

House: Legal to Mail-Order Drugs From Abroad

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The House, looking to cut drug costs, voted Wednesday to make it legal for Americans to buy prescription drugs from abroad by mail order.

Lawmakers approved the measure 324-101, rejecting arguments by the pharmaceutical industry and the Food and Drug Administration that it could result in consumers being sold counterfeit or contaminated drugs. People caught ordering drugs by mail order often get warning letters from the FDA.

The House turned down, 267-159, a broader measure that would have allowed distributors to reimport American-made pharmaceuticals that are sold more cheaply abroad.

A law passed last year to allow such importation has effectively been blocked because of a provision that would require the government to guarantee the medicines' safety.

"Tens of thousands of Americans should not have to continue fleeing to Canada and Mexico to buy their medicine at far lower prices than they pay at home," said Rep. Bernie Sanders, a Vermont independent.

Prescriptions can cost three to four times less in Europe and Canada than in the United States due to price controls abroad. For example, a 30-day supply of Claritin, an allergy medication, costs \$63 in the United States, compared with \$16 in Europe, according to the Life Extension Foundation, an advocacy group.

A third amendment being considered Wednesday to an appropriations bill for the Agriculture Department and the Food and Drug Administration would give FDA \$1 million to check patent claims by pharmaceutical companies that are trying to delay approval of generic versions of their drugs.

The Federal Trade Commission said recently that it is looking into whether brand-name drug companies are using "improper or untimely listing of patents" to block generics.

On Tuesday, Health and Human Services Secretary Tommy Thompson reaffirmed a decision made last December by his predecessor, Donna Shalala, that the FDA could not certify the safety of reimported drugs.

FDA would not be able to keep up with what happens to drugs once they leave the United States, Thompson said.

"I do not believe we should sacrifice public safety for uncertain and speculative cost savings," Thompson said in a letter to the law's key Senate supporter, Vermont independent James Jeffords.

Jeffords said Tuesday he was disappointed with the decision and would keep trying to find a way to help millions of Americans, especially older people, who can't afford expensive medicines.

"The FDA was at the table as we were drafting this legislation," Jeffords said. "This new analysis contradicts my understanding of their earlier positions."

Thompson said the government would have to increase greatly the number of inspectors in order to certify reimported medicines.

The drug reimportation law would let drugstores and medical distributors buy U.S.-made and approved drugs in certain countries where they are sold more cheaply and then resell them here.

The law was based on the hope that lower drug prices in foreign countries would be passed on to American consumers. The decision comes as Congress struggles with bringing a prescription drug benefit to Medicare, the

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