

Steven C. Anderson, IOM, CAE
President & Chief Executive Officer

December 13, 2011

The Honorable Dianne Feinstein
United States Senate
Washington, DC 20510

The Honorable Jeff Sessions
United States Senate
Washington, DC 20510

Dear Senators Feinstein and Sessions:

I am writing to offer our strong support for your bill, "The Online Pharmacy Safety Act of 2011." Your legislation will take important and long overdue steps to protect the American public from unscrupulous Internet drug sellers that prey on unsuspecting Americans by posing as legitimate pharmacies while deceptively selling counterfeit, adulterated or misbranded medicines. Nothing is more important to retail chain pharmacies than the health and safety of the patients they serve. That is why we applaud your leadership and pledge to work with you to help pass this important legislation as quickly as possible.

413 North Lee Street
Alexandria, Virginia
22314

The normal prescription drug distribution system in this country is secure and our system of safeguards is strong. Americans can trust that the prescription medicines dispensed by their local licensed pharmacies -- like those belonging to NACDS -- are safe and effective. In fact, instances of counterfeit or adulterated medicines being obtained from legitimate state licensed pharmacies are virtually non-existent. Still, NACDS is on record supporting efforts to improve the drug distribution system, particularly given the increasingly global nature of the sourcing and manufacturing of prescription medicines.

While the normal drug distribution system is sound, your legislation addresses a dangerous gap in the existing safeguards that protect Americans -- rogue Internet drug sellers. Consumer health and safety is at risk from these illegitimate online drug sellers. With flagrant disregard of U.S. laws, these illegal entities sell controlled substances and other medicines without a prescription, they violate existing requirements for a valid patient-prescriber relationship and circumvent basic regulations mandating that drugs be dispensed through a licensed pharmacy.

Unfortunately, this growing problem is very real and dangerous. Research shows that one in six Americans -- more than 36 million consumers -- has purchased prescription medication online without a valid prescription. Research also shows that up to 96% of the online prescription drug websites that consumers encounter are illegitimate. The problem is exacerbated because these rogue sites purposely masquerade as legitimate pharmacies, duping innocent Americans into purchasing unsafe or fake medicine. As a result, Americans' health is put at risk and the costs to the nation's healthcare system rise dramatically.

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Your legislation will protect Americans against this growing threat by ensuring they have the resources they need to access safe and legitimate online pharmacies. The bill requires the Department of Health and Human Services (HHS) to create a public registry of law-abiding pharmacy websites so that consumers who choose to purchase medicine online will have confidence in the source of their medication. Additionally, the legislation would update federal law regarding what constitutes a "valid prescription," clarifying that both controlled and non-controlled substances require a valid prescription for purchase. Because of these and other commonsense steps to protect the American public, we wholeheartedly endorse your legislation.

Again, we thank you for your strong commitment to protecting the health and safety of the American public through this thoughtful and strong bill. As Congress continues to debate issues related to prescription drug safety, distribution and access, we believe that the "Online Pharmacy Safety Act" should be an integral part of that discussion and that its enactment should be a top priority.

We look forward to continuing to work with you on this important issue. If you have any questions, please contact Paul T. Kelly, Vice President, Federal Government Affairs.

Sincerely,



Steven C. Anderson, IOM, CAE
President and CEO

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The National Association of Chain Drug Stores (NACDS) represents traditional drug stores, supermarkets, and mass merchants with pharmacies – from regional chains with four stores to national companies.

Chains operate more than 40,000 pharmacies and employ more than 3.5 million employees, including 130,000 pharmacists. They fill over 2.6 billion prescriptions annually, which is more than 72 percent of annual prescriptions in the United States. The total economic impact of all retail stores with pharmacies transcends their \$900 billion in annual sales. Every \$1 spent in these stores creates a ripple effect of \$1.81 in other industries, for a total economic impact of \$1.76 trillion, equal to 12 percent of GDP. For more information about NACDS, visit www.NACDS.org.