

Cross-Border Internet Pharmacy

Position Statements:

Cross-border internet pharmacies compromise the safety of the Canadian prescription drug supply and must be shut down. Canadians must have safe and timely access to the medications to ensure quality of life and in many cases, life itself.

Cross-border internet pharmacies should be banned to protect Canadians' supply of and access to prescription medications when they need them.

Physicians and Pharmacists must behave in an ethical manner, following regulations currently in place for their professional conduct which, in turn, protects the public.

Health Canada must act now to enforce regulations prohibiting cross-border internet pharmacies.

Background:

- According to a U.S. congressional study, **drug prices in Canada are on average 38% lower than in the U.S.** and some drugs sell in Canada for less than half the U.S. price¹, and in some cases up to 80% cheaper, resulting in a booming internet pharmacy trade.²
- It is estimated that Canadian pharmacies sold between \$400 and \$800 million in prescription drugs to U.S. shoppers in 2002.³ This increased to about \$1 billion worth of drugs in 2003, and the business is growing⁴. This **billion dollar internet pharmacy business** is projected to see profits around \$14.8 billion for 2004.⁵

¹ Saunders, D., "Drug imports from Canada spark U.S. policy crises", *The Globe and Mail*, November 1, 2003

² Higgins, Michael, & Reeb, Troy, "Charities want end to Internet pharmacies", National Post and Global National, November 1, 2003; *CBC News*, "Nothing wrong with Glaxo threats to Internet pharmacies: Competition Bureau", March 2003.

³ McCarthy & Laghi, 2003; Reeb & Paraskevas, 2003; Saunders, 2003)

⁴ Bell Globemedia Interactive Inc., 2003; Waldie, Paul, "Ottawa fears medicine shortage", *Globe and Mail*, October 29, 2003

⁵ Waldie, Paul, "Ottawa fears medicine shortage", *Globe & Mail*, Wednesday, October 29, 2003

- Cross Border Internet Pharmacies threaten the safety of our drug supply.** Canadians must have confidence that their prescription medications are as safe as they can possibly be. The Mutual Recognition agreements of governments are not being enforced, thus the purchasing and selling from Non-Mutual Recognition agreement countries will increase. The financial gain from this will attract individuals with no regard for the safety of drugs, potentially compromising the health of Canadians with counterfeit medication. Questionable medications imported into the U.S. have already been discovered through FDA inspections.⁶ Federal figures show, year over year, imports of medications from Bulgaria are up 300%, Pakistan 196%, Argentina 171%, and South Africa 114%.⁷
- Cross border sales of prescription drugs via the growing practice of internet pharmacy also raise the potential for drug shortages domestically.** Canadian pharmacists have raised concerns that the drugs flowing across the border could cause a shortage here, because major drug companies have already signaled that they will cut supplies to Canada unless Internet pharmacies are stopped. Astra Zeneca, Eli Lilly, Pfizer Inc, and GlaxoSmithKline PLC limited sales to Canadian pharmacies, in some cases to only cover prescriptions from Canadians.⁸ But officials in some U.S. states are investigating whether such measures violate the NAFTA antitrust laws by illegally restraining trade.⁹
- Canadian physicians and pharmacists must behave in an ethical manner, following regulations currently in place to protect Canadians.** The practice of prescribing medication to a patient, having no face-to-face contact or follow up care is dangerous.¹⁰ It makes the managing of adverse reactions more difficult to track and increases the risks of physician/pharmacist errors, which are already serious issues, above and beyond Cross Border Internet Pharmacies. Physicians and pharmacists are highly skilled professionals. This practice is undermining their professions and marginalizing their expertise. "Internet pharmacies can provide valuable information but are not a substitute for consultation with a pharmacist or physician."¹¹ Internet Pharmacy Standards exist and must be followed with respect to information provided, sale of scheduled drugs, prescriptions, advertising, physician-pharmacist

⁶ Reeb, T., & Paraskevas, J., "Drug imports skyrocket, study shows", *The Ottawa Citizen*. 2003.

⁷ Reeb & Paraskevas, 2003; Higgins, Michael, & Reeb, Troy, "Charities want end to Internet pharmacies", *National Post and Global National*, November 1, 2003.

⁸ Waldie, Paul; and Carlisle, Tamsin, "That left for Canadians if Americans Bury their Drugs?", *Wall Street Journal*, November 4, 2003, Laghi, B., & Smith, G., "MDs scolded for U.S. prescription", *The Globe and Mail*, November 2003; McCarthy, S., & Laghi, B., *Associated Press*. New York & Ottawa. October 30, 2003.

⁹ Reeb & Paraskevas, 2003.

¹⁰ Butt, A., Terrio, K., & Kennedy, A., *The Internet and Prescription Drugs*, 2003 presentation

¹¹ Poston, Jeff, Executive Director of Canadian Pharmacists Association, March 2000

partnerships, patient information, inspections, and disclaimers.¹²
Provincial Internet pharmacy standards also exist.¹³

Prescribing without seeing a patient is not only unprofessional and unethical, but potentially criminal if fatal drug-drug reactions or other problems occur.¹⁴

The Canadian Medical Association, The Canadian College of Physicians and Surgeons, The Canadian Pharmacy Association, Provincial Medical Associations and Provincial Licensing Bodies are all opposed to CBIP, stating that the practice is unethical and unprofessional. The College of Physicians and Surgeons of Alberta has deemed cross-border prescribing unbecoming conduct and is warning members they could face disciplinary action if they co-sign American prescriptions.¹⁵ The Canadian Medical Protective Association taking it a step further, states that they will not insure any Doctor who participates in Cross Border Internet Pharmacy.

- Rx&D suggests that the **Internet Pharmacies are creating a shortage of qualified pharmacists for community pharmacies**. U.S patients are competing with Canadian patients for the services of our pharmacists (2003).
- Little is known about the “structure and quality of these virtual pharmacies” in terms of how responsibly “online prescriptions” are actually issued. Individuals need to be made aware of the risks involved with acquiring prescription medications via Internet.¹⁶ **In addition to safety, individuals must also be concerned about the privacy and security of their personal and financial information.** Policies are needed to ensure the privacy of consumer information.¹⁷
- There are **American and Canadian laws** concerning drug import/export and internet pharmacies, which must be respected. The United States Food Drug and Cosmetic Act prohibits the importation of drugs manufactured in the U.S., except by the manufacturer or upon special authorization by the Secretary, Health, Education, & Welfare, where a

¹² Council, National Association of Pharmacy Regulatory Authorities, *Model Standards for Canadian Pharmacists Offering Pharmacy Services via the Internet*, updated March 21, 2002

¹³ Professional Practice Policy: Internet Pharmacy Standards for B.C., Revised June 20, 2003

¹⁴ Morgan, M. – MD, MDs Prescribe for Unseen U.S. Patients, *National Post*, Nov. 1, 2003

¹⁵ Gregoire, Lise, “Alberta MDs warned not to co-sign American prescriptions”, *CMAJ*, February, 2003

¹⁶ Eysenbach, G., “Online prescribing of sildanefil (Viagra) on the world wide web”, *Journal of Medical Internet Research*. 1(2):E10, 1999 Oct-Dec

¹⁷ Peterson, A.M., “A survey of selected Internet pharmacies in the United States”, *Journal of the American Pharmaceutical Association* 41(2):205-12, 2001 Mar-Apr

drug is required for emergency medical care.¹⁸ Health Canada's regulatory authorities and responsibilities relating to internet pharmacies are set out in the Food and Drugs Act and the Food and Drug Regulations. These legal instruments provide a framework to support the safety of prescription of drugs manufactured and sold in Canada.¹⁹

From the American perspective:

- There are about 65 million American people, mostly elderly, who do not have drug coverage or who cannot afford to pay the price of the drugs in their own country. Canada's drugs are cheaper than in the U.S.
- Complications and deaths arising from prescription adverse drug reactions are already a serious health issue for both Canadians and Americans. There are examples of this, such as the non-selective NSAID arthritic drug, which has shown that one in 200 individuals taking this drug for at least 2 months will die of stomach complications, but would not have died had they not been taking the medication.²⁰ This problem would be enhanced because of internet pharmacies and because individuals are not being monitored by a physician.
- Some drugs entering the U.S. through Canada come from different countries, some of which do not have safety standards and therefore do not guarantee safety.

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Organizations endorsing this document include: The Arthritis Society, The Asthma Society of Canada, Arthritis Consumer Experts, CARP – Canada's Association for the Fifty-Plus, Cancer Advocacy Coalition of Canada, Canadian Arthritis Patient Alliance, Canadian Treatment Action Council, Canadian Hemophilia Society, Canadian Breast Cancer Network, Canadian Hepatitis C Network/Hepatitis C Foundation of Québec, HepCure, Tourette Syndrome Foundation of Canada, Canadian Cancer Advocacy Network, Yellowhead Tribal Council (representing five First Nations groups in Alberta) and the Colorectal Cancer Association of Canada.

¹⁸ Food Drug and Cosmetic Act; Ward Health Strategies, Inc., "Price Controls, Importation, and the Safety of the Drug Supply Chain", October 2003

¹⁹ Diane Gorman's letter, October 2003

²⁰ Tramer, M.R., Moore, R.A., Reynolds, D.J., & McQuay, H.J. (2000). Quantitative examination of rare adverse events which follow a biological progression: A new model applied to chronic NSAID use. *Pain* 85(1-2): 169-182.