



CONSUMER
HEALTHCARE
PRODUCTS
ASSOCIATION

Taking healthcare personally.

February 15, 2021

The Honorable Delores Kelley
Chair, Senate Committee on Finance
3 East
Miller Senate Office Building
Annapolis, MD 21401

RE: Support of SB 499 (Lam) - Repealing the prohibition on vending machine sales of certain drugs

Dear Chairwoman Kelley:

On behalf of the Consumer Healthcare Products Association (CHPA), the 140-year-old trade association representing the leading manufacturers of over-the-counter (OTC) medicines, dietary supplements, and consumer medical devices, I'm writing to express strong support for SB 499. This legislation expands access to OTC medications to Marylanders by repealing the prohibition on the sale, distribution, and disposal of certain drugs by means of a vending machine or similar device.

OTC medicines are the trusted first line of treatment for millions of consumers - including thousands of Marylanders - and are also valued by healthcare providers as Food and Drug Administration (FDA) approved safe and effective treatments to recommend to their patients for a range of health and wellness needs.¹ OTC medications are affordable, they're trusted, and they empower individuals and families to treat common ailments and sickness before they become serious or need the intervention of a medical professional.

Today, a wide variety of retail outlets sell OTC's including pharmacies, grocery stores, and convenience stores. Without OTC medicines, 90 percent of consumers would seek professional medical treatment for minor ailments, causing an unnecessary burden on the healthcare system.¹ SB 499 will expand this reach and provide convenient relief for travelers in airports, commuters at train stations and bus terminals, workers at office parks, and students at universities to name just a few.

¹ http://overthecountervalue.org/wp-content/uploads/2019/04/CHPA_OTC_Value_WhitePaper.pdf

It is important, however, that FDA guidelines and regulations governing these products are adhered to when expanding sales to vending machines. To ensure consumers are properly informed about the product they are purchasing, it is essential that labeling information is available prior to purchase, as noted in FDA Compliance Policy Guidelines Sec. 450.400. Additionally, to ensure product integrity, vending machines should maintain proper storage conditions listed on a products Drug Facts Label. Each product Drug Facts Label includes an “Other Information” section that provides important storage information such as the necessary storage temperature range or the need to protect from excessive moisture. As long as these conditions are met, CHPA strongly supports passage of this legislation.

CHPA thanks Senator Lam for filing SB 499 and we urge the Senate Committee on Finance to support its passage. Please feel free to contact me directly with any questions on our position per the information below.

Respectfully submitted,



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cc: Senate Committee on Finance
The Honorable Clarence Lam, Maryland Senate
