

# The Oregonian

## Lawmakers score pills to cook up support for prescription bill

An hour of legal shopping by four legislators yields enough cold pills to make \$900 of meth

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State Sen. Ginny Burdick of Portland (left), Rep. Wayne Krieger of Gold Beach (center) and Sen. Roger Beyer of Molalla (right) joined with Rep. Greg Macpherson (not in picture) of Lake Oswego to show how easy it is for meth cooks to obtain enough cold medicine to manufacture the illicit drug.

SALEM -- Four Oregon legislators pretending to be "smurfers" working for methamphetamine cooks say it took them only an hour to buy enough cold pills to produce 180 hits of the illegal drug.

The lawmakers on Tuesday displayed the results of their afternoon shopping trip, which they said demonstrated why the Legislature needs to pass even tougher restrictions on the sale of cold and allergy medicines containing pseudoephedrine.

A bill set for a House floor vote this morning would require prescriptions for all drugs containing pseudoephedrine, which is a key ingredient in the illegal manufacture of methamphetamine.

While the bill has appeared to garner strong support in the House and Senate, the Schering-Plough pharmaceutical company launched a radio advertising campaign Monday encouraging Oregonians to complain to their legislators about the proposed restrictions.

In addition, some lawmakers critical of the bill say the restrictions -- which would be the toughest in the nation -- would make it more difficult and expensive to get common medicines that consumers have come to rely upon.

Oregon has already adopted regulations that require many common medications to be kept behind pharmacy counters and sold only to buyers who show their identification and sign a log. Law enforcement officials say the restrictions have appeared to cut the number of meth houses statewide in half.

Although the bulk of the state's meth is illegally imported from Mexico, officials say local drug houses supply about 35 percent of the market. They say the local meth houses also contain toxic chemicals that endanger children and are a neighborhood blight.

The legislators backing the prescription requirements say their shopping trip demonstrated that "smurfers" -- people obtaining pseudoephedrine for meth cooks -- can get around the current restrictions.

"In just an hour's time, we were able to get enough raw material for a very respectable cook of meth," said Rep. Greg Macpherson, D-Lake Oswego, "and it wasn't hard."

The quartet -- which also included Rep. Wayne Krieger, R-Gold Beach, and Sens. Roger Beyer, R-Molalla, and Ginny Burdick, D-Portland -- bought 22 packages of such common products as Sudafed, Tylenol Cold and Theraflu. They said each of them stayed within the law limiting an individual's purchases to nine grams of pseudoephedrine a month.

Rob Bovett of the Oregon Narcotics Enforcement Association said the packages would produce about 180 hits of meth with a street value of about \$900.

Jim Anderson, a lobbyist representing Schering-Plough, said he wasn't impressed by the legislative shopping expedition.

"Is that surprising to anybody?" he asked. "It is a legal product."

He said requiring consumers to obtain prescriptions would drive up the cost of relatively inexpensive drugs, particularly for people without health insurance.

Schering-Plough on Monday began running ads in the Portland market that seek to raise public pressure on legislators to reject the new restrictions, which are contained in House Bill 2485.

"What if you had to see your doctor to get a prescription for over-the-counter products that you normally buy when you have a cold, allergies or the flu?" the commercial asks. "The Oregon legislature is actually considering a bill that would force you to do this."

The ad concludes by giving listeners a number they can call to complain to their legislators about the bill.

Sponsors of the measure say the prescription requirement would not be particularly onerous. Unlike prescriptions for highly regulated drugs, Krieger noted that prescriptions for these cold and allergy medications could be dispensed over the phone and that consumers could get up to five refills in a six-month period.

In addition, the legislators said that many cold and allergy sufferers can now use alternative products made with phenylephrine, which can't be used to make meth and are available on open store shelves.

"There's going to be unhappy people," Beyer said. "But at what point do you want convenience versus what's right for society?"

Sen. Vicki Walker, D-Eugene, who opposes the restrictions, said that once the cold and flu season hits, many Oregonians will conclude the Legislature has gone too far if this bill becomes law.

"Do you know how people got upset at the school speed law?" she asked. "This is going to be 10 times worse."

Walker was referring to the 2003 passage of a bill requiring that a 20 mph limit around schools be observed at all hours. That led to a backlash from voters that prompted the Legislature to ease up on the 2003 law.

Walker said she received 260 responses to an e-mail survey she sent out to voters, and only about 10 said they supported the prescription requirement.

The bill is part of a package of four measures that would increase some meth-related crime penalties and provide money for drug treatment.