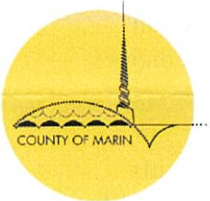




April 20, 2018



Marybeth Hays
Executive V.P. of Consumables and Health and Wellness
Walmart U.S.
702 S.W. 8th Street
Bentonville, AR 72716



Dear Ms. Hays:

Our Counties of Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Barbara, and Santa Clara are writing today regarding placement of medicine collection kiosks at Walmart and Sam's Club pharmacies located in our counties. We recently learned of Walmart's plans to provide medicine disposal packets to customers with every opioid prescription to help combat the prescription drug abuse problem. We welcome Walmart's interest in providing your customers with safe disposal options for unwanted medicines and view this announcement as a tremendous opportunity to engage Walmart in our local medicine disposal efforts.



SF Environment

Our home. Our city. Our planet.

A Department of the City and County of San Francisco



Our Counties have worked for many years to secure permanent and sustainably-funded medicine disposal options for our residents. In 2012, Alameda County passed the first ordinance in the United States that requires manufacturers of medicines to take responsibility for the costs to safely dispose of the products they profit from. Since then, eight additional California counties and two California cities have passed similar ordinances to provide safe disposal opportunities for their constituents. As you may be aware, seven counties in Washington State have also passed similar ordinances. In response to all these ordinances, the pharmaceutical industry created a non-profit organization called MED-Project, LLC, to operate and fund permanent, pharmacy-based collection programs for unwanted and expired home-generated medicines. Although MED-Project's program is now up and running with over 335 medicine collection kiosks in operation, we understand that Walmart has thus far declined to participate in the MED-Project program.



As the largest retailer in the United States and a significant provider of prescription and over-the-counter medicines, Walmart can help counter the prescription drug abuse epidemic by providing safe, convenient disposal solutions and educating customers about proper storage and disposal practices. While we commend the Walmart initiative's goal of curbing prescription drug abuse, we have concerns about the safety and efficacy of the medicine disposal packets Walmart is distributing and how associated promotion efforts could



impact our established disposal programs and/or those currently being implemented. Our specific concerns are:

- The disposal packet manufacturer's website claims that the product "physically and chemically sequester[s] prescription drugs [. . .] making them inert and unavailable for illicit use or pollution." However, the website does not provide any independent, third party test results showing medicine destruction or irreversible sequestration. The "white paper"¹ cited is authored by scientists employed by the disposal packet manufacturing company. There is no information available on the website or elsewhere that demonstrates the packets, when used, can be disposed as municipal solid waste in California. Furthermore, we understand that Walmart does not intend to distribute the disposal packets in the State of Washington, pending tests to study potential aquatic toxicity of the product as used. Aquatic toxicity testing is also required in California. In contrast, secure medicine take-back programs, such as the MED-Project program, are identified in Federal guidelines from the Drug Enforcement Administration, Environmental Protection Agency, and Food and Drug Administration as the best disposal option for unwanted medicines from the home, and overall preferable to placing medicines in the household trash.
- By providing disposal packets only with opioid prescriptions, Walmart's initiative implicitly communicates to customers that non-opioid pharmaceuticals are safe to place in the household trash. However, a number of other drug categories – including stimulants and benzodiazepines – can become subject to misuse if placed in the trash. Additionally, landfilled pharmaceuticals of all types can pollute waterways when pumped out in landfill leachate, negatively impacting fish and other aquatic wildlife. Accordingly, education efforts in all our Counties direct residents to dispose all types of medicine in secure collection kiosks and discourage disposal in the household trash.
- Our Counties, and Walmart itself², are all working to reduce waste, yet this product "solution" for safe medicine disposal requires consumers to trash plastic pill containers instead of recycling them and adds water and the undisclosed packet ingredients to the waste stream.

We believe that Walmart shares our common goal of ensuring that unwanted medicines are disposed of in ways that are protective of both human and environmental health. The undersigned Counties seek Walmart's collaboration on this critical program by: (1) hosting MED-Project medicine collection kiosks in Walmart and Sam's Club stores located in our counties; and (2) refraining from providing the medicine disposal packets at these same locations.

Although product stewardship programs and pharmacy-based medicine collection may be new concepts in your U.S. locations, we note that Walmart Canada Corporation participates in the Medication Returns Program of Canada – a producer-funded medicine disposal program that our disposal programs are modeled after – both as a funding "steward" (member) and by providing medicine collection services in their stores. In British Columbia alone over 40 Walmart stores voluntarily collect unwanted medicines, and many more participate in other Canadian provinces. We respectfully request that Walmart participate

¹ Marcus Schestopol and John Holaday. "Disposal of leftover and expired drugs by sequestration in cross-linking polymers." DisposeRx website. Oct. 2017. http://disposerx.com/dl/DisposeRx_White_Paper_October_2017sm.pdf

² "Eliminating waste in our operations." Walmart website, accessed Mar. 5, 2017. <https://corporate.walmart.com/2017grr/sustainability/eliminating-waste-in-our-operations>

in the MED-Project program in our counties so that your customers – our residents – can enjoy the same safe and convenient disposal opportunities Walmart provides customers in Canada.

All our Counties value Walmart's commitment to the safety and health of its customers and our residents. We would welcome the opportunity to meet with you and other Walmart representatives to discuss future collaboration and the above request in more detail. Should Walmart decline this opportunity, we would sincerely appreciate an explanation of your decision so we may better understand barriers to retail participation. Correspondence can be directed to Maggie Johnson, Senior Residential Toxics Reduction Coordinator with the San Francisco Department of the Environment, at (415) 355-5006 or Margaret.Johnson@sfgov.org. Thank you for your attention to this important issue and our common request.

Sincerely,



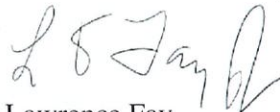
William Pollock
Program Manager
Alameda County HHW Program
bill.pollock@acgov.org



Waymond Wong
Program Supervisor
County of San Mateo
wwong@smcgov.org



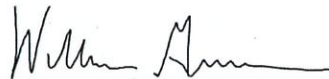
Marilyn Underwood
Director
Contra Costa County Environmental Health
marilyn.underwood@hsd.cccounty.us



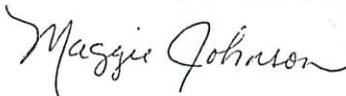
Lawrence Fay
Environmental Health Director
Santa Barbara County Public Health
lawrence.fay@sbcphd.org



Whitney King
Senior REHS
County of Marin
wking@marincounty.org



William Grimes
Hazardous Materials Program Manager
County of Santa Clara
william.grimes@cep.sccgov.org



Maggie Johnson
Toxics Reduction Coordinator
City and County of San Francisco
margaret.johnson@sfgov.org

cc: Heidi Sanborn, Executive Director, California Product Stewardship Council
Scott Cassel, Chief Executive Officer, Product Stewardship Institute, Inc.
Troy Rowan, Environmental Health Specialist, Tacoma-Pierce County Health Dept.