

COMMUNITY DEVELOPMENT AGENCY  
**ENVIRONMENTAL HEALTH SERVICES DIVISION**

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July 28, 2015

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**SUBJECT:**

Dear Board Members:

**RECOMMENDATION:**

Conduct the first reading of the proposed ordinance for approval and schedule a merit hearing for August 11, 2015 at 10:30 am.

**SUMMARY:**

The proposed ordinance would add Chapter 7.90 to the Marin County Code (Safe Drug Disposal), requiring any producer of prescription and over-the-counter drugs offered for sale in Marin County to participate in an approved drug stewardship program for collection and disposal of home generated medications.

**DISCUSSION:**

Pharmaceutical medications by prescription or over-the-counter when taken as directed, allow us to maintain or improve our health. However, medications often are not completely consumed when they are purchased. As a result, most households have leftover, unwanted, or unused medications. Studies show that in the U.S. up to 33% of medications go unused annually.

Unused medications are causing harm to human and environmental health. Easy availability of unused medications leads to inadvertent misuse, such as seniors with multiple medications becoming confused and taking more medications than prescribed, or children getting into medications. Unused medications are also a source of drugs of addiction and pose significant risks of abuse, which can result in accidental poisoning or suicide.

Although these hazards can be reduced through removal of unwanted medications from homes, few options for safe and convenient disposal exist in most communities. As a result, the drugs are frequently left in homes, flushed down sinks or toilets or tossed in the garbage. Disposal by flushing or by tossing into the garbage have significant environmental consequences, particularly related to water quality. Sewage treatment plants are unable to remove pharmaceutical compounds from wastewater. Studies have shown pharmaceutical compounds in local waterways and San Francisco Bay. The bioactive agents can harm aquatic organisms including fish. Tossing drugs into the garbage puts medications into landfills and have the potential to enter into groundwater.

The County in cooperation with the sanitary districts have provided safe drug disposal for county residents by establishing the County pharmaceutical take-back program in 2005. The 16 collection sites are voluntary with most along the Highway 101 corridor. Unfortunately, limited funding has hampered expansion of more collection sites and program promotions.

The proposed Safe Drug Disposal Ordinance would address the above by establishing a greater number of collection sites to a minimum of 25, geographically located in the five supervisorial districts. Additionally, the public would be educated about proper drug disposal, the drug disposal program, and mail-back alternatives for people unable to travel.

The proposed Ordinance will require pharmaceutical manufacturers to manage and fund a comprehensive program to collect and dispose of County residents' unwanted prescription and over-the-counter drugs. The ordinance would make it easier for residents to safely dispose of these medications by providing more collection sites geographically located throughout the county. The proper disposal of medications would help reduce risks to health and the environment.

The ordinance is based on the concept of "extended producer responsibility" which makes the product manufacturers financially responsible for the full costs of their products (including disposal). Safe drug disposal ordinances based on the extended producer responsibility model have recently been adopted in Alameda County, the City and County of San Francisco, San Mateo County and Santa Clara County.


**FISCAL IMPACT:**

\$40,000 in one-time, non-departmental funding is available for anticipated start-up costs associated with the implementation of the program, including a 0.50 FTE 1-year limited term or extra hire support position. The program will become self-sufficient as fees will be charged to the Pharmaceutical Producers for ongoing program activities.

The fees will be established for consideration by the Board of Supervisors soon after the ordinance adoption – including options to potentially recover the one-time start-up funds.


<b>REVIEWED BY:</b>	<input checked="" type="checkbox"/> County Administrator	<input type="checkbox"/> N/A
	<input type="checkbox"/> Department of Finance	<input checked="" type="checkbox"/> N/A
	<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
	<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

Respectfully submitted:




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Deputy Director, EHS




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Matthew Willis, M.D.  
Health Officer, H&HS

**ATTACHMENTS:**  
Proposed Ordinance  
Letter of Support from Environmental Groups