

Importation of Prescription Drugs

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Witness:

Tim Malone

Livermore, California

Father of James Malone

Testimony

Mr. Chairman, and Members of the Committee, I am pleased to be here today but also very sad. I want to tell you about our son James, and how he died because he ordered prescription drugs over the Internet.

Our son James was a bright 24 year old working part time & just finishing his 2 year degree at Los Positas College in Livermore, CA. James lived at home with us, his parents in Livermore and planned to move to Sacramento to attend California State University in September of 2004.

During the last few months before his death, James was understandably under a lot of stress, particularly for a shy person, with final exams at school, his work, and making plans to move away to attend a 4-year college. He also worked out regularly at the gym. We believe this is why James was ordering drugs, primarily muscle relaxants & anti-anxiety drugs, on the Internet.

What we didn't know at the time is there is a tragic problem with these Internet medication orders. Almost any drug manufactured by pharmaceutical companies, even controlled substances, are available via Internet websites; all that is needed is Internet access & a credit card. When James searched on the Internet for medical information on how to relieve back pain and muscle spasms, and help with his anxiety disorder, he found not only was there no prescription required, but there was NO evaluation or consultation on the kinds of medications, the strength, form, or dosage taken, or cautions about the interactions with other drugs.

We believe this is what killed our son. He mixed medications, fell asleep and stopped breathing.

Some of the drugs James received by UPS from Internet orders:

- Darvacet
- Diazepam (Valium)
- Codeine
- Soma (muscle relaxant)

As we struggled to make sense of our sons' death, and tried to understand how this could happen, we tried to determine the actual source of these drugs, how & where they are manufactured, and how they are distributed. James received shipments via UPS from India & Pakistan, with no documentation or dosing instructions. The sparse writing on

the blister packs holding the pills was in a foreign language & alphabet, probably Farsi. However, some of the shipments of drugs also contained the name brand of well-known pharmaceutical companies.

We also discovered the manner in which these credit card transactions were processed. Like most Internet orders, only a Credit card number & expiration date were required; however, for these controlled substance drug orders the websites required purchasers to go through a 3rd party company to process the order. This made it almost impossible for terrified parents like ourselves to find the actual distributors of these drugs.

Since James' death we have continued to receive packages of dangerous, high potency drugs. Apparently these were shipped after he died. We continue to receive 10, 20 or 30 offers daily on his computer, my spouse's and my own for a wide variety of controlled medications even though I have tried to contact the apparent sources & requested they stop soliciting.

Not only are these emails still coming, but the sophisticated SPAM blockers can't stop it, since the senders use a variety of techniques, such as intentionally misspelling words, leaving spaces in the middle of words, and using special characters to make sure the email gets through.

We are concerned about the source of these drugs, both from a quality control perspective -- are they what the packaging says they are? -- as well as the potential for mislabeling, purposeful tampering, or outright fraudulence, such as aspirin marketed as cancer medication.

And no longer do addicts need to drive to a certain part of town to obtain drugs from the "friendly local drug dealer" on the corner. People with addictions can now order from the comfort of their own homes, and have it delivered overnight by a reputable delivery service, in a plain brown wrapper. The neighbors need never know.

Our goal in speaking out publicly about our son's death is to help others realize the deadly results that can happen -- and DO happen -- from the seemingly innocuous practice of ordering medications on the Internet. This could happen to your mother or grandmother. It could happen to your daughter or your best friend trying to save a few dollars on medication or avoid another costly trip to the doctor's office to obtain a prescription and instructions on how to use it safely.

We are also concerned about the Internet drug companies (or their ever-changing distributors) who are in the market solely to make money. Making money in and of itself is not a bad thing, but it becomes questionable when it is "earned" at the expense of our loved ones' lives. To determine the source of these deadly drugs we would ask that there be accountability -- that laws be enacted to allow investigators to follow the money trail and to ascertain who is raking in these profits.

We are asking that legislation be enacted to regulate the ability of companies to sell

medications indiscriminately, without verification of age, medical condition, or prescription.

Also, when medications are purchased over the Internet, complete information must be provided about strength, dosage and especially deadly drug interactions.

Finally, the companies manufacturing these drugs must be clearly identified, and the law should require monitoring of these medications for purity, quality, and truth in packaging. We would like to see serious fines and jail time for those circumventing these laws, using phony names and overseas companies & accounts, and third-party payment requirements to mask who profits from these sales to help them avoid regulation and prosecution.

For James he honestly and naively thought that he could take care of his own medical needs by doing the research on the net, that he could trust the information provided him by these medical sites. Buying the recommended drugs to treat his ailments, James assumed that what was presented on these official looking websites was true and accurate information, but that if there were no dosage and interaction information on the medications that they must be safe to take.

As we now know, he was dead wrong.