

2/3/05 Testimony for Maine Fair Trade Commission

MY NAME IS JANE SANFORD. THANKYOU FOR HOLDING THIS MEETING. TRADE AGREEMENTS AND THEIR IMPACT ON MAINE ARE SO IMPORTANT.

I WANT TO ADDRESS THE ISSUE OF TRADE AGREEMENTS AND ACCESS TO MEDICINES AND PRESCRIPTION DRUGS. AS SOMEONE WHO IS GETTING UP IN YEARS THIS ISSUE IS IMPORTANT TO ME. IT IS ALSO IMPORTANT TO ME THAT PEOPLE AROUND THE WORLD ALSO HAVE ACCESS TO AFFORDABLE DRUGS. THE INTERESTING THING ABOUT THESE TRADE AGREEMENTS IS THAT THEY ARE MAKING ACCESS TO AFFORDABLE DRUGS MORE DIFFICULT FOR THE AVERAGE CITIZEN IN THE US AND THE DEVELOPING WORLD.

CAFTA AND OTHER TRADE AGREEMENTS WOULD PREVENT OTHER COUNTRIES FROM MANUFACTURING AFFORDABLE, GENERIC DRUGS FOR THEIR PEOPLES. THE TRADE AGREEMENTS DO THIS BY EXTENDING PATENT RIGHTS UP TO 25 YEARS WHICH PROTECT THE PROFITS OF THE PHARMACEUTICAL COMPANIES, AND ALSO BY BANNING TEST DATA NECESSARY FOR MARKETING APPROVAL. THE TEST DATA SECRECY PROVISIONS IN CAFTA WOULD MAKE IT MUCH MORE DIFFICULT FOR GENERIC DRUG PRODUCERS TO GET MUCH NEEDED MEDICINES TO THE PEOPLE IN CENTRAL AMERICA. BEFORE THESE TRADE AGREEMENTS WERE MADE OTHER COUNTRIES WERE ABLE TO MANUFACTURE THEIR OWN GENERIC DRUGS.

MAINE CONGRESSMAN TOM ALLEN HAS BEEN A WATCHDOG ON THIS ISSUE OF CAFTA'S IMPACT ON ACCESS TO MEDICINES. I AM SUBMITTING TO YOU A RECENT LETTER FROM CONGRESSMAN ALLEN AND A NUMBER OF HIS CONGRESSIONAL COLLEAGUES TO USTR ON THESE ISSUES.

HOW WOULD THESE TRADE AGREEMENTS AFFECT US HERE IN MAINE? HOW WOULD THEY AFFECT MAINE RX?

HOW WOULD STATE DRUG PURCHASING PLANS AND IMPORTATION OF PHARMACEUTICALS FROM CANADA BE AFFECTED.? I HOPE YOU CAN LOOK INTO THESE ISSUES.

HERE ARE SOME OF MY THOUGHTS ON HOW MAINE COULD BE IMPACTED. THE US-AUSTRALIA FREE TRADE AGREEMENT WHICH HAS BEEN PASSED IN CONGRESS GIVES US SOME IDEA. THE AGREEMENT COULD BLOCK REIMPORTATION OF LESS EXPENSIVE DRUGS INTO THE US FROM OTHER COUNTRIES INCLUDING CANADA. IT COULD REQUIRE CHANGES IN US LAW WHICH COULD DELAY OR ALTER DECISIONS PROVIDING AFFORDABLE DRUGS FOR MEDICAID, MEDICARE AND VETERANS ADMINISTRATION HEALTH CARE. THE MANY VAGUE PROVISIONS OF THE AGREEMENT WILL BE INTERPRETED AND ENFORCED BY INTERNATIONAL DISPUTE PANELS WHICH ARE NOT SUBJECT TO US LAW.

THERE IS NO PROVISION FOR INDEPENDENT REVIEW. IT SUGGESTS A DECISION MAKING PROCESS INDEPENDENT OF GOVERNMENT AUTHORITIES AND ONE WHICH WILL ALLOW THE PHARMACEUTICAL INDUSTRY TO NEGOTIATE TO APPEAL FOR HIGHER PRICES FOR MORE OF THEIR PRODUCTS.

I DO NOT PROFESS TO UNDERSTAND ALL OF THE DETAILS OF THIS AGREEMENT. CONGRESSMAN ALLEN AND MICHAUD AND SENATORS SNOWE AND COLLINS ALL RAISED MAJOR CONCERNS ABOUT THE US-AUSTRALIA AGREEMENT. REP MICHAUD AND SEN. SNOWE VOTED AGAINST THE AGREEMENT, IN PART BECAUSE OF CONCERN

ABOUT THE AGREEMENTS IMPACT ON THE DAIRY INDUSTRY HERE IN MAINE. TO ASSIST THE COMMISSION I AM ALSO SUBMITTING A SECOND LETTER FROM CONGRESSMAN ALLEN. THIS ONE IS TO THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES RAISING A NUMBER OF QUESTIONS ABOUT HOW THE US-AUSRALIA TRADE AGREEMENT COULD IMPACT MEDICAIDE, MEDICARE AND THE VETERANS ADMINISTRATION.

THANKYOU FOR YOUR TIME AND I HOPE YOU WILL ENCOURAGE OUR CONGRESSIONAL REPRESENTATIVES AND OUR SENATORAS TO VOTE AGAINST CAFTA!

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