceuticals. Providing the public with increased access to safe pharmaceutical disposal options is the most effective way to prevent accidental poisoning and drug abuse in the home and to prevent flushing and trash disposal. While NYS has invested millions of dollars in expanding safe disposal, many New Yorkers still do not have convenient access. This legislation would provide a sustainable funding mechanism for a robust, statewide disposal program by holding drug companies accountable for managing their products throughout the entire product life cycle, instead of solely relying on taxpayers to fund management of these drugs at the products end-of-life.

SUMMARY OF KEY PROVISIONS
- Requires drug manufacturers to develop a statewide drug take back program, which must be approved by the NYS DOH. Drug manufacturers must cover the full administrative and operational cost of the program, with take-back being free to the consumer.
- Requires chain pharmacies (defined as 10 or more) and mail order pharmacies to provide drug collection by providing consumers with on-site collection receptacles, prepaid mail-back envelopes, or other Drug Enforcement Agency (DEA) approved methods (paid for by drug manufacturers).
- Requires drug manufacturers to cover the cost of safe drug disposal for authorized collectors (e.g. law enforcement, retail pharmacies) that volunteer to participate.
- Requires public education and outreach on safe drug disposal.

CCE SUPPORTS THE DRUG TAKE-BACK ACT (A.9576A)

Citizens Campaign for the Environment is an 80,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the natural environment.

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