



AGENDA
SPECIAL MEETING
JOINT CHOWCHILLA CITY COUNCIL /
★ REDEVELOPMENT SUCCESSOR AGENCY

Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

January 12, 2016

Items denoted with a ★ are Redevelopment Successor Agency items and will be acted upon by the Redevelopment Successor Agency Board. Agendas for all City Council/Redevelopment Successor Agency Special Meetings are posted at least 24 hours prior to the meeting at the Civic Center, 130 S. Second St., Chowchilla, CA.

Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter. In addition, most documents will be posted on the city website at www.ci.Chowchilla.CA.US.

The City of Chowchilla complies with the Americans with Disabilities Act (ADA of 1990). The Council Chambers is accessible to the physically disabled. If you need special assistance, please call (559) 665-8615, ext. 112 at least 4 days prior to the meeting.

CALL TO ORDER

ROLL CALL

Mayor/Chairman: Waseem Ahmed

Mayor Pro Tem/Vice Chair: Mary Gaumnitz

Council/Board Member: John Chavez, Dennis Haworth, Richard Walker

NEW BUSINESS – Section 1

1.1 Authorization Inclusion in the California Product Stewardship Council (CPSC) Letter Requesting the US Food and Drug Administration (FDA) to End the Recommendation That Certain Medications be Disposed of by Flushing (Locke)

ADJOURNMENT

PUBLIC NOTIFICATION

I, Joann McClendon, Interim City Clerk for the City of Chowchilla, declare under penalty of perjury that I posted the above City Council/ Redevelopment Successor Agency Agenda for the Special Meeting of January 12, 2016 at the Chowchilla Civic Center, 130 S Second Street on January 11, 2016 by 5:00 p.m.

Joann McClendon, CMC
Interim City Clerk



REPORT TO THE CITY COUNCIL

Special Council Meeting of January 12, 2016

Agenda Section: New Business

SUBJECT: **Authorization Inclusion in the California Product Stewardship Council (CPSC) Letter Requesting the US Food and Drug Administration (FDA) to End the Recommendation That Certain Medications be Disposed of by Flushing**

Prepared By: Craig Locke, City Engineer/Public Works Director

Authorized By: Craig Locke, City Engineer/Public Works Director

Approved By: Brian Haddix, City Administrator

RECOMMENDATION:

Staff recommends that the City Council show support for the CPSC and request the FDA to align its medicine disposal guidance with that of other local and federal agencies.

HISTORY / BACKGROUND:

Expired prescription drugs are dangerous and have the potential to be harmful or fatal if consumed. Flushing expired prescription medications can result in pharmaceutical pollution that harms the aquatic ecosystem and can enter the food chain. Although waste water treatment plants are effective with human waste, they are not configured to remove pharmaceutical contamination and to do so would be costly. Despite these facts, the FDA still recommends that certain medications be disposed by flushing.

The US Drug Enforcement Agency (DEA) regulated the Secure & Responsible Drug Disposal Act which supports secure medicine take-back programs in many communities. The FDA's stance on medicine disposal is inconsistent with other federal agencies and often in conflict with state and local regulations. This inconsistency has the potential to undermine efforts to establish local medicine take-back programs and regulations.

The City of Chowchilla has historically had a medicine take back facility program and has supported responsible programs to keep the citizens and environment safe. Earlier this year, the pilot program for prescription drug take back ended and the kiosk formerly located in the Police Department lobby, and was removed. Rather than using General Fund Dollars to enroll in a replacement drug take back program, staff has identified a low cost alternative program to be presented to Council later this month.

This program is sponsored by CPSC, the authors of this letter. They are dedicated to reducing the threats posed by unused prescription medication, and have authored the attached letter to Dr. Stephen Ostroff, M.D., Acting Commissioner of the U.S. Food and Drug Administration. By adding the City of Chowchilla name and seal to this correspondence, the City further demonstrates its commitment to the citizens and the environment.

FINANCIAL IMPACT:

There is no financial impact from adding the City of Chowchilla's support to this effort.

ATTACHMENTS:

Resolution

Draft letter to Dr. Stephen Ostroff, Acting Commissioner of the U.S.F.D.A

COUNCIL RESOLUTION # -16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA, CALIFORNIA,
AUTHORIZING INCLUSION IN THE CALIFORNIA PRODUCT STEWARDSHIP COUNCIL
(CPSC) LETTER REQUESTING THE UNITED STATES FOOD AND DRUG
ADMINISTRATION (FDA) TO END THE RECOMMENDATION THAT CERTAIN
MEDICATIONS BE DISPOSED OF BY FLUSHING**

WHEREAS, expired prescription drugs are dangerous and have the potential to be harmful or fatal if consumed; and

WHEREAS, disposal by flushing expired prescription medications can result in pharmaceutical pollution since waste water treatment plants are not capable of removing these contaminants; and

WHEREAS, the US Food and Drug Administration continues to recommend that certain medications be disposed by flushing; and

WHEREAS, the California Product Stewardship Council has undertaken to eliminate the flushing of expired prescription medications and resulting pharmaceutical pollution through drug takeback programs; and

WHEREAS, this resolution, if approved, will authorize the City Administrator to append the City of Chowchilla name and seal to the CPSC request that the FDA remove flushing medication from its recommended disposal mechanisms.

NOW, THEREFORE, LET IT BE RESOLVED that the City Council of the City of Chowchilla hereby finds and determines the following:

1. The above recitals are true and correct.
2. This resolution is effective immediately upon adoption.
3. City Council further authorizes the City Administrator provide the aforementioned support.

PASSED AND ADOPTED by the City of Chowchilla this 12th day of January, 2016 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mayor Waseem Ahmed

ATTEST:

Joann McClendon, CMC
Interim City Clerk

January 22, 2016

Dr. Stephen Ostroff, M.D.
Acting Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

RE: FDA Recommendations to Flush Certain Medications and Harmonize Federal Agency Messaging on Safe Medicine Disposal

Dear Commissioner Ostroff:

To protect public health and environmental quality, the signatories to this letter urge the FDA to work with the EPA, the DEA, and the White House Office of National Drug Control Policy to develop clear and consistent guidance to consumers on safe disposal of leftover household medications. **We call on the FDA to end its [recommendation](#) that certain medications be disposed by flushing, and to clarify that secure medicine take-back programs provide the best disposal method for leftover household medications.**

We appreciate the FDA's efforts to protect people from leftover medications that can be particularly harmful, even fatal, if abused or mistakenly consumed. However, the time has come for FDA to align its medicine disposal guidance with that of federal, state and local agencies who seek to protect both the public's health and our water quality.

Disposal of leftover medications by flushing contributes to pharmaceutical pollution that is harming aquatic ecosystems and entering our food web. Wastewater treatment plants are designed to remove human waste and easily degraded organics, and cannot effectively remove pharmaceuticals and other complex, synthetic chemicals. Because of this, some wastewater agencies have established laws, regulations, or guidance prohibiting flushing as a disposal method for pharmaceuticals. In these areas, FDA's recommendations infringe on wastewater districts' jurisdictional authority to protect public health.

While pharmaceuticals also enter wastewater through excretion, flushing of unwanted medication is a source that we have the ability and technology to control. The amount of leftover and expired medications in American homes is significant – estimated at 30-40% of all medications sold. It is critical to keep these pharmaceuticals from polluting our waterways by recommending secure and environmentally sound disposal through medicine take-back programs. Preventing pollution is always the most effective and least expensive option to protect public health and environmental health.

Many communities across the country now have medicine collection programs and the DEA's regulation to implement the Secure & Responsible Drug Disposal Act allows new options for take-back of prescription drugs that are controlled substances. We need clear and harmonized direction to the public and health practitioners on using medicine take-back programs, as well as ongoing efforts to increase access to secure medicine take-back programs in all communities.

Messages on medicine disposal are inconsistent between federal agencies and often in conflict with state and local regulations or guidance against flushing or trash disposal of leftover medications. This is confusing and frustrating for the public. Furthermore, the pharmaceutical industry takes advantage of inconsistencies in federal agency messaging to undermine efforts to establish local medicine take-back programs and regulations.

We therefore urge the FDA to end its “flush list” recommendation, and work to create a single disposal guidance that is endorsed by all federal agencies and consistently used on all federal websites and materials. The public should be directed to store medications securely in locked containers or cupboards, to use secure medicine take-back programs where available, never to flush medications, and to dispose of medications in the trash only as a last resort where allowed by local ordinances. We encourage adoption of the following, clear messages on safe medicine disposal:

1. To protect water quality, never flush unwanted medicine down any drain.
2. Use a community medicine take-back program for secure and safe medicine disposal. Check with local household hazardous waste, wastewater, or police departments for locations. Use the medicine manufacturer’s mail-back program if available.
3. Take leftover medicines to the Drug Enforcement Administration’s twice a year National Prescription Drug Take-back Days. Look for a site in your community at http://www.deadiversion.usdoj.gov/drug_disposal/takeback/ or contact your police department.
4. As a last resort, if there are no medicine take-back options in your community: put medicines in a sealed container in the trash after mixing the medicines with an undesirable substance, such as cat litter or used coffee grounds. Make sure the trash cannot be accessed by children, pets, or others who might be looking in garbage. Check with your local government or garbage service first, because local laws may not allow disposing of any pharmaceuticals in the trash.

We look forward to your response to our letter and to your actions to address our concerns.

Sincerely,

See Individual Sign-Ons below and Organizational Signers (in attached file, which will be merged for final version of letter)

Cc: Administrator Gina McCarthy, U.S. Environmental Protection Agency
Director Dan Ashe, U.S. Fish & Wildlife Service
Acting Administrator Chuck Rosenberg, Drug Enforcement Administration
Director Michael Botticelli, White House Office of National Drug Control Policy

Individual signers, affiliation stated for purposes of identification only.

Barbara J. Bickford, Madison, Wisconsin
Nancy Busen, Bentonville, Arkansas
Jennifer Caldwell, CalRecycle
Audrey L. Comeaux, Director- West County Wastewater District
Gary Goldbaum, Health Officer, Snohomish County, Washington
Sarah Hellekson, Solid Waste Manager, City of Plymouth, Minnesota
Veora M. Little, Certified Registered Nurse Anesthetist, Naples, Florida

Heidi Mayer, Marin, California

Food & Drug Administration
RE: FDA Recommendations to Flush Certain Medications and
Harmonizing Federal Agency Messaging on Safe Medicine Disposal
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Chris McFaul, Spokane, Washington
Nate Miley, Oakland, California
Karin North, City of Palo Alto, Watershed Protection Manager,
Carol Scianna, City of Winters, Environmental Services Manager
Ruth W. Shearer, Ph.D., retired toxicologist
Margaret Shield, Ph.D., Seattle, Washington
MaryAnne Sullivan, Aging in Place Facilitator, Sibert & Sullivan, LLC
Susan Strand, Environmental Specialist, City of West Sacramento

Patricia Danielson, Vice-President
Alameda County Special District Association

Nate Miley
Alameda County Supervisor
District 4



Gail Magsaysay MSN, RN, Owner
Alternatives in Wellness

Steve Via
American Water Works Association
 American Water Works Association

John F. Birrer, President/CEO
Asepsis Bio Group, Inc.

Diane VanDe Hei, Executive Director
Association of Metropolitan Water Agencies



Sherry Hull, Assistant Executive Director
Bay Area Clean Water Agencies



Bobbi Larson, Executive Director
California Association of Sanitation Agencies



Heidi Sanborn, MPA, Executive Director
California Product Stewardship Council



John H. Dane, Executive Director
California Resource Recovery Association



Executive Board
California Water Environment Association



California State Assemblymember David Chiu

California State Senator Hannah-Beth Jackson

Melody LaBella, Pollution Prevention Program
Coordinator
Central Contra Costa Sanitary District



Andria Ventura, Toxics Program Manager
Clean Water Action



Robert Cole, Environmental Services Manager
Central Marin Sanitation Agency



Central Marin Sanitation Agency

Della Lisi Kerr, Alcohol Drug Education &
Prevention Team
County of Orange Health Care Agency



Michael Simpson, Industrial Waste Management
Division
City of Los Angeles



Beverly Hanstrom, President
Colorado Medical Waste, Inc.



Phil Bobel, Assistant Director Public Works
City of Palo Alto Regional Water Quality
Control Plant



Larry Krolikowski, Volunteer Organizer
Common Ground of Southeastern Wisconsin
Watershed Team



Greg Meyer, Public Works Director
City of Woodland



Delta Diablo Sanitation District
Gary W. Darling, General Manager



Carly Gibb, Development Assistant
Drug Free Collier



Daniel Parshley, Project Manager
Glynn Environmental Coalition



John Archer, Interim General Manager
Dublin San Ramon Services District



Rachel Gibson, Director, Safer Chemicals
Health Care Without Harm



Colin Bailey, Executive Director
The Environmental Justice Coalition for Water



Sherrie Rubin, Founder/Director
Hope2gether Foundation



Violette Brown, President
FillAbox Corporation



Rodney Larson, Founding Dean
Husson University School of Pharmacy



David Stitzhal, MRP, President
Full Circle Environmental, Inc.



Sharon Ehrhardt, Solid Waste/Clean Sweep
Specialist
Jefferson County Solid Waste/Air Quality
Committee



Jeff Reinhardt, Public Affairs &
Communications Manager
Las Virgenes Municipal Water District



David W. Pedersen, P.E., General Manager /
Administering Agent
Las Virgenes – Triunfo Joint Powers Authority



Paul Koretz,
Los Angeles City Councilmember

Mike Mohajer, Representative
Los Angeles County Solid Waste Management
Committee/Integrated Waste Management Task
Force



Amy Ziff, Founder & Executive Director
MADE SAFE & NONTOXIC CERTIFIED



Aglaia Panos Pharm D, President
Marin County Pharmacists Association

Patty Garbarino, President
Marin Sanitary Service



Paul Sanftner
MEDS Coalition
Alameda County



David St. Pierre, Executive Director
Metropolitan Water Reclamation District of
Greater Chicago



Jennifer Volkman, Household Hazardous Waste
Program Coordinator, MPCA
Minnesota Pollution Control Agency



**Minnesota Pollution
Control Agency**

Timothy Healy, General Manager
Napa Sanitation District



Adam Krantz, Chief Executive Officer
National Association of Clean Water Agencies



April Rovero, Executive Director
National Coalition Against Prescription Drug
Abuse



Doug Kobold, President
National Stewardship Action Council



Kristen Anderson, Project Coordinator
Nebraska MEDS Coalition



Victoria Hodge, President
North American Hazardous Materials
Management Association



North American Hazardous Materials
Management Association

Janet Gillaspie, Executive Director
Oregon Association of Clean Water Agencies



Frederick S. Mayer, R.Ph., MPH, CEO
Pharmacists Planning Service, Inc. (PPSI)



Greg Knell, Community Co-Chair Community
Based Prevention
RxSafe Marin



Terrie Mitchell, Manager, Legislative &
Regulatory Affairs
Sacramento Regional County Sanitation District



Cynthia Stark-Wickman, Executive Coordinator
San Juan Island Prevention Coalition



Victoria O. Conway, Head Wastewater
Management
Sanitation Districts of Los Angeles County



Graham Hamilton, West LA/Malibu Chapter
Executive Committee Chairman
Surfrider Foundation

Angela T. Howe, Esq. | Legal Director
Surfrider Foundation



Katherine O’Dea, Executive Director
Save Our Shores



TITLE
Texas Product Stewardship Council
LOGO

Doug Dattawalker, Environmental Outreach
Representative
Union Sanitary District



Leslie Tamminen, Ocean Program Director
Seventh Generation Advisors



Dan Tafolla, Director of Environmental Services
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Deborah Raphael, Director
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Melissa Meeker, Executive Director
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Angie Rosser, Executive Director
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Nancy A. Eggleston, R.S.
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Zero Waste Marin

