

AMENDED IN ASSEMBLY APRIL 1, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2425

Introduced by Assembly Member Coto

February 21, 2008

~~An act relating to health.~~ *An act to add and repeal Chapter 6.62 (commencing with Section 25255) of Division 20 of the Health and Safety Code, relating to water quality.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2425, as amended, Coto. State Department of Public Health: ~~study.~~ *water quality: pharmaceuticals.*

Existing law prohibits any person in the course of doing business from knowingly discharging or releasing a chemical known to the state to cause cancer or reproductive toxicity into water or onto or into land where such chemical passes or probably will pass into any source of drinking water, except as specified.

This bill would, by July 1, 2009, require every pharmaceutical manufacturer that does business with the state and whose pharmaceutical products have been detected in the drinking water supplies within the state to file a specified report with the State Public Health Officer. The bill would repeal this reporting requirement on January 1, 2014.

~~Existing law provides for the administration of various programs addressing public health by the State Department of Public Health.~~

~~This bill would require the department to conduct a study of the use of pharmaceuticals by vulnerable segments of the California population and the consequential adverse health effects, including the effects of~~

unintentional misuse of prescription drugs, and to report the results of the study to the appropriate committees of the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION. 1. *The Legislature hereby finds and declares all of*
2 *the following:*

3 (a) *In the course of a major study conducted and reported by*
4 *the Associated Press, pharmaceutical drugs have been detected*
5 *in the drinking water supplies of 24 major metropolitan areas of*
6 *the country, including southern California.*

7 (b) *The federal government does not require safety testing of*
8 *pharmaceutical products in drinking water. Some local water*
9 *providers screen only for one or two pharmaceutical products,*
10 *but not other pharmaceutical products that can cause harm.*

11 (c) *An official of the United States Environmental Protection*
12 *Agency has acknowledged that pharmaceutical “contamination*
13 *in water supplies is a growing concern and that government has*
14 *some catching up to do.”*

15 (d) *In California, prescription drug spending totaled over \$188*
16 *billion in 2004, a \$14 billion dollar per year spending increase*
17 *from 1984.*

18 (e) *It is the purpose of this act to address the issue of*
19 *prescription drugs in public drinking water systems.*

20 SEC. 2. *Chapter 6.62 (commencing with Section 25255) is*
21 *added to Division 20 of the Health and Safety Code, to read:*

22
23 CHAPTER 6.62. *WATER CONTAMINATION FROM*
24 *PHARMACEUTICALS*

25
26 25255. *For purposes of this chapter, the following definitions*
27 *shall apply:*

28 (a) *“Pharmaceuticals” means any drug that is sold over the*
29 *counter and any drug that is required to bear the legend, “Caution:*
30 *Federal law prohibits dispensing without a prescription,” “RX*
31 *only,” or words of similar import.*

32 (b) *“Pharmaceutical manufacturer” means a drug manufacturer*
33 *as defined in Section 4033 of the Business and Professions Code.*

1 25256. *On or before July 1, 2009, every pharmaceutical*
2 *manufacturer that does business with the state, and whose*
3 *pharmaceutical products have been detected by their chemical*
4 *signatures in the drinking water supplies within the state, shall*
5 *file with the State Public Health Officer a report that includes the*
6 *following:*

7 (a) *An analysis of how these pharmaceuticals entered the*
8 *drinking water supply of the state.*

9 (b) *Identification of the methods of preventing and removing*
10 *pharmaceutical contaminants from the drinking water supplies of*
11 *the state.*

12 25257. *This chapter shall remain in effect only until January*
13 *1, 2014, and as of that date is repealed, unless a later enacted*
14 *statute, that is enacted before January 1, 2014, deletes or extends*
15 *that date.*

16 ~~SECTION 1. The State Department of Public Health shall~~
17 ~~conduct a study of the use of pharmaceuticals by vulnerable~~
18 ~~segments of the California population and their consequential~~
19 ~~adverse health effects, including the effects of unintentional misuse~~
20 ~~of prescription drugs, and to report the results of the study to the~~
21 ~~appropriate committees of the Legislature.~~