

Marin: Drug firms must pay for disposal of their medications

By Nels Johnson , *Marin Independent Journal*

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Pharmaceutical firms that make drugs sold in Marin County must pay to get rid of them safely when they are no longer needed.

County supervisors Tuesday approved a law compelling drug firms catering to Marin residents to participate in a “take back” program that collects and disposes of unused medications.

The action came on a 4-0 vote in the absence of Supervisor Kate Sears, who recused herself after noting she owns drug company stocks.

Sears’ statement of economic interests on file with the county includes a blue chip portfolio of more than 70 stocks ranging from Exxon Mobil to McDonald’s, and includes about a dozen drug companies. She valued her stakes in five of the drug firms at anywhere from \$10,000 to \$100,000 each.

Support for the ordinance was rallied by Supervisor Katie Rice and two weeks ago drew support from a parade of organizations, residents and doctors. Experts reported there were more overdose deaths from prescription drugs in Marin than from heroin and cocaine combined.

There were 27 unintentional prescription drug deaths in Marin in 2012, up from nine in 2009, 15 in 2010 and 13 in 2011. Non-fatal opiate-related visits to Marin emergency rooms rose from 198 in 2006 to 471 in 2012.

Only a handful of residents spoke when the measure came up for adoption Tuesday as an audience of 20 looked on. “We had the big presentation and everyone showed up two weeks ago,” Rice noted.

All must take responsibility for the fight against drug abuse, Rice added, calling the drug firm measure “one piece of a broader effort.”

The ordinance requires pharmaceutical firms that sell medicine in Marin to design and pay for a prescription drug take back system that is “free, convenient, and easily accessible to all residents,” said Public Health Officer Dr. Matt Willis. Although the plan allows flexibility, one result will be expansion of the occasional drop-off pill collection days the county already hosts.

“This would function the way almost all product stewardship programs do — for products that have ‘end of life impact’ like batteries, electronics, mattresses, paint,” where manufacturers share responsibility for safe disposal, Willis noted.

A letter of protest was submitted by the California Life Sciences Association, an industry group serving more than 750 biotechnology, pharmaceutical and medical firms. Reese Aaron Isbell, associate director of government affairs for the group, challenged the rationale for the ordinance, saying there is no evidence it will prevent abuse and called disposal legislation a matter for the state or federal government to tackle.

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“The implementation of various local ordinances will do little more than create a patchwork of inconsistent regulations that will only confuse consumers and forestall conversations at the state and federal level around truly effective and equitable solutions,” Isbell warned.

The ordinance carries a \$40,000 start-up cost because a half-time employee will be assigned to implement

it by expanding a local drug disposal project, but the program will become self-sufficient as fees are charged to drug producers. “The fees will be established for consideration by the board ... soon after the ordinance is adopted,” Willis said.

The ordinance takes effect in a month.



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