



NATIONAL STEWARDSHIP ACTION COUNCIL

ADVOCATING FOR A CIRCULAR ECONOMY

Pharmaceutical Take-Back Programs:
The Power of Local Government to Drive
Producer Responsibility

NSAC'S VISION: Be a catalyst to effect accountable, nationwide producer responsibility

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CPSC Formed in 2008

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Stewardship Council™

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Batteries



Sharps



Meds



Carpet

U.S. Ninth Circuit Court of Appeals Rules for Alameda County in EPR Ordinance Case



California Product Stewardship Council

Like



California Product Stewardship Council
January 28 at 8:30am

Local Government EPR Supporters...

**US Conference of Mayors Adopts
Resolution In Support of Municipal
Zero Waste Principles & a
Hierarchy of Materials Management:**

First on the list!

**Extended Producer Responsibility
& Product Redesign**



[Read the Resolution Here](#)

US Conference of Mayors, National and CA League of Cities, National and CA Association of Counties, Regional Council of Rural Counties, Solid Waste Association of North America, National Waste and Recycling Association, CA Ocean Protection Council, CA Council of Directors of Environmental Health, CalRecycle...



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Portugal Medicine EPR



- Organizing body – [Valormed](#) (est. 1999)
- Organized/funded by:
 - Association of Portuguese Pharmaceutical Industries (APIFARMA)
 - Pharmaceutical Distributors (Groquifar)
 - National Pharmacies Association (ANF)
- Payments collected via fee on packaging.
- Fee was \$.006 USD or €0.005 in 2011
- Retail participation voluntary
- **99% pharmacy participation rate** in 2011



Colombia Medicine EPR



- Program – [Punto Azul](#)
- Organizing body – National Association of Colombian Entrepreneurs (ANDI)
- Funded entirely by pharmaceutical manufacturers and importers via a membership fee program, independent of the quantity of products marketed
- Manufacturers & importers required by law to establish program by 2010.
 - 2014: 43% coverage achieved
 - **2017: 70% coverage required**



Mexico Medicine EPR



- Organizing body – [SINGREM](#)
- Funded by:
 - National Chamber of the Pharmaceutical Industry
 - Mexican Association of Pharmaceutical Research Industries
 - National Association of Pharmaceutical Manufacturers
- Contributions based on individual member company's proceeds
- 2008 – Pilot program launched in Puebla
- 2009 – Nation-wide permanent implementation by 2015, now have 4,400 bins in pharmacies!



Spain – Punto Sigre

Video highlights how the pharmaceutical industry funds the @SIGRE program which collects unwanted medicine and encourages reduction in packaging as part of producer's "environmental commitment to Spanish society."

<https://www.youtube.com/watch?v=r1f7Sqn1y00>



Canadian Health Products Stewardship Association

- Industry Designs and Oversees Program
- 100% Industry Funded
- Report to Government
- BC, Manitoba, Ontario - N
- Nova Scotia in 2015



<http://www.healthsteward.ca>



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Facts and Outcomes

Ontario, Canada EPR Program

- Ontario Regs. EPR for meds/sharps 10/12
 - >90% Voluntary pharmacy participation = met regulated goal year 2 – 3,400 pharmacies!
 - Provided 200,000 free sharps containers
 - Collected 407 T medications and 259 T sharps
 - Did not increase costs to consumers!
- www.healthsteward.ca



AB 1893/AB 403 – Safe Needle Management 2013-2014 FAILED

Assm. Mark Stone & Susan Eggman





Hannah-Beth Jackson
REPRESENTING SENATE DISTRICT 19




SB 727/1014 – EPR for Medications

- Mirrored Alameda Ordinance, added OTCs
- Provided alternative management language to maximize environmental improvements
- **Failed both years 2013/14 –Need for local action**



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Senator Jackson Letter to Locals

<p>CAPITOL OFFICE STATE CAPITOL, ROOM 2032 SACRAMENTO, CA 95814 TEL 916 651-4019 FAX 916 651-4919</p> <p>SANTA BARBARA COUNTY OFFICE 222 E. CARRILLO STREET SUITE 309 SANTA BARBARA, CA 93101 TEL 805-965-0662 FAX 805-965-0701</p> <p>VENTURA COUNTY OFFICE 300 E. ESPLANADE DRIVE SUITE 430 OXNARD, CA 93036 TEL 805-988-1940 FAX 805-988-1945</p>	<p>California State Legislature</p> <p>SENATOR HANNAH-BETH JACKSON NINETEENTH SENATE DISTRICT</p> 	<p>CHAIR SENATE JUDICIARY JOINT LEGISLATIVE COMMITTEE ON EMERGENCY MANAGEMENT</p> <p>VICE CHAIR CALIFORNIA LEGISLATIVE WOMEN'S CAUCUS</p> <p>COMMITTEES BUDGET & FISCAL REVIEW ENVIRONMENTAL QUALITY ELECTIONS & CONSTITUTIONAL AMENDMENTS NATURAL RESOURCES & WATER</p> <p>JOINT COMMITTEES FAIRS, ALLOCATION & CLASSIFICATION LEGISLATIVE AUDIT</p>
<p>October 30, 2014</p>	<p>BD. SUP. 14 NOV 6AM 11:27</p>	<p>B/S Chair _____ BD of Supv. <u>X</u> Clerk _____</p>
<p>Santa Clara County Board of Supervisors 70 W Hedding St San Jose CA 95110-1705</p>		
<p>Dear Board Members:</p> <p>Over the last two years, I have worked with numerous stakeholders to develop legislation that would create a convenient and environmentally responsible home-generated prescription drug disposal program. These efforts included my hosting several large stakeholder meetings, working with legislative consultants, and meeting with hundreds of individuals with an interest in the safe handling and disposal of unused medications. During that time, I introduced two bills, SB 727 (2013) and SB 1014 (2014) in response to the feedback I received to help decrease the supply of unused prescription drugs in homes across California. Due to the current legislative climate, moving forward with these programs was unsuccessful.</p> <p>I am now respectfully requesting your participation and help to move this critical issue forward in our state. Adopting a county ordinance similar to Alameda County's Safe Drug Disposal ordinance will help California residents prevent prescription drug abuse, address their disposal needs now, and increase support for a statewide solution.</p> <p>The Alameda County Board of Supervisors unanimously adopted the first Safe Medication Disposal Ordinance in the country in July 2012. Pharmaceutical manufacturers with medications being sold or distributed in Alameda County must participate in and fund a program to collect and dispose of unwanted drugs. The ordinance was challenged by Pharmaceutical Research and Manufacturers of America, Generic Pharmaceutical Association, and Biotechnology Industry Organization on the basis that the ordinance violates the dormant Commerce Clause for interstate commerce and discriminates against out-of-county producers. In August 2013, the U.S. District Court upheld the ordinance, as did the Ninth U.S. Circuit Court of Appeals in September 2014.</p> <p>Alameda County's ordinance may be found here: http://www.acgov.org/aceh/safedisposal/documents/SDD_Ordinance.pdf</p> <p>cc: ea Supervisor, Colyee, CoCounsel, R. Santiago</p>		

Letter sent October 31, 2014 **asks for local governments to consider ordinances** to move the issue forward in California.



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Medicine & Sharps:

The Perfect Storm...



- Environmental & Public Health, Issue
- Prescription Drug Abuse – Epidemic
- Child, Senior & Pet Poisonings
- Cost of Healthcare Debate!
- Needle Sticks of Solid Waste & Wastewater Plant Workers, Needles on Beach



San Francisco Pilot with Pharma Companies: Weight Collected



23,304 pounds collected in 16 months!



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Alameda County Safe Drug Disposal Ordinance



Two Hearings Led to the Adoption of the Ordinance



Safe Medication Disposal Ordinance

Sponsored by The MEDS (Medication Education Disposal Safety) Coalition
Alameda County Supervisor Nate Miley

Join us in protecting our families and environment

1st Reading of the Proposed Ordinance
Tuesday, July 10, 2012 11:00 AM
Alameda County Board of Supervisors

1221 Oak Street, 5th Floor Board Chambers
Oakland, CA 94612

Come show your support and urge the Board of Supervisors to pass the Safe Medication Disposal Ordinance!

Go to <http://www.change.org/petitions/pass-the-safe-medication-disposal-ordinance> to sign the petition and learn what you can do to help!

Follow us on [Twitter](#) @AlCoSafeMeds Like us on [Facebook](#) Alameda County Safe Meds
If you cannot attend, contact the Clerk of the Board, 1221 Oak Street, Suite 536 Oakland, CA 94612
For questions, contact Kamika Dunlap at Kamika.dunlap@acgov.org or (510) 272-3691



Medication Disposal Ordinance

Sponsored by the MEDS (Medication Education Disposal Safety) Coalition and Alameda County Supervisor Nate Miley

Join us in protecting our families and environment

Final Reading of the Proposed Ordinance
Tuesday, July 24, 2012 11:00 AM
Alameda County Board of Supervisors

1221 Oak Street, 5th Floor Board Chambers
Oakland, CA 94612



District 1 Supervisor, Scott Haggerty (510) 272-6601 District 2 Supervisor, Richard Valle (510) 272-6602
District 3 Supervisor, Wilma Chan (510) 272-6603 District 4 Supervisor, Nate Miley (510) 272-6604
District 5 Supervisor, Keith Carson (510) 272-6605

Go to <http://www.change.org/petitions/pass-the-safe-medication-disposal-ordinance> to sign the petition and learn what you can do to help!

Follow us on [Twitter](#) @AlCoSafeMeds Like us on [Facebook](#) Alameda County Safe Meds

The New York Times

Article in New York Times 12/7/12 quotes complaint:

“The household trash can is a better and safer alternative,
the drug makers say”

- Pharmaceutical Research and Manufacturers of America (PhRMA), General Pharmaceutical Association & Biotechnology Industry Association
- Filed in Federal Court claiming violation of the Commerce Clause of the Constitution

Alameda County Prevailed in 9th Circuit Court 8/29/13!

PhRMA Appealed 9/12/13 in Federal Court of Appeals



Secure Medicine Return for King County, WA



Margaret Shield

Local Hazardous Waste Management Program in King County

National News Coverage

National Public Radio, January 2014



California County Pushes Drugmakers To Pay For Pill Waste

CPSC's Heidi Sanborn, Supervisor Nate
Miley, and PhRMA are interviewed



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National News Coverage

Wall Street Journal, April 2014



Who Foots the Bill For Expired Medicine? One Proposal: Drug Makers

CPSC's Heidi Sanborn, Senator
Hannah-Beth Jackson and a PhRMA
representative are quoted



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Appealed to Federal 9th Circuit



- 9th Circuit Court of Appeals - 3 judge panel – 7/11/14
- No new facts – only interpretation of law
- Judge “I have a feeling this may not be the last word on this”
- [Court sides with Alameda County, upholds ruling – 9/30/14](#)





Supreme Court Could Weigh Local Mandates on Drug Makers - March 27, 2015

“Why is it fair to privatize 100 percent of the profits and socialize 100 percent of the costs?”

‘These are the same companies that don't like taxes, don't want fees, don't like big government, and we're offering them a program where they get to write their own regulations.’”

- Heidi Sanborn

<http://www.washingtonexaminer.com/supreme-court-could-weigh-local-mandates-on-drug-makers/article/2562121>



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“These statutes are taking off, we see there's a movement in California to expand beyond the pharmaceutical industry,’

‘This is the first time where a county or local government has reached out and forced companies in another state to provide a service to their local residents,’ Spears said.”

Mit Spears, general counsel for Pharmaceutical Research and Manufacturers of America (PhRMA)



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San Francisco Reintroduces Meds EPR Ordinance 10/21/14



City/County of San Francisco

Medicine EPR Ordinance March 2015

San Francisco Public Hearing on Drug Disposal Ordinance



Watch the Video Here

Ordinance introduced May 19 and **passed with a 10-0 vote**, with one Supervisor excused and signed by Mayor Edwin Lee 3/26/15.



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County of San Mateo Medicine EPR Ordinance 4/28/2015



- <https://www.youtube.com/watch?v=gq7-zloOYzk>

Ordinance introduced and heard April 14th Meeting
and **passed with a 5-0 vote**. Waymond Wong, Program Manager,
Environmental Health and Heather Forshey, Director of Environmental Health



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County of Santa Clara

Medicine EPR Ordinance 5/19/15



Ordinance **passed with a 3-0 vote**, with two Supervisors recusing themselves from vote due to pharmaceutical investments. Rob D'Arcy Presenting.



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Appeal to Supreme Court – Denied 5/26/15!



12/29/14: PhRMA and other plaintiff organizations file a Petition For Writ of Certiorari asking the U.S. Supreme Court to consider the case – [Petition text](#)



County of Marin

Medicine EPR Ordinance 8/11/15



Ordinance adopted at Board of Supervisors Meeting 8/11/15
and **passed with a 5-0 vote.** County Team Pictured.



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County of Santa Cruz

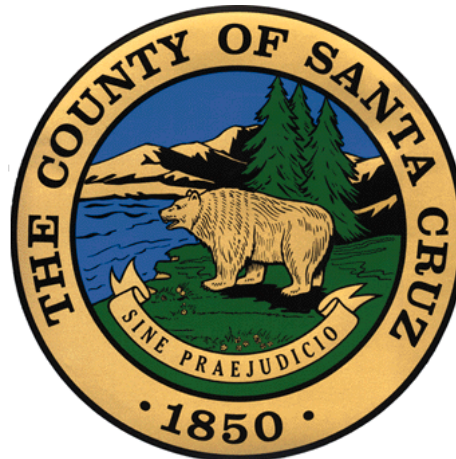
(and cities of Capitola and Santa Cruz)

Medicine & Sharps EPR Ordinance

9/1/2015 – A motion on [agenda item #27](#) which directs County staff to initiate the stakeholder process for development of a pharmaceutical and medical sharps EPR ordinance was introduced and adopted by the Board of Supervisors.

10/8/15 – First stakeholder meeting to discuss ordinance

November – **APPROVED BY BOARD 5-0 -1st Meds & Sharps in US**



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County of Santa Barbara

Medicine Stakeholder Process Began 5/19/15



Public Health Department returned with recommendation **October 6 2015** to do EPR ordinance and received 5-0 vote. On agenda for hearing and vote **June 7, 2016**.



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Sonoma County, CA

- Tuesday October 4, 2016 – Public hearing and county voted to develop EPR ordinance for med and maybe sharps.
- All videos of all hearings on California Product Stewardship Council Website:
- <http://calpsc.org/products/pharmaceuticals/>



County of Los Angeles – Meds & Sharps!



Directed staff to initiate the ordinance stakeholder process **Adopted 4-0 by with one Supervisor abstaining on 8/11/2015.**


Staff presented ordinance to Board in February 2016. 5th Delay to June 14th and again to Nov. 1st, and again until ??????



Two Largest U.S. Counties Take On Take-Back



[Click Here to Read Press Release](#)

 National Stewardship Action Council
16 hours ago

Yesterday LA County's Meds & Sharps Disposal Ordinance was postponed for a 5th time. Thank you to SoCal's NPR, Los Angeles Times & MyNewsLA.com reporters for sharing the story and keeping up ! Read their coverage @ nsaction.us/campaigns/. California Nurses Association Teamsters Local 396 Clean Water Action California

www.NSAction.us



Campaign to end FDA “Flush List”

NSAC
Facilitates FDA Letter
With 119 Others

Logos included in the graphic:

- ASDWA: Association of State Drinking Water Administrators
- CASA
- NCA PDA: National Coalition Against Prescription Drug Abuse
- NRDC
- NACWA
- Health Care Without Harm
- WATER REUSE
- ASSOCIATION OF METROPOLITAN WATER AGENCIES
- TEXAS PRODUCT STEWARDSHIP COUNCIL: A Council of STAR
- California Water Environment Association
- HOPE2GETHER FOUNDATION
- CLEAN WATER ACTION
- mrc: michiganrecyclingcoalition
- THE STORY OF STUFF PROJECT
- Environmental Justice Coalition For Water
- Prevention Coalition
- POTOMAC (River Area) Metro Area
- American Water Works Association
- LANE COUNTY OREGON
- Chicago
- WEST VIRGINIA RIVERS COALITION
- MINNESOTA POLLUTION CONTROL AGENCY
- SURFRIDER FOUNDATION
- NARHMA: North American Recreates Materials Management Association
- NATIONAL STEWARDSHIP ACTION COUNCIL: ADVOCATING FOR A CIRCULAR ECONOMY
- BOISE STATE OF IDEAS
- HUSSON UNIVERSITY SCHOOL OF PHARMACY



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Another Pressure Point: Shareholders!



AS YOU SOW

**Shareholder Groups with \$50 Billion in Assets
Ask 10 Largest Pharma Companies to
Take Back Medications**



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Support and Connect!



Heidi Sanborn
Executive Director
heidi@calpsc.org
916-706-3420

www.CalPSC.org

Connect!



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