

VIA ELECTRONIC MAIL

June 13, 2025

Michael Lee
Drug Take-Back Program Coordinator
Oregon Department of Environmental Quality
Email: drugtakeback@deq.oregon.gov

Re: Input on the Drug Takeback Solutions Foundation Oregon Drug Take-Back Program Plan, dated May 19, 2025

Dear Mr. Lee:

The Pharmaceutical Product Stewardship Work Group (“PPSWG”) is a membership association with over 620 members and affiliated companies that produce a broad spectrum of pharmaceutical products. PPSWG submits these comments on the Drug Takeback Solutions Foundation (“Foundation”) Oregon Drug Take-Back Program Plan, dated May 19, 2025, (the “Plan”) submitted to the Oregon Department of Environmental Quality (the “Department”). PPSWG thanks you for considering these comments.

PPSWG reiterates our strong belief that drug take-back program operators must be treated equitably, with the Department applying the same standards and interpretations to each plan. PPSWG understands that the Department published a Guide for Oregon Drug Take-Back Programs (“Program Guide”) that “is intended to assist . . . drug take-back program operators in complying with Oregon’s Drug Take-Back Law.” Based on a review of the Plan, it appears the Foundation and MED-Project USA (“MED-Project”) applied this Program Guide (and ORS 459A.200 *et seq.* (the “Law”)) differently to their respective proposed program plans, with certain aspects of MED-Project’s program proposal appearing to conform more closely to the Program Guide. Therefore, Department approval of the Plan would represent a determination that a program plan conforming to the Program Guide to the same degree as the Foundation Plan, and applying the Law in the same manner, complies with the Law. As such, other program operators – regardless of their history in the state – can comply with the Law by providing a program plan applying the Program Guide and Law in this manner.

The Department must also apply the same standards and interpretations to each program operator’s provision of “additional services” or waiver requests pursuant to ORS 459A.218(3) and 459A.209(3) (“Variance Requests”). If the Department accepts the level of additional services the Foundation proposes to provide in its Plan and Variance Requests, it must also allow other program operators to comply with the Law by offering the same level of services.

PPSWG also observes that, in some cases, the Foundation's Plan appears to contemplate MED-Project taking certain actions to coordinate services with the Foundation. PPSWG notes that the Foundation and MED-Project are separate entities and cannot commit one another through their respective program plans.

Finally, PPSWG appreciates the Department providing the opportunity to comment on these program plan submissions. PPSWG encourages the Department to provide transparency regarding program plan and variance request approvals, as well as other aspects of program administration.

Respectfully submitted,

Irina S. Butler

Irina Butler

Executive Director