

# Pharmaceutical Producer Responsibility Ordinances

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SAN FRANCISCO, SAN MATEO, SANTA CLARA & MARIN COUNTIES

NOVEMBER 4, 2015 WEBINAR

PLEASE BE  
ADVISED

This webinar is being recorded

Information provided in this webinar is advisory only and does not constitute legal advice or interpretation

# Facilitating the Webinar Today

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Connect!



# The Four Counties

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City and County of San Francisco



County of San Mateo



County of Santa Clara



County of Marin

# Why Local Ordinances?

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## RESIDENTS WANT SAFE DISPOSAL OPTIONS



For a more complete explanation, watch this presentation by Debbie Raphael <http://bit.ly/1GikL2p>

# All Four Ordinances Use a Policy Approach Called Producer Responsibility

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No tax dollars

No garbage service fees

No consumer advance disposal fees



For more information on Producer Responsibility policy and programs  
visit [www.calpsc.org](http://www.calpsc.org)

# Most kinds of medicine intended to be used in the home are included

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## “Covered Drug”

Prescription  
Controlled Substance  
Generic  
Brand Name  
Over-the-Counter (non-prescription)  
Veterinary

## NOT “Covered Drug”

Vitamin  
Nutritional Supplement  
Cosmetic  
Personal Care Product  
Drugs for which manufacturer already provides Product Stewardship or take-back

## Multiple Roles

An individual company may have multiple roles – and responsibilities – under all four Ordinances

**WHOLESALER**

**RETAILER** Whose Label is on a Product

**REPACKAGER** Whose Label is on a Product

**PRODUCER**



# WHOLESALERS

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Purchase medicines for resale and then sell them in, or into, one of the four Counties

Must provide information on the manufacturers from whom they purchase covered drugs to each County

Must update information annually – coordinated reporting available

Wholesalers have no other obligations under the Ordinances

# Retailers & Repackagers Whose Label is on a Product

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Only applies to those whose label is on a covered drug or its packaging

Must provide information on the manufacturers from whom they purchase covered drugs – coordinated reporting available

Must notify each county as to whether those manufacturers have or will submit a Notice of Intent – coordinated reporting available

Must update information on request

Retailers and repackagers have no other obligations under the Ordinances

# PRODUCERS

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Must establish or participate in a Program that coordinates and funds collection of all covered drugs at a minimum number of sites in each County

Must fund and coordinate transportation from collection site to final disposition

Can act alone, cooperate together, or join and be represented by a product stewardship organization or business



# Convenience Standards

minimum number of drop-off sites in each county

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San Francisco	Five sites per supervisorial district (11 districts) - 55 sites citywide
San Mateo	One site for every 20,000 residents, at least five sites per supervisorial district (5 districts)
Santa Clara	One site for every 20,000 residents, geographically distributed
Marin	25 sites, geographically distributed

# Producers or their Agent

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Must fund the provision of mail-back envelopes for homebound residents

Must fund incineration disposal of collected medicines unless an alternative technology is approved

Must contact all potential collection sites and invite them to participate in their Program

Must conduct biennial surveys of local residents and health professionals to evaluate the effectiveness of their Program

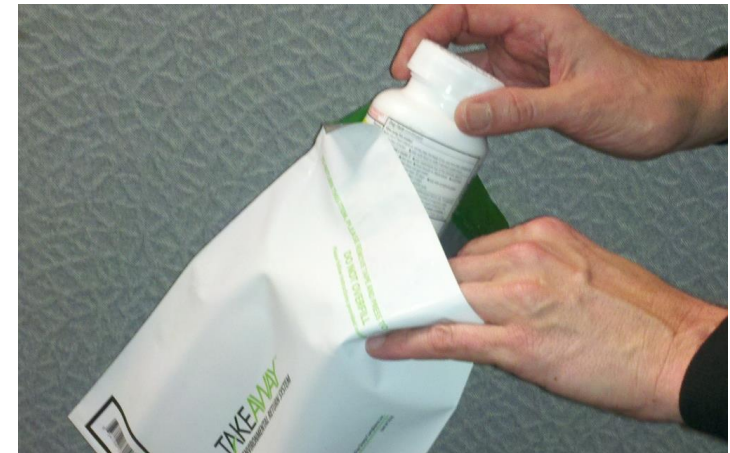
# Producers or their Agent

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Must describe their Program in a written Plan that discusses all required components

Program Plans must be approved by each County

Program Plans must be updated at least every four years



All Programs Must  
Use Common  
Advertising within  
each County

Website

Toll-Free Phone Number

In Multiple Languages

Advertising can be the same  
across all four counties, but  
not required

**SAFE MEDICINE DISPOSAL HERE**

藥物可在此處安全棄置      DEPOSITE SUS  
MEDICAMENTOS AQUI



**To find more sites in San Francisco:**  
尋找更多位於舊金山的地點:  
**Para encontrar más sitios en San Francisco:**

 **sfenvironment.org/recyclewhere**  
**(415) 355-3700**

San Francisco residents only.  
必須是三藩市居民。  
Para los residentes de San Francisco solamente.

Controlled substances are only accepted at police stations.  
受控藥物只接受在預定的警察局。  
Se aceptan sustancias controladas en la delegación de policía de SF solamente.



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# All collection points and envelopes must accept ALL covered drugs

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Including controlled substances



# Collection sites must follow DEA rules

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GENERALLY, COLLECTION IS LIMITED TO EXISTING DEA REGISTRANTS



Retail pharmacies  
Narcotic treatment  
programs  
Law Enforcement

# Enforcement

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Each County will administer penalty provisions separately

Must send warning letter

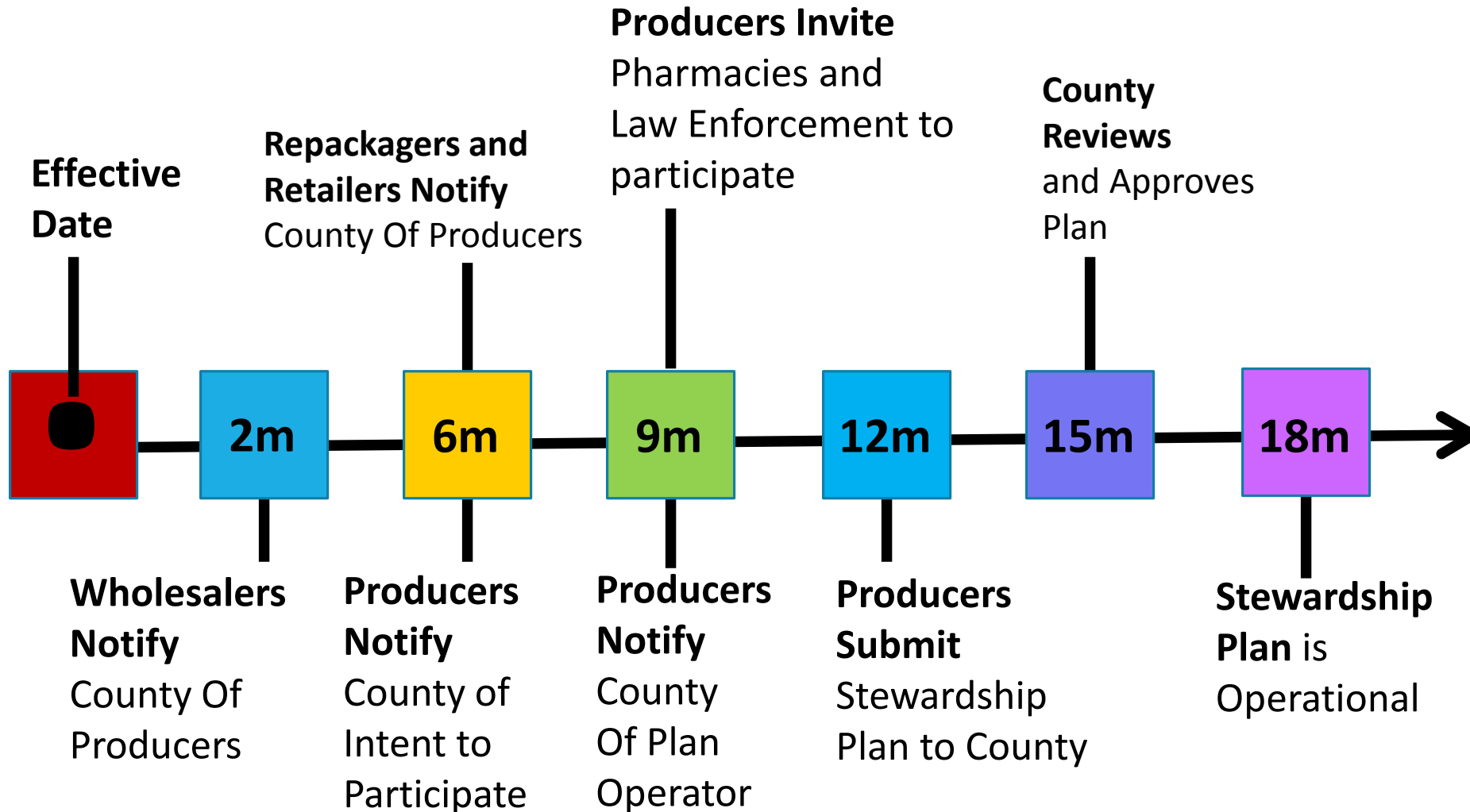
Civil penalty or fine of up to \$1,000 per day per violation

Criminal penalties if violation is knowing and willful

All four ordinances give Producers a private right of action to enjoin violations or compel compliance



# General Implementation Timeline



# Ordinance Effective Dates



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Effective Date: April 25, 2015



Effective Date: May 28, 2015



Effective Date: June 23, 2015



Effective Date: September 11, 2015

# Contact Info

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