



# **PRESS RELEASE** *from*

## **Assemblywoman & Senator Amy Paulin                      Nick Spano**

**DISTRICT OFFICE:**

700 White Plains Road, Suite 252  
Scarsdale, NY 10583  
(914) 723 – 1115

**DISTRICT OFFICE:**

1 Executive Blvd.  
Yonkers, NY 10701  
(914) 969 – 5194

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**Contact:** Liore Milgrom-Elcott: (914) 723-1115

Anthony Giambruno: (914) 969-5194

### **Assemblywoman Amy Paulin and Senator Nick Spano Call for Tougher Laws to Prevent the Sale of Counterfeit Drugs**

Assemblywoman Amy Paulin (D – Scarsdale) and Senator Nick Spano (R – Yonkers) introduced legislation – A.2957 and S.3278 – to help stop the sale and distribution of counterfeit drugs. This comprehensive legislation protects the consumer from the manufacture and sale of drugs that may have been stolen, altered, misbranded, or generally unfit for distribution.

“This bill, like so many, arose from a real life tragedy that threatened the life of a young man, a former student of IONA College, Timothy Fagan, who was unknowingly injected with a counterfeit drug. With tougher laws we can stop the reckless sale of these drugs, and give people the peace of mind of knowing that counterfeit drugs will not make it through the system,” said Senator Spano, sponsor of the bill in the Senate.

“Increasing profits at the expense of the consumer is morally and ethically wrong. Establishing a pedigree, creating penalties, mandating criminal background checks, and stricter licensing are all necessary if we are serious about saving lives and protecting the integrity of our pharmaceutical industry,” said Assemblywoman Paulin, sponsor of the bill in the Assembly.

This legislation requires drug manufacturers to establish a pedigree for each prescription drug, requires every wholesaler to submit a bond of \$100,000, punishes manufacturers and wholesalers who intentionally package, sell, transfer, distribute or deliver a counterfeit drug with a class D Felony, establishes a fine of up to two thousand dollars per violation for offending drug manufacturers, and authorizes criminal background checks for manufacturers and wholesalers.

Being able to track a drug from the manufacturer to the pharmacy is at the core of this legislative initiative. Establishing a pedigree requires prescription drug manufacturers to maintain a record of each transaction relating to the sale, delivery, transfer, and distribution of each prescription allowing the drug to be traced back to the manufacturer.

“When wholesalers buy drugs without knowing all the previous owners of the medication, they play Russian Roulette with our lives. The industry knows that the problem lies with the failure to track the pedigree of the drugs back to the manufacturer, but the profit motive drives some to engage in willful ignorance,” said Eric Turkewitz, the Fagan family’s attorney, “We are grateful to Assemblywoman Paulin and Senator Spano for introducing tough new laws that will help keep criminals out of our medicine cabinets, by mandating that all drugs sold in New York’s pharmacies be accurately tracked back to the manufacturer.”

"Few New Yorkers know that the pharmaceuticals dispensed by their trusted pharmacies may be counterfeit, adulterated or misbranded, with no traceable origin or guarantee of purity," noted Katherine Eban, author of *Dangerous Doses: a true story of cops, counterfeiters and the contamination of America's drug supply*, "This bill sheds much needed sunlight on a murky pharmaceutical supply chain and requires those who handle our drugs to do so safely and transparently."

Kevin Fagan, father of the counterfeit drug victim Timothy praised this bi-partisan legislation. "We are grateful to Assemblywoman Paulin and Senator Spano for stepping into the legal breach to help plug the loopholes that some wholesalers exploit to trade in drugs of unknown and uncertain pedigree," said Fagan, "By requiring the industry to track the drugs at each step from the manufacturer to our local pharmacy, we can be sure that our child, and yours, will no longer have to worry about the origins and handling of the drugs he takes."

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