

January 26, 2016

Updated sign ons delivered February 2, 2016

Dr. Stephen Ostroff, M.D.
Acting Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

RE: FDA Recommendations to Flush Certain Medications and Harmonize Federal Agency Messaging on Safe Medicine Disposal

Dear Commissioner Ostroff:

To protect public health and environmental quality, the signatories to this letter urge the FDA to work with the EPA, the DEA, and the White House Office of National Drug Control Policy to develop clear and consistent guidance to consumers on safe disposal of leftover household medications. **We call on the FDA to end its [recommendation](#) that certain medications be disposed by flushing, and to clarify that secure medicine take-back programs provide the best disposal method for leftover household medications.**

We appreciate the FDA's efforts to protect people from leftover medications that can be particularly harmful, even fatal, if abused or mistakenly consumed. However, the time has come for FDA to align its medicine disposal guidance with that of federal, state and local agencies who seek to protect both the public's health and our water quality.

Disposal of leftover medications by flushing contributes to pharmaceutical pollution that is harming aquatic ecosystems and entering our food web. Wastewater treatment plants are designed to remove human waste and easily degraded organics, and cannot effectively remove pharmaceuticals and other complex, synthetic chemicals. Because of this, some wastewater agencies have established laws, regulations, or guidance prohibiting flushing as a disposal method for pharmaceuticals. In these areas, FDA's recommendations infringe on wastewater districts' jurisdictional authority to protect public health.

While pharmaceuticals also enter wastewater through excretion, flushing of unwanted medication is a source that we have the ability and technology to control. The amount of leftover and expired medications in American homes is significant – estimated at 30-40% of all medications sold. It is critical to keep these pharmaceuticals from polluting our waterways by recommending secure and environmentally sound disposal through medicine take-back programs. Preventing pollution is always the most effective and least expensive option to protect public health and environmental health.

Many communities across the country now have medicine collection programs and the DEA's regulation to implement the Secure & Responsible Drug Disposal Act allows new options for take-back of prescription drugs that are controlled substances. We need clear and harmonized direction to the public and health practitioners on using medicine take-back programs, as well as ongoing efforts to increase access to secure medicine take-back programs in all communities.

Messages on medicine disposal are inconsistent between federal agencies and often in conflict with state and local regulations or guidance against flushing or trash disposal of leftover medications. This is confusing and frustrating for the public. Furthermore, some in the pharmaceutical industry take advantage

of inconsistencies in federal agency messaging to undermine efforts to establish local medicine take-back programs and regulations.

We therefore urge the FDA to end its “flush list” recommendation, and work to create a single disposal guidance that is endorsed by all federal agencies and consistently used on all federal websites and materials. The public should be directed to store medications securely in locked containers or cupboards, to use secure medicine take-back programs where available, never to flush medications, and to dispose of medications in the trash only as a last resort where allowed by local ordinances. We encourage adoption of the following, clear messages on safe medicine disposal:

1. To protect water quality, never flush unwanted medicine down any drain.
2. Use a community medicine take-back program for secure and safe medicine disposal. Check with local household hazardous waste, wastewater, or police departments for locations. Use the medicine manufacturer’s mail-back program if available.
3. Take leftover medicines to the Drug Enforcement Administration’s twice a year National Prescription Drug Take-back Days. Look for a site in your community at http://www.deadiversion.usdoj.gov/drug_disposal/takeback/ or contact your police department.
4. As a last resort, if there are no medicine take-back options in your community: put medicines in a sealed container in the trash after mixing the medicines with an undesirable substance, such as cat litter or used coffee grounds. Make sure the trash cannot be accessed by children, pets, or others who might be looking in garbage. Check with your local government or garbage service first, because local laws may not allow disposing of any pharmaceuticals in the trash.

We look forward to your response to our letter and to your actions to address our concerns.

Sincerely,

Individual signers, affiliation stated for purposes of identification only.

William W. Monning, California State Senator
Irene Aguilar, MD, Colorado Senate District 32
Hannah-Beth Jackson, California State Senator
David Chiu, California State Assemblymember
Paul Koretz, Los Angeles City Councilmember
Robert F. Kennedy, Jr., Los Angeles, CA and Waterkeeper Alliance
Barbara J. Bickford, Madison, Wisconsin
Nancy Busen, Bentonville, Arkansas
Jennifer Caldwell, CalRecycle
Audrey L. Comeaux, Director- West County Wastewater District
Gary Goldbaum, Health Officer, Snohomish County, Washington
Sarah Hellekson, Solid Waste Manager, City of Plymouth, Minnesota
Heidi Mayer, Marin, California
Chris McFaul, Spokane, Washington
Nate Miley, Oakland, California
Karin North, City of Palo Alto, Watershed Protection Manager,
Carol Scianna, City of Winters, Environmental Services Manager

Ruth W. Shearer, Ph.D., Retired Toxicologist
Margaret Shield, Ph.D., Seattle, Washington
MaryAnne Sullivan, Aging in Place Facilitator, Sibert & Sullivan, LLC
Susan Strand, Environmental Specialist, City of West Sacramento
Mark Nystrom, Energy, Environment and Land Use Policy Manager, the Association of Oregon Counties
Angela Goldberg, Member of the San Diego Drug Abuse Task Force
Carol Bailey, Concerned Consumer and Member of California Alliance for Retired Americans
Veora M. Little, Certified Registered Nurse Anesthetist, Naples, Florida
Ed Gottlieb, Chair, Coalition for Safe Medication Disposal, Industrial Pretreatment Coordinator, Ithaca
Area Wastewater Treatment Facility

Cc: Administrator Gina McCarthy, U.S. Environmental Protection Agency
Director Dan Ashe, U.S. Fish & Wildlife Service
Acting Administrator Chuck Rosenberg, Drug Enforcement Administration
Director Michael Botticelli, White House Office of National Drug Control Policy

Patricia Danielson, Vice-President
Alameda County Special District Association

Nate Miley
Alameda County Supervisor
District 4



Gail Magsaysay MSN, RN, Owner
Alternatives in Wellness, Munster, Indiana



G. Tracy Mehan, III, Executive Director of
Government Affairs
American Water Works Association



John F. Birrer, President/CEO
Asepsis Bio Group, Inc.

Diane VanDe Hei, Executive Director
Association of Metropolitan Water Agencies



Jim Taft, Executive Director
Association of State Drinking Water
Administrators



Dave Williams, Executive Director
Bay Area Clean Water Agencies



Bobbi Larson, Executive Director
California Association of Sanitation Agencies



Heidi Sanborn, MPA, Executive Director
California Product Stewardship Council



John H. Dane, Executive Director
California Resource Recovery Association



Executive Board
California Water Environment Association



Robbin Finch, Water Quality Environmental
Program Manager
City of Boise Public Works



Roger S. Bailey, General Manager
Central Contra Costa Sanitary District



Craig M. Locke, Director of Public Works
City of Chowchilla, California



Robert Cole, Environmental Services Manager
Central Marin Sanitation Agency



Brian R. Stahl, Deputy Director, Department of
Environmental Services
City of Gresham, Oregon



Comm. Mike Robinson, Chair
Chisago County Minnesota Board of
Commissioners



Frankie Riddle, Director of Special Programs
City of Palm Desert



Phil Bobel, Assistant Director Public Works
City of Palo Alto Regional Water Quality
Control Plant



Curt McCormick, Owner
Clean Water Act Consulting Services



Paulina Benner, Environmental Services
Manager
City of West Sacramento



Della Lisi Kerr, Alcohol Drug Education &
Prevention Team
County of Orange Health Care Agency



Greg Meyer, Public Works Director
City of Woodland



Beverly Hanstrom, President
Colorado Medical Waste, Inc.



Greg Geist, Director
Clackamas County Water Environment Services



Larry Krolikowski, Volunteer Organizer
Common Ground of Southeastern Wisconsin
Watershed Team



Andria Ventura, Toxics Program Manager
Clean Water Action



Delta Diablo Sanitation District
Gary W. Darling, General Manager



Carly Gibb, Development Assistant
Drug Free Collier



David Stitzhal, MRP, President
Full Circle Environmental, Inc.



John Archer, Interim General Manager
Dublin San Ramon Services District



Daniel Parshley, Project Manager
Glynn Environmental Coalition



Jacqueline T. Zipkin, Manager of Environmental
Services
East Bay Municipal Utility District



Stuart Moody, Board President
Green Sangha



Colin Bailey, Executive Director
The Environmental Justice Coalition for Water



Rachel Gibson, Director, Safer Chemicals
Health Care Without Harm



Violette Brown, President
FillAbox Corporation



John Mohoff, General Manager
Healthwise Services



Sherrie Rubin, Founder/Director
Hope2gether Foundation



Jeff Reinhardt, Public Affairs &
Communications Manager
Las Virgenes Municipal Water District



Rodney Larson, Founding Dean
Husson University School of Pharmacy



David W. Pedersen, P.E., General Manager /
Administering Agent
Las Virgenes – Triunfo Joint Powers Authority



Sharon Ehrhardt, Solid Waste/Clean Sweep
Specialist
Jefferson County Solid Waste/Air Quality
Committee



Mike Mohajer, Representative
Los Angeles County Solid Waste Management
Committee/Integrated Waste Management Task
Force



Daniel Hurley, Division Manager
Lane County Waste Management



Amy Ziff, Founder & Executive Director
MADE SAFE & NONTOXIC CERTIFIED



Aglaia Panos Pharm D, President
Marin County Pharmacists Association

Patty Garbarino, President
Marin Sanitary Service



Paul Sanftner
MEDS Coalition, Alameda County



David St. Pierre, Executive Director
Metropolitan Water Reclamation District of
Greater Chicago



Kerrin O'Brien, Executive Director
Michigan Recycling Coalition



Jennifer Volkman, Household Hazardous Waste
Program Coordinator, MPCA
Minnesota Pollution Control Agency



Timothy Healy, General Manager
Napa Sanitation District



Adam Krantz, Chief Executive Officer
National Association of Clean Water Agencies



April Rovero, Executive Director
National Coalition Against Prescription Drug
Abuse



Doug Kobold, President
National Stewardship Action Council



Tiffany C Ingram, JD, Midwest Advocacy
Director
Natural Resources Defense Council



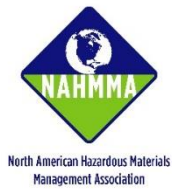
Kristen Anderson, Project Coordinator
Nebraska MEDS Coalition



Dianna Cohen, CEO | Co-Founder
Plastic Pollution Coalition



Victoria Hodge, President
North American Hazardous Materials
Management Association



Thomas P. Jacobus, Chairman
Potomac River Basin Drinking Water Source
Protection Partnership - Metro Area Water
Utility Committee



Janet Gillaspie, Executive Director
Oregon Association of Clean Water Agencies



Greg Knell, Community Co-Chair Community
Based Prevention
RxSafe Marin



Marti Martz, Senior Coastal Outreach Specialist
Pennsylvania Sea Grant



Terrie Mitchell, Manager, Legislative &
Regulatory Affairs
Sacramento Regional County Sanitation District



Frederick S. Mayer, R.Ph., MPH, CEO
Pharmacists Planning Service, Inc. (PPSI)



Victoria O. Conway, Head Wastewater
Management
Sanitation Districts of Los Angeles County



Stiv J. Wilson, Campaigns Director
The Story of Stuff Project



Katherine O'Dea, Executive Director
Save Our Shores



Angela T. Howe, Esq. | Legal Director
Surfrider Foundation, Representing 84 domestic
chapters



Tina Segura, Chair
Surfrider Foundation West LA/Malibu Chapter



Leslie Tamminen, Ocean Program Director
Seventh Generation Advisors



Debbie Branch, Chair
Texas Product Stewardship Council



Deborah Raphael, Director
San Francisco Department of the Environment



Cynthia Stark-Wickman, Executive Coordinator
San Juan Island Prevention Coalition



Doug Dattawalker, Environmental Outreach
Representative
Union Sanitary District



Dan Tafolla, Director of Environmental Services
Vallejo Sanitation & Flood Control District



Melissa Meeker, Executive Director
WateReuse



Angie Rosser, Executive Director
West Virginia Rivers Coalition



Nancy A. Eggleston, R.S.
Environmental Health and Communicable
Disease Supervisor
Wood County Health Department



Steve Devine, Program Manager
Zero Waste Marin

