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Advocacy Position Statement

Safe Disposal of Pharmaceutical Waste

Statement of Purpose

The American Public Works Association (APWA) seeks to inform elected officials, regulators, policy-makers and decision-makers and the public at-large of its stated position on the safe and effective disposal of outdated and unused pharmaceuticals waste and the need for discarded pharmaceutical stewardship programs in the U.S.

Statement of Position

The APWA supports the need for new legislation to remove barriers to the proper collection and management of pharmaceutical waste and encourages pharmaceutical manufacturers to develop product stewardship programs to collect unwanted and unused pharmaceutical waste.

Background and Rationale

The current regulation of unused or unwanted pharmaceuticals imposes unnecessary barriers on the collection of pharmaceutical waste for proper disposal. These barriers make it extremely difficult for state and local governments to effectively collect, process and manage pharmaceutical waste. The U.S. Geological Survey in 2002 sampled streams in 30 states of the 139 streams tested, 80 percent had measurable concentrations of prescription and nonprescription drugs, steroids, and reproductive hormones. Exposure to even low levels of drugs has negative effects on fish and other aquatic species, and also may negatively affect human health. Pharmaceuticals have been found in the drinking water of 24 major metropolitan areas affecting 41 million Americans.

The APWA supports the need for federal pharmaceutical legislation to remove barriers making it difficult or impossible for state and local governments and businesses to collect pharmaceuticals waste, including controlled substances, for proper safe disposal. Many unused pharmaceuticals enter our solid waste system or our sewage systems resulting in less than effective disinfection and water quality concerns. Public confusion over the proper disposal of unused or unwanted medicines results in what has become the routine flushing of these drugs down the drain where they pollute the nation's waterways or simply the discarding of these pharmaceuticals in the trash where they ultimately end up

in landfills leaving the real world potential of leaching into the groundwater. There are currently few safe, legal and convenient ways for residents to properly dispose of unwanted pharmaceuticals and designing and funding new systems to collect these products is costly for local governments and law enforcement agencies. Federal legislation should mandate the collection of unused or unwanted pharmaceuticals through an industry funded and managed collection program.

Product Stewardship programs for pharmaceuticals which are funded and operated by the pharmaceutical companies are operating well in British Columbia via a take-back system using pharmacies as a convenient and safe collection point. In order to implement such a program in the United States, we need to remove the barriers to pharmaceutical collection. Failure to take action is leading to more chemicals ending up in wastewater treatment facilities, in landfills and in our waters of the United States.

Strong economic and environmental benefits will be generated from changes in federal law and policy and implementation of pharmaceutical producer responsibility initiatives.

- Cities, Counties and States will finally have the legislative and regulatory direction to collect pharmaceuticals or mandate EPR systems for pharmaceutical collection funded and operated by pharmaceutical companies.
- Jobs will be created in designing and operating the pharmaceutical stewardship program as outlined in the report from British Columbia at http://www.calpsc.org/policies/docs/2009/2009-01-07_BC-Product-Stewardship.pdf.
- Sewage treatment plants will have reduced concentrations of pharmaceuticals and pharmaceutical byproducts.
- Reduced discharges of pharmaceuticals to the environment to reduce impacts to fish and wildlife.
- Fear of unknown human health impacts will be removed from the source of pharmaceutical waste.

Effective legislation and policy must provide for:

- The Controlled Substances Act or other federal legislation should not preclude take-back programs from including both controlled and non-controlled drugs;
- Collection and disposal options should not require law enforcement for normal operations;
- All companies selling or dispensing pharmaceutical drugs in the United States should be required to take them back;
- Collection and disposal options should be designed, funded, and managed by the pharmaceutical companies using best management practices of the time;
- New methods for collection of controlled substances should be readily accessible to new and existing drug take-back programs at all government levels without a federal requirement for additional enabling legislation at the state or local levels;
- Federal law should not mandate that drugs collected for disposal be inventoried;
- New regulations should not preempt the right for local governments and states to apply more stringent requirements;

- FDA should eliminate the flushing recommendation from existing drug labels and not allow future drug labels to include the recommendation that leftover drugs be flushed; and,
- Federal Law should allow for the anonymous take back of any and all pharmaceuticals so as to encourage participation in the turn-back program.

With these changes, states can safely pass legislation to mandate that pharmaceutical companies take back their drugs for proper disposal.

Sponsor

Solid Waste Management Committee

Water Resources Management Committee