

OAKLAND CITY COUNCIL



City Attorney

RESOLUTION NO. 81332 C.M.S.

RESOLUTION IN SUPPORT OF ASSEMBLY BILL (AB) 501 (SWANSON AND HANCOCK) – “PHARMACEUTICAL DEVICES” WHICH WOULD REQUIRE PHARMACEUTICAL MANUFACTURERS TO PROVIDE SAFE DISPOSAL OPTIONS FOR HOME-GENERATED PEN NEEDLES, PRE-FILLED SYRINGES, AND OTHER INJECTION DEVICES (SHARPS) BY PROVIDING A PREPAID MAIL-BACK CONTAINER TO CONSUMER.

WHEREAS, improper management of used sharps poses a health risk to the public and solid waste workers through needle stick and injuries; and

WHEREAS, regulations governing the disposal of sharps protect solid waste and other utility workers and the general public from needle sticks and illness; and

WHEREAS, Senate Bill (SB) 372 of 1995 amended the Medical Waste Management Act to define “home-generated sharps” and to allow hospitals and other healthcare facilities to accept them from their patients; and

WHEREAS, SB 1362 of 2004 established the Safe Needle Disposal Act and allowed existing city and county household hazardous waste programs to accept sharps waste generated from homes; and

WHEREAS, SB 1305 of January 2008 amended the Medical Waste Management Act and made it unlawful for home-generated sharps to be disposed into either the municipal solid waste stream or any container used for recyclable materials; and

WHEREAS, the current available disposal option for Oakland residents to dispose of spent sharps is drop off at the Alameda County Household Hazardous Waste facility; and

WHEREAS, AB 501 would require a pharmaceutical manufacturer whose product is administered for home use through a pre-filled syringe or pen needle to provide each person who uses the product with container for the safe disposal of the used sharps; and

WHEREAS, the City of Oakland is charged with protecting the public health and welfare of its residents and workers and assumes the authority and responsibility to comply with the California Health and Safety Code Chapter 6.95 and the Oakland Municipal Code Chapter 8.12; and

WHEREAS, in 2006 the Council passed Resolution #79775 C.M.S., adopting a Waste Reduction and Recycling Strategic Plan to achieve a 75% solid waste diversion goal by 2010; and

WHEREAS, in 2006 through Resolution #79774 C.M.S., the City Council assumed a leadership role in advocating waste reduction principles for materials management by adopting a Zero Waste goal for year 2020; and

WHEREAS, the City Council adopted Resolution #80390 C.M.S in 2007, to support state and local legislation that would hold manufacturers responsible for the management of post consumer waste products; and enacting AB 501 will ensure the cooperation of the pharmaceutical industry in the development of a safe needle disposal system in California; therefore be it

RESOLVED: that the City of Oakland declares its support for AB 501 (Swanson and Hancock); and
be it

FURTHER RESOLVED: that the City Council hereby directs the City Administrator to advocate for
enacting AB 501 with the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 20 2008, 20

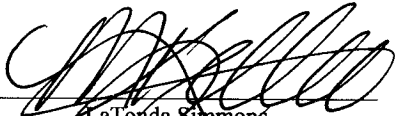
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
 PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
 LaTonda Simmons
 City Clerk and Clerk of the Council
 of the City of Oakland, California