



BIOTECHNOLOGY  
INDUSTRY  
ORGANIZATION

May 21, 2002

The Honorable Tom Daschle  
U.S. Senate  
509 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Daschle:

With more than 1,000 members, the Biotechnology Industry Organization (BIO) focuses on many issues that affect the research and development of health care, agricultural, industrial and environmental biotechnology products. At the top of our legislative agenda are the issues of Medicare reform and prescription drug coverage. BIO strongly believes that pharmaceutical benefit options should be offered to beneficiaries in the context of an overall, market-based reform of the Medicare program. As always, we are mindful of initiatives that attempt to undermine the life-saving scientific research that the biotech industry produces each and every day. As the U.S. Senate prepares to conclude debate on House-passed Trade Promotion Authority (TPA) this week, **we strongly urge you to oppose any efforts to attach prescription drug "reimportation" legislation to the bill – specifically the "Canada-only reimportation" bill (S. 2244) – or any other piece of legislation this year.**

It is our understanding that a drug reimportation amendment may be offered during Senate consideration of TPA. Senator Byron Dorgan (D-ND), along with the co-sponsorship of Sens. Collins (R-ME), Jeffords (I-VT), Levin (D-MI), Snowe (R-ME), Stabenow (D-MI), and Wellstone (D-MN) has introduced legislation to allow for the importation of prescription drugs from Canada. The Prescription Drug Price Parity for Americans Act, proposes to allow Food and Drug Administration (FDA)-approved products manufactured in the U.S. back into the country from Canada only. However, as supporters of this bill refer to it as the "Canada-only bill," it is hardly just that. **S. 2244 would also allow the reimportation of drugs from other countries as well.**

It is clear that S. 2244 would weaken the FDA's authority to police our borders against dangerous, counterfeit, and non FDA-approved drugs. The FDA, acting in concert with other federal, state, and local agencies, have put in place

1225 EYE STREET, N.W., SUITE 400  
WASHINGTON, D.C. 20005-5958

202-962-9200  
FAX 202-962-9201  
<http://www.bio.org>

Honorable Tom Daschle

Page Two

May 21, 2002

these existing safety measures for the protection of your constituents. Without proper authority for the FDA to properly police our borders, it will be "open season" on the flow of potentially dangerous and counterfeit drugs into the United States from unscrupulous mail order and internet-based companies abroad. In the past, "reimportation" legislation has been attached to annual Agriculture Appropriations bills and signed into law. However, former U.S. Health and Human Services Secretary Donna Shalala and current Secretary Tommy Thompson have refused to implement any reimportation provisions, for safety reasons. Both have reasoned that they would not "sacrifice public safety for uncertain and speculative cost savings." **Regrettably, S. 2244 will do little to increase access for seniors to prescription drugs but will only make our neighbors to the north the launching pad for counterfeit drugs to enter the U.S.**

In summary, BIO strongly opposes any "reimportation" amendments to TPA or any other pieces of legislation addressed by Congress this year. Allowing such measures to move forward, especially on non-Medicare legislation, fails to provide any reasonable measure of the time and expertise required to ensure that the public health is protected while maintaining a robust research and development environment for America's biotechnology companies. We hope you agree and will vote NO on all such amendments.

BIO represents more than 1,000 biotech companies, academic institutions and state biotech centers in all 50 states and in 33 other nations. BIO members are involved in the research and development of health-care, agricultural, industrial and environmental biotechnology products. For more information, please contact Sharon Cohen, Vice President, Government Relations at (202) 962-9200 or [scohen@bio.org](mailto:scohen@bio.org).

Sincerely,



Carl B. Feldbaum  
President

CBF:pr