

food that was grown and processed exactly the way your great great grandfather did, 150 years ago, then I think we can find a common purpose. But the talk about genetically altered is such a ruse because the one thing that we talk about is domesticated plants. If we didn't have, quote unquote, altered plants, our corn would be about three inches long the way the Anasazi a thousand years grew their corn. And I think that we need to get this out. So the environmental community has to be confronted with the fact that rather than attacking and fearing the genetic alterations we should be moving towards it to stop all the spin off pollution that we've seen for decades. I think that we got a big question here, but we all need to pull together. I ask the medical people to take a look at the ag people because we need the ag people to help us with the medical side and with the device side. We are all in this together. We're the people with the facts. We have to stand up for them; even in the short run, politically, it doesn't seem expedient. Outside of that, I really don't have an opinion about this whole issue.

DUANE ROTH. We will certainly give you the information and keep working on this issue it's a very important one. Let me give you a chance to sign off here, I know that you have to get back to more important business. But, from our side thank you very much for taking the time, both of you, to spend with us today.

Congressman BILBRAY. Well, thank you very much for how proactive that you guys have always been. And one thing that is great about the BIOCOM people and your entire group is that rather than sit back and then complain that things didn't work out, you've been very pro-active. I think that one

of the best things that we've done is to see the kinds of things that you put into it. I couldn't help but think about the device issue and our tort reform device that was named after your nephew. It's something that I think has been one of our great successes. Thanks a lot, and continue the work. One thing that I really like about it is that you can look at this panel and you can see that they go across the political spectrum, but they stick together on one issue. The well being of Americans is something that we all have to cooperate on and find answers for, rather than always pointing fingers and finding problems. So thanks again for taking the time. This was a very, very great way to be able to communicate. And hopefully Richard and I can go back and to carry your message and not just to the Commerce Committee, but to the House of Representatives. Thank you very much for the time.

DUANE ROTH. Thank you. And let me just conclude by thanking my panel members for taking time to help with this. Thank you very much.

**PRESCRIPTION DRUG PRICING IN
THE 20TH CONGRESSIONAL DISTRICT OF TEXAS: AN INTERNATIONAL PRICE COMPARISON**

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. GONZALEZ. Mr. Speaker, I insert the following for the RECORD:

TABLE 1.—SENIORS IN REP. GONZALEZ'S DISTRICT PAY SIGNIFICANTLY HIGHER PRICES FOR PRESCRIPTION DRUGS THAN CONSUMERS IN CANADA OR MEXICO

Prescription drug and dosage form	Canadian price	Mexican price	20th District price	Canada-20th District price differential		Mexico-20th District price differential	
				Percent	Dollar	Percent	Dollar
Zocor: 5 mg, 60 tab	\$46.17	\$67.65	\$113.94	147	\$67.77	68	\$46.29
Prilosec: 20 mg, 30 cap	55.10	32.10	129.49	135	74.39	303	77.39
Procardia XL: 30 mg, 100 tab	74.25	76.60	142.17	91	67.92	86	65.57
Zoloft: 50 mg, 100 tab	129.05	219.35	238.69	85	109.64	9	19.34
Norvasc: 5 mg, 90 tab	89.91	99.32	127.77	42	37.86	29	28.45
Average differential					100		99

These price differences can have substantial impacts on the cost of a prescription. Prilosec, and ulcer medication manufactured by Merck, was the top prescription drug in dollar sales in the United States in 1998. An uninsured senior citizen in Rep. Gonzalez's district must pay over \$70 more than a consumer in Canada and nearly \$100 more than a consumer in Mexico for a one month supply of this drug. The total difference between the price a senior in Rep. Gonzalez's district would pay for a year's supply of Prilosec compared to a similar consumer in Mexico is over \$1,000. The difference between the price a senior in Rep. Gonzalez's district would pay for a year's supply of Prilosec compared to a similar consumer in Canada is nearly \$900.

In the case of two additional drugs considered in the study, Synthroid and Micronase, senior citizens in Rep. Gonzalez's district were forced to pay more than two times, and in one case over five times, the prices charged to Canadian or Mexican consumers.

This is the second congressional report on drug price discrimination requested by Rep. Gonzalez, the first report showed that senior citizens in Texas's 20th Congressional District are forced to pay over twice as much for their prescription drugs as the drug companies' favored domestic customers, such as HMOs and the federal government. This report shows that senior citizens in Rep. Gonzalez's district are also forced to pay twice

as much for their prescription drugs than are consumers in other countries. Taken together, the two studies indicate that drug manufacturers engage in a consistent pattern of price discrimination, resulting in prices for senior citizens and other consumers who buy their own drugs that far exceed those paid by other purchasers in the United States and other countries.

I. INTRODUCTION

In the United States, drug manufacturers are allowed to discriminate in drug pricing. As the Congressional Budget Office reported in a 1998 study, "[d]ifferent buyers pay different prices for brand-name prescription drugs. . . . In today's market for outpatient prescription drugs, purchasers that have no insurance coverage for drugs, pay the highest prices for brand name drugs." In 1999, the Federal Trade Commission reached the same conclusion, reporting that drug manufacturers use a "two tiered pricing structure" under which they "charge higher prices to the uninsured."

This discriminatory pricing imposes severe hardships on senior citizens. As documented in the previous report released by Rep. Gonzalez, senior citizens often have the greatest need for prescription drugs, but the least ability to pay for them. The elderly in the United States, who make up 12% of the population, use one-third of all prescription drugs, with the average senior using 18.5 pre-

EXECUTIVE SUMMARY

This report, which was prepared at the request of Rep. Charles A. Gonzalez, compares prescription drug prices in Texas's 20th Congressional District with drug prices in Canada and Mexico. The report finds that senior citizens and other consumers in Rep. Gonzalez's district who lack insurance coverage for prescription drugs must pay far more for prescription drugs than consumers in Canada and Mexico. These price differentials are a form of price discrimination. In effect, the drug manufacturers are discriminating against senior citizens in Rep. Gonzalez's district by denying them access to prescription drugs at the low prices available to consumers in Canada and Mexico.

This study investigates the pricing of the five brand name prescription drugs with the highest dollar sales to the elderly in the United States. The study compares the prices that senior citizens who buy their own prescription drugs must pay for these drugs in Rep. Gonzalez's district with the prices that consumers who buy their own drugs must pay for the same drugs in Canada or Mexico. The study finds that the average prices that senior citizens in Rep. Gonzalez's district must pay are 100% higher than the prices that Canadian consumers pay and 99% higher than the prices that Mexican consumers pay (Table 1).

scriptions annually. They also frequently have inadequate insurance coverage or no insurance coverage at all to pay for these drugs. Approximately 75% of Medicare beneficiaries lack dependable, private-sector prescription drug coverage, and 35%—over 13 million seniors—do not have any insurance coverage for prescription drugs. As a result, many seniors cannot afford the high costs of prescription drugs. One study estimated that more than one in eight seniors were forced to choose between buying food or paying for prescription drugs.

In part to protect their citizens from these hardships, the governments of Canada and Mexico do not allow drug manufacturers to engage in price discrimination. In Canada, approximately 35% of prescription drugs are paid for by the government for beneficiaries of government health care programs. In Mexico, 30% of prescription drugs are paid for by the government under similar circumstances. The rest of the population in these two countries must either buy their own drugs or obtain prescription drug insurance coverage. To prevent drug companies from charging individual consumers excessive prices, both the Canadian and Mexican governments regulate prices for patented prescription drugs. Drug manufacturers do not have to sell their products in Canada or Mexico, but if they do, they cannot sell their drugs at prices above the maximum prices established by the government.

This report is the first effort to compare prices that senior citizens in Texas's 20th Congressional District must pay for prescription drugs with the prices at which the same drugs are available in Canada and Mexico. It finds that senior citizens in Rep. Gonzalez's district who lack prescription drug benefits must pay far more for prescription drugs than consumers in Canada and Mexico. The drug companies thus appear to engage in two distinct forms of price discrimination: (1) as documented by Rep. Gonzalez's first report, the drug companies are forcing senior citizens in Rep. Gonzalez's district to pay more for prescription drugs than more favored U.S. customers, and (2) as documented in this report, the drug companies are forcing senior citizens in Rep. Gonzalez's district to pay more for prescription drugs than consumers in more favored countries.

II. METHODOLOGY

A. Selection of Drugs for this Survey

This survey is based primarily on a selection of the five patented, nongeneric drugs with the highest annual sales to Older Americans in 1997. The list was obtained from the Pennsylvania Pharmaceutical Assistance Contract for the Elderly (PACE). The PACE program is the largest out-patient prescription drug program for older Americans in the United States for which claims data is available. It is used in this study, as well as by several other analysts, as a proxy database for prescription drug usage by all older Americans. In 1997, over 250,000 persons were enrolled in the program, which provided over \$100 million of assistance in filling over 2.8 million prescriptions.

Based on the PACE data, the five patented, nongeneric drugs with the highest sales to seniors in 1997 were: Prilosec, an ulcer and heartburn medication manufactured by Astra/Merck; Norvasc, a blood pressure medication manufactured by Pfizer; Zocor, a cholesterol-reducing medication manufactured by Merck; Zoloft, a medication used to treat depression manufactured by Pfizer; and Procardia XL, a heart medication manufactured by Pfizer.

In addition to the top five drugs for seniors, this study also analyzed two additional prescription drugs, Synthroid and Micronase. Synthroid is a hormone treatment manufactured by Knoll Pharmaceuticals, and Micronase is a diabetes medication manufactured by Upjohn. These popular prescription drugs were included in the study because the earlier analysis indicated that there is substantial discrimination in the pricing of these drugs.

B. Determination of Average Retail Drug Prices in Texas' 20th Congressional District

In order to determine the prices that senior citizens are paying for prescription drugs in Rep. Gonzalez's congressional district, the minority staff and the staff of Rep. Gonzalez's congressional office conducted a survey of 11 drug stores—including both independent and chain stores—in his district. Rep. Gonzalez represents the 20th Congressional District in southern Texas, which includes central San Antonio and rural areas to the west and southwest of the City.

C. Determination of Average Drug Prices in Canada and Mexico

Prices for prescription drugs in Canada and Mexico were determined via a survey of pharmacies in Canada and Mexico. At the request of the minority staff of the Committee on Government Reform, the surveys were conducted by the Office of NAFTA and Inter-American Affairs of the U.S. Department of Commerce. In Canada, pharmacies were surveyed in three provinces: Ontario, British Columbia, and Nova Scotia. In Mexico, pharmacies were surveyed in Monterrey and Guadalajara.

Prices from Canadian pharmacies were determined in Canadian dollars, and prices from Mexican pharmacies were determined in pesos. All prices were converted to U.S. dollars using commercially available exchange rates.

D. Selection of Drug Dosage and Form

In comparing drug prices, the study generally used the same drug dosage, form, and package size used by the U.S. General Accounting Office in its 1992 report, *Prescription Drugs: Companies Typically Charge More in the United States Than in Canada*. For drugs that were not included in the GAO report, the study used the dosage, form, and package size common in the years 1994 through 1997, as indicated in the Drug Topics Red Book. The dosages, forms, and package sizes used in the study are shown in Table 1.

All prescription drugs surveyed in this report were available in Canada in the same dosage and form as in the United States. In Mexico, several drugs were not available in the same dosage and form. In this case, prices of equivalent quantities were used for the comparison. For example, in the United States the drug Zocor is commonly available in containers containing five mg. tablets, while in Mexico Zocor is available only in containers containing ten mg. tablets. To compare Zocor prices, this report compared the cost of 60 five mg. tablets of Zocor in the United States with the cost of 30 ten mg. tablets in Mexico. Several drugs are also sold under different names in Mexico. The Mexican equivalents of U.S. brand names were determined using the 44th edition of the *Diccionario de Especialidades Farmaceuticas* (1998).

III. FINDINGS

A. Senior Citizens in Texas's 20th Congressional District Pay More for Prescription Drugs Than Consumers in Canada

Consumers in Canada obtain prescription drugs in one of two primary ways. Approximately 35% of the prescription drugs sold in Canada are paid for by the provincial governments on behalf of senior citizens, low-income individuals, and other beneficiaries of government health care programs. The rest of the population in Canada must either buy their own drugs or obtain prescription drug insurance coverage.

The regulatory system in Canada protects individual consumers who buy their own drugs from price discrimination. The Patent Medicine Prices Review Board (PMPRB), established under the Ministry of Health by a 1998 law, regulates the maximum prices at which manufacturers can sell patented medicines. If the Board finds that the price of a patented drug is excessive, it may order the manufacturer to lower the price, and may also take measures to offset any revenues the manufacturer has received from the excess pricing. Pharmacy dispensing fees for individual retail customers are not controlled by the government. Each pharmacy sets its unusual and customary dispensing fee and must register this fee with provincial authorities.

This study indicates that the Canadian system produces prescription drug prices that are substantially lower in Canada than in Rep. Gonzalez's district than in Canada (Table 1).

For all five drugs, prices were higher in Rep. Gonzalez's district. For two drugs, Zocor and Prilosec, the prices in Rep. Gonzalez's district were more than twice as high as the Canadian prices. The highest price differential among the top five drugs was 147%, for Zocor, a cholesterol medication manufactured by Merck.

For other drugs, price differentials were even higher. Synthroid is a hormone treat-

ment manufactured by Knoll Pharmaceuticals. For this prescription drug, senior citizens in Rep. Gonzalez's district must pay an average price of \$31.54, while consumers in Canada pay only \$10.53—a price differential of 200%. For Micronase, a diabetes drug manufactured by Upjohn, senior citizens in Rep. Gonzalez's district pay prices that are 306% higher than Canadian consumers.

Prilosec, the ulcer medication manufactured by Merck, was the top prescription drug in dollar sales in the United States in 1998. An uninsured senior citizen in Rep. Gonzalez's district pays \$74.39 more than consumers in Canada for a one month supply of Prilosec—an annual price difference of nearly \$900. Similarly, a senior in Rep. Gonzalez's district pays nearly \$70 more than a senior in Canada for a two month supply of Zocor, an annual difference of over \$400, and over \$100 more than a senior in Canada for a 100 day supply of Zoloft, an annual difference of nearly \$400.

The findings in this report are consistent with the findings of other analyses. In 1992, GAO looked at the prices that drug companies charge wholesalers for prescription drugs in the United States and Canada. The results of the GAO study showed that, for the top five drugs in the United States, the average differential between the price in the United States and the price in Canada was 79%. According to GAO, "government regulations and reimbursement practices contribute to lower average drug prices in Canada. In setting prices, manufacturers of patented drugs must conform to Canadian federal regulations that review prices for newly released drugs and restrain price increases for existing drugs.

Similarly, in 1998, Canada's Patented Medicine Prices Review Board performed a comprehensive review of prices in Canada, the United States, and six European countries. The Board found that prescription drug prices in the United States were 56% higher than prices in Canada, and that prices were even lower in other industrialized countries. Prices in the United States were 96% higher than prices in Italy, 75% higher than prices in France, 55% higher than prices in the United Kingdom, 47% higher than prices in Sweden, and 40% higher than prices in Germany. The United States had the highest prices among the eight industrialized nations that were part of the survey.

GAO also investigated whether the price differential it observed was attributable to differences in the costs of production and distribution. GAO found that drug costs—such as research and development—are not allocated to specific countries, and the costs of production and distribution make up only a small share of the cost of any drug. The study concluded that "production and distribution costs cannot be a major source of price differentials."

B. Senior citizens in Texas's 20th congressional district pay more for prescription drugs than consumers in Mexico

As in Canada, consumers in Mexico also obtain prescription drugs in one of two primary ways. Approximately 30% of the prescription drugs sold in Mexico are purchased by the government and provided to eligible citizens at a significant discount through the social security system. The rest of the population in Mexico must either buy their own drugs or obtain prescription drug insurance coverage.

The regulatory system in Mexico, like the system in Canada, protects individual consumers who buy their own drugs from price discrimination. Drug prices and rates of price increases in Mexico are controlled by the Ministry of Commerce and Economic Development (known by its Spanish acronym,

Secofi) under the Pact For Economic Stability and Growth. Under the Mexican law, manufacturer and the government engage in negotiations to determine the nationwide maximum prices for prescription drugs. Pharmaceutical products are prepackaged and stamped with the maximum sales price, guaranteeing consist prices throughout the country.

This study indicates that the Mexican system produces prescription drug prices that are substantially lower in Mexico than in Rep. Gonzalez's district. Average prices for the top five drugs for seniors were 99% higher in Rep. Gonzalez's district than in Mexico (Table 1.) Prices for all five drugs were higher in Rep. Gonzalez's district. The highest price differential among the top five drugs was 303%, for Prilosec, an ulcer medication manufactured by Astra/Merck.

For other drugs, price differentials were even higher. In the case of Micronase, senior citizen in Texas's 20th Congressional District pay an average price of \$54.81 while consumers in Mexico pay only \$9.48—a price differential of 478%.

In dollar terms, uninsured senior citizens in Rep. Gonzalez's district pay nearly \$100 more than consumers in Mexico for a one month supply of Prilosec—an annual price difference of over \$1,100. Similarly a senior in Rep. Gonzalez's district pays over \$45 more than a senior in Mexico for a two month supply of Zocor, an annual difference of over \$250, and over \$65 more than a senior in Mexico for a 100 day supply of Procardia XL, an annual difference of over \$200.

These findings are consistent with those of other experts. While there have been few direct comparisons of prices in the United States and Mexico, the Congressional Research Service has found that differences in the regulatory systems between the two countries result in the large price differentials. CRS concluded that "of greater importance in explaining price differentials in drug prices in Mexico, and have been for some time."

INTRODUCTION OF STEWARDSHIP, EDUCATION, RECREATION AND VOLUNTEERS FOR THE ENVIRONMENT (SERVE) ACT OF 1999

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of New Mexico. Mr. Speaker, today I rise in support of the Stewardship, Education, Recreation and Volunteer (SERVE) Act of 1999. This legislation, introduced by my colleague and cousin, Mr. UDALL of Colorado and which I am proud to be a co-sponsor of, will energize and expand existing efforts to enhance the outdoor, education and recreation experiences of the great outdoors for many Americans.

Our Nation's national parks, national forests, wildlife refuges, recreation areas and public lands are enjoyed by nearly two billion visits each year. These wonderful areas provide Americans with sightseeing, wildlife watching, hunting, fishing, hiking, and camping opportunities, just to name a few. In my District alone, visitors can experience a wide range of education and outdoor recreation opportunities. From the Chaco Culture National Historical Park, which provides Americans a brief glimpse into the daily life of the region's first inhabitants, to the Bureau of Land Manage-

ment's Bisti/De-Na-Zin Wilderness with its dramatic moon like landscape, to the high country mountains and streams of the Santa Fe National Forest that provide excellent hunting, fishing and camping opportunities.

Visitors to our Nation's public lands often don't realize that behind the scenes of these magnificent natural and historical areas that visitors have come to see and learn about, are a cadre of volunteers who have selflessly given their time and expertise to the American people to make their experiences memorable. For without the hard work, dedication and enthusiasm of the volunteers, Federal land management agencies would not be able to stay ahead of the maintenance and enhancements our national treasures require.

In the 1980's, a program was established to encourage Americans to become more involved in the management and protection of their lands for current and future generations. By all accounts, this program showed promise. Federal land management agencies such as the National Park Service, U.S. Forest Service, Bureau of Land Management, and U.S. Fish and Wildlife Service were given a long needed tool to recruit and recognize individuals who donated their energy, time and expertise to enhance our federal and public lands for all Americans to enjoy.

Unfortunately, other priorities and funding issues have placed this program on the back burner. It is now time to revitalize, re-energize and expand our Nation's volunteer and educational outreach program.

Mr. Speaker, this legislation would not only restore a past volunteer program, but expand and strengthen it by providing more powerful tools to Federal land managing agencies. This legislation would direct the Secretary of Agriculture and the Secretary of the Interior to establish a national stewardship award program to recognize individuals, organizations and communities who have distinguished themselves by volunteering their time, energy and commitment to enhancing the priceless legacy of our Nation's public lands. As a minimum under this legislation, the Secretaries would establish a special pass to all our national parks, forests, refuges and other public lands to recognize volunteers for their exemplary efforts.

Mr. Speaker, this legislation would also encourage an attitude of land and resource stewardship, and responsibility towards public lands by promoting the participation of individuals, organizations and communities in developing and fostering a conservation ethic towards the lands, facilities and our natural and cultural resources. Specifically, this legislation would encourage Federal land management agencies to enter into cooperative agreements with academic institutions, State or local government agencies or any partnership organization. In addition, the Secretaries would be enabled to provide matching funds to match non-Federal funds, services or materials donated under these cooperative agreements.

Providing educational opportunities has been one of America's greatest achievements and is one of the greatest gifts one generation can give to the next generation. This legislation encourages each Federal land management agency to play a role in education by cooperating with States, local school districts and other education oriented entities to (1) promote participation by students and others in volunteer programs of the Federal land

management agencies, (2) promote a greater understanding of our Nation's natural and cultural resources, and (3) to provide information and assistance to other agencies and organizations concerned with the wise use and management of our Nation's Great Outdoors and its natural and cultural resources.

Mr. Speaker, I am confident that this chamber realizes the importance of this bill in recognizing the invaluable role volunteers play in the stewardship of our Nation's cultural and natural resources. Therefore, I ask immediate consideration and passage of this bill.

EAST GRAND RAPIDS HIGH SCHOOL NAMED NEW AMERICAN HIGH SCHOOL

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. EHLERS. Mr. Speaker, I rise today to honor the students, staff and community that represent East Grand Rapids High School in my congressional district. It is my pleasure to honor all of those in the East Grand Rapids family for their commitment and dedication which resulted in being named a 1999 New American High School by the U.S. Department of Education and the National Association of Secondary School Principals. The award recognizes schools where all students are expected to meet challenging academic standards and acquire the communication, problem solving, computer and technical skills necessary to pursue careers and higher education.

To even be considered as a New American High School there are many hurdles that a school must successfully pass. Applicants must supply members of a steering committee with documentation that they have undertaken standards-based, locally driven reform efforts that positively affect key indicators of school improvement and student success. Among the documentation items they must present are proof of increases in student achievement, increases in student enrollment at postsecondary institutions, increases in student attendance, and reductions in student dropout rates.

East Grand Rapids is a model school when it comes to challenges and performance. High expectations are set for all students because of the high motivation level of the student body. The numbers speak for themselves. Based on statistics from the 1998 school year, approximately 94% of East Grand Rapids students enrolled in colleges or universities. The school registered a dropout rate of less than 1% and an attendance rate of 97%. Academic test scores are also the highest in the state of Michigan in mathematics, reading, and writing.

Mr. Speaker, I am delighted to take this opportunity to highlight the positive happenings at East Grand Rapids High School under the leadership of Superintendent Dr. James Morse and Principal Patrick Cwayna. It takes a lot of pride, sacrifice, and teamwork to qualify for this prestigious award. I ask all of my colleagues to join me in saluting everyone involved in helping East Grand Rapids achieve this remarkable honor. I also wish continued academic and overall success for everyone associated with this school.