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Subcommittee Hearing Statement

**Generation Rx: The Abuse of Prescription
and Over-the-Counter Drugs**

**United States Senate
Committee on the Judiciary
Subcommittee on Crime and Drugs
and The Senate Caucus on International Narcotics Control
Room 226 of the Senate Dirksen Office Building**

March 12, 2008

Statement of the Consumer Healthcare Products Association

The Consumer Healthcare Products Association (CHPA) appreciates the opportunity to submit this written statement to the U.S. Senate Judiciary Subcommittee on Crime and Drugs and the Senate Caucus on International Narcotics Control. CHPA is the national trade association representing the leading manufacturers of nonprescription, over-the-counter (OTC) medicines.

CHPA and its member companies take seriously our obligation to educate and raise awareness among consumers, parents, community leaders, and policymakers about medicine abuse. CHPA is committed to continuing the fight against medicine abuse, including through partnerships with such key organizations as the Partnership for a Drug-Free America, the Community Anti-Drug Coalitions of America, and D.A.R.E. America. Our programs already have reached 100 million people across the country. In addition, our member companies that make OTC cough medicine are moving ahead to incorporate an

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informational icon on product packaging that will direct parents to our comprehensive web site, www.StopMedicineAbuse.org.

We also thank Senator Biden for his introduction last year of a resolution that established August 2007 as "National Medicine Abuse Awareness Month." As described further below, CHPA and its partners leveraged this recognition to spread awareness of cough medicine abuse to communities nationwide.

In addition to our long-term commitment to education and awareness, CHPA supports federal legislation that would ensure that raw, unfinished dextromethorphan—the active ingredient in cough medicine—does not fall into the wrong hands, and that minors under the age of 18 are not allowed to purchase cough medicine.

In our efforts to educate parents, we've learned that far too many parents and teens see medicine abuse as less risky behavior than the abuse of illicit drugs. According to research conducted by the Partnership for a Drug-Free America, one in five teenagers has abused prescription medicines, and one in 10 teenagers—or about 2.4 million young people—reports having abused cough medicine to get high. These teens are intentionally taking excessive amounts of OTC cough medicines—sometimes up to 50 times the recommended dose—to get "high" from the active ingredient dextromethorphan (sometimes referred to as "DXM").

First approved by the U.S. Food and Drug Administration in the 1950s, dextromethorphan is a safe and effective ingredient found in well over 100 over-the-counter cough and cold medicines. Dextromethorphan is an effective, non-narcotic cough suppressant that works by raising the coughing threshold in the brain; it has no pain relieving properties and is not addictive. While dextromethorphan is used safely by millions of Americans each year to relieve coughs due to the common cold or flu, parents need to be aware that some teenagers and young adults intentionally abuse OTC medicines containing dextromethorphan to get high.

Federal Legislation

The leading manufacturers of cough medicines support both federal and retailer efforts to implement sales restrictions prohibiting the purchase of products containing dextromethorphan by those under the age of 18. We commend Chairman Biden and Senators Grassley, Durbin, and Feinstein for introducing S. 2274, the “Dextromethorphan Abuse Reduction Act of 2007,” which would establish this sales restriction.

CHPA also supports federal legislation that would make it illegal for anyone who is not appropriately licensed under federal or state law to possess or distribute raw, unfinished dextromethorphan. Currently, there are no restrictions on the sale of raw, unfinished dextromethorphan. While there are no reports of unfinished dextromethorphan being illegally diverted from the supply chain, there are a few cases in which unfinished dextromethorphan was purchased and purposely distributed as a drug for abuse. Because unfinished dextromethorphan is the form of the ingredient that poses the most risk when abused, and several deaths have been associated with abuse of the raw ingredient, it is critical that Congress make the illicit distribution of unfinished dextromethorphan illegal.

The Dextromethorphan Abuse Reduction Act proposes to classify unfinished dextromethorphan under Section V of the Controlled Substances Act. On October 15, 2007, the U.S. House of Representatives unanimously passed a bill that takes a different approach to controlling distribution of unfinished dextromethorphan, by simply prohibiting the possession or distribution of raw dextromethorphan by anyone who does not have a legitimate need for it. This bill, the “Dextromethorphan Distribution Act of 2007” (H.R. 970), further establishes that illicitly distributed unfinished dextromethorphan is considered adulterated, giving the U.S. Food and Drug Administration authority to seize it wherever it is found. The House also passed similar legislation in 2006.

Senator Murray has introduced a Senate companion to the Dextromethorphan Distribution Act, S. 1378. CHPA thanks Senator Murray for her leadership, and urges Congress to enact restrictions on the sale and distribution of raw, unfinished dextromethorphan this year.

CHPA Education and Awareness Programs

As the makers of over-the-counter medicines, CHPA member companies take medicine abuse very seriously and are committed to effectively addressing this dangerous problem. While national sales restrictions and preventing raw dextromethorphan from falling into the wrong hands would serve as major steps forward in reducing cough medicine abuse, education remains paramount. We are spearheading several major campaigns to raise awareness of dextromethorphan abuse, all of which can be accessed through our comprehensive web site, www.StopMedicineAbuse.org.

In 2003, CHPA and the Partnership for a Drug-Free America began an ongoing initiative to ensure that adults with influence and oversight over young people are aware that teens may be considering abusing medicines containing dextromethorphan. In May 2006, our two organizations began the Rx and OTC Medicine Abuse Education Campaign. This multi-year communications campaign helps parents and families understand and prevent the abuse of medicines, including cough medicines containing dextromethorphan, by teenagers and young adults.

Specifically, CHPA and the Partnership are:

- Distributing television, radio, and print public service announcements to help raise parental awareness;
- Disseminating an educational brochure for parents, *Preventing Teen Cough Medicine Abuse: A Parent's Guide*, in English and Spanish.
- Operating a parent-oriented web site with information on dextromethorphan abuse, as well as a teen-oriented site—www.dxmstories.com—to provide teens with accurate information; and
- Presenting information to a variety of organizations, including parent groups, educator associations, the poison control center network, health professional organizations, and law enforcement.

CHPA also joined forces with the Community Anti-Drug Coalitions of America (CADCA) to develop a new educational community toolkit to help coalition and prevention leaders mobilize their communities and educate key stakeholders about the dangers of OTC cough medicine abuse. CADCA represents over 5,000 community coalitions nationwide. This toolkit, which is available at www.DoseofPrevention.org, was unveiled at CADCA's National Leadership Forum in February 2007.

Dovetailing with the recognition of August 2007 as "National Medicine Abuse Awareness Month," CHPA and CADCA hosted town hall meetings around the country during last year, supported by local CADCA affiliates. CHPA continues to support and participate in such town hall meetings, including an upcoming meeting with Senator Grassley scheduled on March 27th in Clinton, Iowa. Communities interested in hosting their own town hall meetings have access to all materials via www.DoseofPrevention.org.

Because of the importance of the online community in raising awareness about medicine abuse, CHPA launched in May 2007 "Five Moms: Stopping Cough Medicine Abuse," an online grassroots campaign to help parents fight teen medicine abuse. At the heart of the Five Moms Campaign are five exceptional women, from different walks of life and areas of the country, who are all dedicated to spreading the word about the dangers of cough medicine abuse.

This campaign uses the very same tactics as medicine abusers: spreading and promoting information on the Internet. The Five Moms' goal is to get the word out to as many parents as possible that cough medicine abuse is happening in their homes, and that the Internet is a driving force. Through their website www.FiveMoms.com, the Five Moms offer information about cough medicine abuse. These remarkable women have reached 25 million people with this powerful campaign, and continue to reach many more.

To address this form of abuse in the schools, CHPA, the Pharmaceutical Research and Manufacturers of America (PhRMA) and Abbott Laboratories teamed up with D.A.R.E. America to launch a new, specialized curriculum for fifth-, seventh-, and ninth-graders that targets students with strong messages about medicine respect and against the abuse of

prescription and over-the-counter drugs. These lessons are designed to be taught after students complete their regular D.A.R.E. curriculum. D.A.R.E. America's Rx and OTC Drug Abuse Curriculum was developed with the support and expertise of law enforcement officers, the U.S. Office of National Drug Control Policy, the National Council on Patient Information and Education, the U.S. Drug Enforcement Agency, the U.S. Food and Drug Administration, the National Institute of Drug Abuse, the Substance Abuse and Mental Health Services Administration's Center for Substance Abuse Treatment (SAMHSA/CSAP), and the Partnership for a Drug-Free America.

Conclusion

Thank you again to the members of the Subcommittee and the Caucus for the opportunity to address the important topic of medicine abuse. In addition to maintaining and expanding our innovative programs, CHPA continues to reach out to many organizations, including parent groups, education associations, health professional societies, law enforcement, the retail community, pharmacists, and others to raise awareness of medicine abuse and how to fight it.

CHPA is pleased to see strong leadership in Congress on this issue, and urges the enactment of federal legislation ensuring that raw, unfinished dextromethorphan does not fall into the wrong hands, and that minors under the age of 18 are not allowed to purchase cough medicine.