

County Board of Supervisors Introduces Pharmaceutical Take Back Ordinance

On June 9, the Santa Clara County Board of Supervisors adopted a Safe Drug Disposal Ordinance requiring pharmaceutical companies to design, operate, and fund a program to safely dispose of residents' unwanted drugs. The ordinance is based on an Alameda County law that recently survived legal challenges from the pharmaceutical industry when the U.S. Supreme Court declined to accept an appeal of a lower court decision that upheld the ordinance.

Pharmaceutical companies will have one year to submit to Santa Clara County a plan for safe drug disposal. That plan must include:

- Establishing over 90 secure drug disposal drop boxes in pharmacies and law enforcement agencies throughout the county – with a minimum of 10 for each supervisorial district.
- Giving homebound and disabled residents the option of sending in unwanted drugs by mail.
- Holding periodic public drug collection events.
- Securely transporting and destroying drugs at a permitted waste disposal facility, in compliance with state and federal law.

Staff expects that the industry plan will offer convenient disposal options to residents and allow the City to consider discontinuing the current acceptance of pharmaceuticals at Sunnyvale fire stations. That service cost the City over \$16,000 in disposal costs last year.

Meanwhile, little progress has been seen in Sacramento on this topic. SB 45 (Mullin) would require cities to implement costly pharmaceutical waste collection services at ratepayer/taxpayer expense. AB 1159 (Gordon) would require industry to work with local jurisdictions to establish pilot programs for “sharps” (needles, lancets, etc.) and household batteries. Both bills are technically still alive, but failed to pass out of their houses of origin by the deadline and are now “two-year” bills. The City has sent letters opposing SB 45 and supporting AB 1159.

Additional questions can be directed to Mark Bowers, Solid Waste Programs Division Manager, at 408-730-7421 or mbowers@sunnyvale.ca.gov.