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### ACT: Bush Plays Politics with Prescription Drugs, Flip-Flops on Reimportation 7/21/2004

FOR IMMEDIATE RELEASE

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MILWAUKEE— In a stunning admission, the president's much-ballyhooed Medicare prescription drug legislation fails to deliver real cost savings, the Bush Administration now claims to be considering allowing drug reimportation. Though in the past President Bush has steadfastly opposed drug reimportation of any kind, the Associated Press reported yesterday that: "The president is considering backing efforts to allow lower-priced drugs to be imported from Canada and elsewhere, two Bush advisers say." [Source: Associated Press, 7/20/04]

"President Bush has clearly been in the pocket of the big drug companies and on the extreme fringe of this issue, but now he realizes the vast majority of seniors support reimportation and he is scrambling to make it look like he agrees," said ACT-Wisconsin State Director Tamara Pogue. "That's not decisive leadership, that's election year political pandering. The truth is the Bush Administration has had ample opportunity to allow reimportation but has thwarted it at every turn. He simply can't be trusted to fight for affordable prescription drugs through reimportation, and this reversal is nothing more than a transparent election year ploy to trick voters."

A recent poll conducted for the Kaiser Family Foundation found that about 65% of U.S. seniors believe the new Medicare law should be changed to allow Americans to buy lower cost prescriptions from Canada. [Source: Kaiser Family Foundation, Conducted 4/1-5/04 by Princeton Survey Research Associates]

A comprehensive report based upon 15 years of work and research by Alan Sager, Ph.D and Deborah Socolar, M.P.H., Directors of the Health Reform Program at the Boston University School of Public Health, concluded Americans would save \$59.7 billion in 2004 if permitted to purchase prescription drugs at Canadian prices – this includes \$1.15 billion in savings for Wisconsin. [Source: Health Reform Project, Boston University, Sager and Socola Report, 2004]

"America's seniors need a leader in the White House who is truly committed to delivering real prescription drug relief, not a tool of the big drug companies," said Pogue. "Instead of phony flip flops and bad policy, this nation can elect a president who will fight everyday for all Americans."

Don't Be Fooled: Bush has a long record of opposition to re-importation – for a host of reasons.

Under Bush, importing cheaper drugs from Canada is banned; and legal action against importers has been threatened: "The Food and Drug Administration isn't ruling out legal action if cities or states defy its ban on importing cheaper drugs from Canada, Commissioner Mark McClellan said Friday." [Source: Associated Press, 1/9/04]

Bush officials even searched seniors coming back from Canada. "The 'Rx Express,' a Minnesota Senior Federation program... buses seniors to Canada several times a year. As the bus returned to the U.S. from its most recent trip, FDA officials boarded the vehicle to inspect the seniors' prescription drug purchases." [Source: Sen. Dayton press release, 4/21/04]

Bush administration: "firm opposition" to reimportation. "Despite legal obstacles and firm opposition

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from the Bush administration, as many as half of the nation's 50 states are proposing or weighing steps to cut prescription drug costs by allowing the importation of drugs from Canada." [Source: Congress Daily, 2/23/04]

In April, the Bush administration said allowing drug reimportation would lead to U.S. jobs losses. "U.S. Commerce Undersecretary Grant Aldonas told a Senate panel that drug manufacturers could pull out of the United States if Congress allows consumers to import medicines from countries, such as Canada, where price controls are in place.

"There will be disinvestment in the United States, a loss of employment opportunities and frankly a loss of an industry that is a huge multiplier" in terms of benefits to the overall U.S. economy, Aldonas said." [Source: Reuters, 04/27/04]

Bush officials have voiced "fraud and safety" concerns. "William Hubbard, associate commissioner for policy and planning at the U.S. Food and Drug Administration, said his agency was opposed to the drug import legislation because of fraud and safety concerns." [Source: Reuters, 04/27/04]

Bush "stood strongly with the pharmaceutical industry... in opposition to the importation of medicine." "If momentum continues to build, the election-year support in Congress could lead to a confrontation with the White House, which has stood strongly with the pharmaceutical industry and the Food and Drug Administration in opposition to the importation of medicine." [Source: Boston Globe, 04/21/04]

A model in enforcement: FDA has strongly enforced the ban on re-importation: "We believe that virtually all drugs imported to the U.S. from Canada by or for individual U.S. consumers also violate U.S. law." [Source: FDA letter, 2/12/03]

The Bush Administration had a chance to back reimportation legislation last year. (If last year's legislation had passed, seniors could be getting cheaper drugs today.)

Instead the Administration strongly opposed a bipartisan bill that would permit individuals (for personal use) to import prescription drugs into the United States from 25 countries, including Canada "The Administration strongly opposes H.R. 2427" [Source: Statement of Administration Policy, 07/23/03]

("H.R. 2427—The Pharmaceutical Market Access Act of 2003 passed by the U.S. House of Representatives on July 25, 2003. This legislation would require the Secretary of Health and Human Services (HHS) to issue regulations permitting pharmacists, wholesalers, and individuals (for personal use) to import prescription drugs into the United States from 25 countries, including Australia, Canada, the European Economic Area, Israel, Japan, New Zealand, and South Africa. Imported drugs would have to comply with sections 501, 502, and 505 of the Food, Drug, and Cosmetic (FD&C) Act, which pertain to approval, misbranding, and adulteration of drugs." [Source: Congressional Budget Office, 11/19/03])



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