

NYS Announces New Initiative to Protect Consumers and Waterways from Unsafe Disposal of Unused Prescription Medicines

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DEC programs encourage pharmacies to 'Take Back' medicines.

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Albany, NY - February 2, 2017 - The New York State Department of Environmental Conservation (DEC) announced two new initiatives to encourage the proper management and disposal of products potentially harmful to public health and the environment. The Pharmaceutical Take-back Program is a \$1 million pilot program promoting the proper disposal of unwanted or unused prescription medicines that covers the costs of consumer drug collection boxes and disposal for two years.

The State's second initiative, the Environmental Audit Incentive Program, offers incentives to pharmacies to better identify, manage, and properly dispose of certain materials currently regulated under the federal Resource Conservation and Recovery Act (RCRA), including some medicines, batteries, ignitable liquids, and lamps containing mercury.

"Over the last year, DEC has worked with pharmacies, groceries, and other businesses to protect consumers and the environment from the unsafe and irresponsible disposal of prescription medicines and other materials such as batteries," said DEC Commissioner Basil Seggos. "DEC's new initiatives for pharmacies demonstrate Governor Cuomo's commitment to protecting the environment and New Yorkers while working cooperatively with the business community. I'd like to thank Environmental Conservation Committee Chair Steve Englebright and the New York State Assembly for their leadership in ensuring this funding was included in the historic 2016 \$300 Million Environmental Protection Fund."

Unused medicines that are not safely disposed of and destroyed can reach bodies of water and adversely impact aquatic life. There are also real concerns about unused pharmaceuticals getting into the wrong hands. According to recent reports by the Center for Disease Control, one U.S. citizen dies every 14 minutes from a drug overdose, or 100 deaths per day. Today, unintentional prescription opioid overdose kills more Americans than cocaine and heroin combined, and drug abuse has surpassed motor vehicle accidents as the leading cause of injury and death. The U.S. government has declared this public health threat an epidemic.

Health Commissioner Dr. Howard Zucker said, "Prescription drugs provide great medical benefits to those who need them. But when they're no longer needed, they should be properly disposed of to help prevent prescription drug abuse. Providing a safe and easy way for consumers to dispose of unused prescription medicine through their local pharmacy can make people and the environment safer and healthier."

The 2016-17 State Budget included \$1 million through the Environmental Protection Fund for the statewide pilot take-back program, which will be used to cover the full cost of purchasing U.S. Drug Enforcement Administration (DEA)-compliant medication drop boxes, as well as the cost of pick up, transport, and destruction of all collected waste pharmaceuticals by a DEA-registered reverse distributor for a period of two years. Pharmacies that would like to participate in this program are encouraged to apply on-line at the [Pilot Pharmaceutical Take-back Program](#) web page on DEC's website. The deadline for applications is May 1, 2017.

Pharmacies have been subject to RCRA requirements for years, but widespread compliance issues have become apparent. Under DEC's unique Environmental Audit Incentive program for pharmacies, participants will sign an audit agreement and be given time to adopt best practices. Participating pharmacies will then audit their operations, disclose violations to DEC, and take corrective action to address identified violations within a specific time frame. Program incentives include streamlined but equally protective regulatory requirements and a waiver of penalties for violations that fall within the scope of the agreement.

Pharmacies interested in entering the audit program and / or the pilot pharmaceutical take-back program must return a signed agreement to DEC no later than May 1, 2017. [More information](#) can be found on DEC's website.

"Increasing the availability of drug collection options is an important investment. Keeping pharmaceuticals out of the wrong hands and out of our water is a win-win for public health and the environment," said Assemblyman Steve Englebright, Chair of Assembly Committee on Environmental Conservation.

"We know from experience that drug take-back programs work," said Scott Cassel, CEO of the Product Stewardship Institute. "The 2016 drug take-back pilot we ran at five New York pharmacies collected an impressive quantity of leftover medicines, improved resident awareness of the risks posed by leftover drugs, and increased foot traffic for our participating pharmacies. Four out of five pharmacies agreed to continue collections."

"We would like to thank the Department of Environmental Conservation for their collaborative approach to RCRA compliance," said Michael Rosen, President and CEO of the Food Industry Alliance of New York State. "The industry has been afforded an excellent opportunity to confirm its programs are in accordance with proper standards. We look forward to additional partnerships in the future."

"Pharmacists across New York State share the concerns of DEC regarding the proper disposal of prescription medications and commend them for funding a statewide pilot take-back program to cover the cost of compliant medication drop boxes and related destruction costs," said Kathy Febraio, Executive Director of the Pharmacists Society of the State of New York. "This program will increase protection of the environment and improve public safety without placing an undue burden on community pharmacy."

"We appreciate the collaborative manner in which State officials have engaged with stakeholders around RCRA education and compliance," said Mike Duteau, RPh, President, Chain Pharmacy Association of New York State. "In particular, we thank the State Department of Environmental Conservation for spearheading this effort and look forward to continuing to partner around this and other important issues in New York State."

"Commissioner Seggos is offering pharmacies and grocery retailers an opportunity that in my experience of over 40 years as a federal environmental regulator and environmental consultant is simply unprecedented," said Richard Walka, Senior Vice President of Dvirka and Bartilucci Consulting Engineers. "Through these initiatives, pharmacies will be able to come into compliance with RCRA, advance a much needed program to keep unused medicines out of the environment, and protect their bottom line from costly mismanagement and the penalties associated with traditional regulatory enforcement mechanisms."

"The most convenient place for the public to dispose of expired or unwanted drugs is the same pharmacy where they were purchased. King Kullen pharmacies launched a safe disposal program at their 11 pharmacies and collected over 3,000 lbs. of drugs in 2 ½ years. DEC's well-crafted plan will substantially increase safe options for the public, protect our drinking and coastal waters, and public health. Most importantly, DEC's program will help address the emerging issue of pharmaceutical contamination in water and help prevent the threat of these contaminants from increasing. Our morning coffee should have coffee, milk, and sugar, not codeine and anti-depressants," said Adrienne Esposito, Executive Director, Citizens Campaign for the Environment.

"The Business Council of New York State applauds the tireless commitment and significant effort that Commissioner Seggos and the staff at the Department of Environmental Conservation (DEC) put into the development of these two new initiatives which will aid in protecting public health and the environment," said Darren Suarez, director of government affairs for The Business Council of New York State, Inc. "The special audit initiative developed by the DEC will protect the environment, and significantly reduce the uncertainty that hospitals, pharmacies and other healthcare-related facilities have faced trying to comply with the RCRA Subtitle C hazardous waste regulations. Well-crafted environmental auditing is a proven tool in protecting human health and the environment by identifying, correcting, and ultimately preventing violations of environmental law and regulations."