



GAIL FARBER, CHAIR
MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

June 14, 2010

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

Dear Congressman Waxman:

**HOUSE OF REPRESENTATIVES BILL 1191 (INTRODUCED FEBRUARY 25, 2010)
THE SAFE DRUG DISPOSAL ACT**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to express its **support** for House of Representatives Bill 1191 (H.R. 1191), The Safe Drug Disposal Act, and suggest the bill incorporate the concept of extended producer responsibility. H.R. 1191, if enacted, would amend the Controlled Substances Act to provide for disposal of prescribed medications, including those classified as controlled substances, by end users and care takers through State take-back disposal programs and amend the Federal Food, Drug, and Cosmetic Act to prohibit recommendations on drug labels for disposal by flushing or in municipal solid waste landfills.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

Legally prescribed controlled substances comprise approximately 11 percent of all prescription medicines sold in the U.S. When improperly managed, such as left lingering in homes, tossed in the garbage, or flushed down toilets, these drugs may cause a variety of issues such as being taken accidentally, intentionally abused, or contaminating water bodies thus negatively impacting marine life. In fact, a 2002 study by the United States Geological Survey (USGS) found that 80 percent of streams in the U.S. have measurable concentrations of prescription drugs. In an attempt to mitigate this dilemma, H.R. 1191 would:

- Remove the current requirement that law enforcement officers be present during normal operations of residential drug take-back programs. This existing requirement adds cost, places burdens on local police and sheriffs, and is not necessary for safe and secure drug take-back programs since other precautions can be implemented.
- Allow the caretaker of an end user 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.
- Prohibit drug labels from recommending disposal by flushing or disposing in municipal solid waste landfills.

Additionally, H.R. 1191, if enacted, would establish Federal requirements for drug take-back programs to be convenient for urban and rural locations and cost-effective for States. The Task Force is a strong believer that convenience is a key requirement for the success of any take-back program, and being cost effective is critical given the current economic challenges faced by States and local governments. For this reason, the Task Force recommends the Committee consider incorporating the concept of Extended Producer Responsibility and Product Stewardship (EPR) within H.R. 1191.

EPR is a solid waste management strategy that requires the producer of a product to take responsibility for minimizing the product's environmental impact through all stages of its life cycle. As such, the producer, having the greatest ability to minimize impacts, would also have the most responsibility. Incorporating EPR principals into the bill would allow pharmaceutical manufacturers to design, implement, and manage take-back programs resulting in convenient programs to end users that could discard unused prescriptions at local pharmacies. This end-of-life management approach would also result in minimal costs to States, as producers could be asked to cover their oversight costs as well. Lastly, an EPR approach in dealing with pharmaceuticals would have the added effect of alleviating the financial burden placed on State and local governments in devising and maintaining pharmaceutical take-back programs and would place the

The Honorable Henry A. Waxman

June 14, 2010

Page 2

responsibility for the proper disposal of the product where it belongs - in the hands of their manufacturer.

For these reasons, the Task Force **supports H.R. 1191** and respectfully requests the Committee consider incorporating EPR principals into the Bill. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste management Task Force and
Council Member, City of Rosemead

PGT/RG:ts

P:\eppub\ENGLAN\TASK FORCE\Letters\HR 1191 .doc

cc: Each member of the Congressional Energy and Commerce Committee
Each co-sponsor of H.R. 1191
Each Member of the Los Angeles County Federal Legislative Delegation
National Association of Counties
National League of Cities
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor in the County of Los Angeles
California State Association of Counties
League of California Cities
League of California Cities, Los Angeles County Division
California Product Stewardship Council
California Pharmaceutical Board
Mark Horton, Director of the California Department of Public Health
Southern California Association of Governments
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Gateway Cities Council of Governments
Jonathan E. Fielding, Director, Los Angeles County Department of Public Health
Helene Calvet, Health Officer, City of Long Beach Department of Public Health
Takashi Wada, Director/Health Officer, City of Pasadena Department of Public Health
Lewis Pozzebon, Director/Health Officer, City of Vernon Department of Public Health
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force