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# Proposed San Mateo County ordinance would require drug companies to pay for disposal program

By Kamala Silva Wolfe

San Mateo County is considering a proposed ordinance to transfer the costs associated with its drug take-back program from county coffers to pharmaceutical companies.

"We currently are finalizing the language of the legislation requiring the costs be where they should be," said Supervisor Adrienne Tissier, who initiated the drug take-back program in 2005, believed to be one of the first in the nation.

Tissier's call for a program addressing the disposal of pharmaceutical medications grew out of her own experience of sorting through her father's medications after he passed away.

Tissier said she realized that for most people, the only options were to toss unused medications into the garbage or flush them down the toilet. And some reports have found that the improper disposal of such drugs can have profound impacts on the environment and

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San Mateo County's Drug Take Back Program has collected 21,000 tons of medication at a cost of about \$1.61 a pound.

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Harvard Medical School reported numerous studies have shown that a mixture of estrogen and certain chemicals can create intersex fish -- creatures with both male and female sex characteristics. Studies show there have been more female and intersex fish downstream of wastewater treatment plants, as well as fish found to have popular antidepressant medications concentrated in the brain tissue.

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Recognizing that the lack of proper medication disposal was a universal problem, Tissier worked with the county Environmental Health Services Division to take advantage of Earth Week in 2005 by setting up a one-time collection event at 13 sites in San Mateo County. Organizers said the effort collected 235 pounds of unused medications that likely would have ended up in waterways and landfills, causing environmental damage.

Tissier knew something permanent was needed and set about creating the first drug take-back program in the nation with drop-off boxes in police stations throughout the county. The supervisor praised the results of the initiative since it was implemented.

"To date our San Mateo County Drug Take Back Program has resulted in 21,000 tons of medications collected at the cost of approximately \$1.61 per pound," Tissier said. "It has proven this program works. It reduces the negative impact on our environment and it also has resulted in reductions of overdoses and deaths associated with mismanagement of medications that may no longer be needed yet have remained in a person's medicine cabinet."

County officials are now proposing legislation similar to Alameda County that would transfer the costs of the drug disposal program onto pharmaceutical companies that produce the drugs.

The Alameda County Board of Supervisors has passed an ordinance requiring that "drug manufacturers and producers that sell, offer for sale, or distribute certain prescription drugs in Alameda County to participate in a Product Stewardship Program" without cost to the patient. But an appeal was recently filed by three major pharmaceutical companies concerned that other municipalities might follow with similar programs.

San Francisco, which had an agreement with the Pharmaceutical Research and Manufacturers of America and Genentech to fund a pilot drug take-back program with \$110,000 in 2010 and currently has legislation in place to require the program to become permanent, is closely monitoring the situation with Alameda County's law.

State Assemblyman Kevin Mullin, D-San Mateo, believes that a more uniform disposal of household hazardous waste needs to exist.

"I have introduced [Assembly Bill] 45 to address these challenges" Mullin said. "This bill will offer collection of these materials, which include medical waste, in a cost-effective and convenient manner for consumers to dispose of these products in a safe, environmentally-friendly way."

As to whether San Mateo County will move ahead with its ordinance or take a wait-and-see approach on the appeal filed against Alameda County, Tissier said, "We don't know if the Supreme Court will actually hear the case. We already know this program works and now it is time for the pharmaceutical companies to do their part."