

Op-ed urges reclassification of pseudoephedrine

By Michael Johnsen

WASHINGTON (Jun. 1) Former White House drug policy spokesman Robert Weiner and Jonathan Battaglia, a policy analyst at Robert Weiner Associates, on Tuesday released a statement advocating the reclassification of pseudoephedrine as a prescription-only pharmaceutical.

In an op-ed in *The State*, South Carolina's largest newspaper, Weiner and Battaglia claimed that Oregon has taken the step and in the three years since 2006 enactment, has cut the methamphetamine crisis in half.

The co-authors suggested that the current federal legislation, the Combat Methamphetamine Epidemic Act, does not go far enough with daily and monthly sales limits for pseudoephedrine.

“The result was a confusing process for retailers and the arrests of law-abiding people with no other motive but getting rid of their cold or allergies,” the two wrote.

The Consumer Healthcare Products Association has been working toward a workable solution that doesn't entail reclassifying PSE as a nonprescription offering. The association in April officially called on Congress to amend and strengthen the federal Combat Methamphetamine Epidemic Act by requiring nationwide electronic tracking for all over-the-counter sales of cold-and-allergy medicines containing pseudoephedrine.

The proclamation came as the Senate Caucus on International Narcotics Control held a hearing on “The Status of Meth: Oregon's Experience Making Pseudoephedrine Prescription Only.”

“E-tracking is the only solution that will immediately block illegal sales and prevent criminals from buying illegal amounts of PSE to manufacture methamphetamine,” the CHPA stated. CHPA president Linda Suydam committed on behalf of industry to fund a national system and work with the retail community to expand the National Precursor Log Exchange system currently being implemented in eight states that have passed e-tracking legislation.

The NPLeX e-tracking system works in real time to stop individuals from exceeding package limits when purchasing PSE-containing medicines. Using sales records that retailers are already required to keep and which only are made available to law enforcement, NPLeX works across state lines and provides law enforcement with an effective tool to stop methamphetamine production.

“We are asking Congress to significantly improve the Combat Methamphetamine Epidemic Act by leveraging cutting-edge technology to block illegal pseudoephedrine sales nationwide,” Suydam stated. “Electronic tracking offers the best solution to reducing methamphetamine labs without imposing a costly

and unnecessary prescription mandate. Our goal is to stop illegal pseudoephedrine sales while maintaining important over-the-counter access to the 15 million consumers who rely on these medicines each year.”

Ten states already have adopted laws requiring retailers to use an e-tracking system to track PSE sales, CHPA noted, including: Alabama, Arkansas, Illinois, Iowa, Kansas, Kentucky, Louisiana, Missouri, Oklahoma and Washington. Attorneys general from Alabama, Kansas and Washington submitted letters to the caucus noting their support for electronic tracking and urged consideration of e-tracking at the federal level.

CHPA is funding NPLeX in eight of these states to help retailers to comply with these new laws. Only two states, Oregon and Mississippi, have instead elected to make PSE medicines available by prescription only. Local municipalities within Missouri, but not the entire state, have adopted similar legislation.

Suydam told the caucus that, “when contrasted with electronic tracking, prescription mandates simply fall short. A prescription mandate would be more expensive to consumers, sales limits from [the Combat Meth Act] would no longer apply, and there would be no system for real-time blocking of illegal prescription sales within states or across state lines.”

Suydam also challenged the effectiveness of Oregon’s prescription-only law, noting that most of Oregon’s lab reductions occurred prior to the state’s prescription mandate and that states across the West achieved similar results without such a burdensome restriction.

“The industry supports federal legislation requiring nationwide tracking, and we are asking that the current paper system be modernized to provide a system that will work seamlessly and more effectively across all states,” said Suydam. “E-tracking systems like NPLeX are the most effective tool we have to systematically address methamphetamine production in this country. A multistate approach to electronic pseudoephedrine sales tracking offers more benefits for law enforcement and consumers than a prescription mandate, but without the substantial and unnecessary costs of a prescription approach.”