

109TH CONGRESS  
1ST SESSION

# H. R. 2195

To provide for the withdrawal of the drug OxyContin from the commercial market.

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IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

Mr. LYNCH introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To provide for the withdrawal of the drug OxyContin from the commercial market.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Act to Ban  
5 OxyContin”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) The drug OxyContin has proven to be high-  
9 ly addictive.

1           (2) The use of over-the-counter narcotics such  
2 as OxyContin has risen to as much as 9 percent  
3 among students in middle schools and high schools.

4           (3) Overdoses of OxyContin have increased by  
5 450 percent in recent years.

6           (4) The abuse of the drug, which is prevalent  
7 in economically depressed areas, has been strongly  
8 linked to criminal activity and has in some cases  
9 overwhelmed local law enforcement.

10          (5) Over 1.5 million tablets of the drug were  
11 stolen from pharmacies between 2001 and 2003.

12          (6) The active ingredient of OxyContin,  
13 oxycodone, is twice as strong as morphine.

14          (7) OxyContin's time-released effect, an impor-  
15 tant element of its pharmaceutical use, is easily ne-  
16 gated by abusers to achieve a heroin-like effect.

17          (8) The manufacturer of the drug has been  
18 cited twice for using negligent and inappropriate ad-  
19 vertising, downplaying the potentially fatal risks of  
20 abuse.

21          (9) OxyContin is the first brand-name product  
22 targeted for monitoring by the Drug Enforcement  
23 Administration.

24          (10) Health care professionals, such as phar-  
25 macists and physicians, have been among those ar-

1       rested and indicted for distributing the drug in a  
2       nonofficial capacity.

3               (11) The burdens of this drug to the public  
4       health outweigh its potential therapeutic benefits,  
5       and given that alternative pain medicines and meth-  
6       ods are widely available, OxyContin should be  
7       banned.

8       **SEC. 3. WITHDRAWAL OF DRUG OXYCONTIN FROM COM-**  
9               **MERCIAL MARKET.**

10       Effective upon the expiration of 45 days after the  
11       date of the enactment of this Act, the approved application  
12       under section 505(b) of the Federal Food, Drug, and Cos-  
13       metic Act for controlled-release oxycodone hydrochloride,  
14       which drug is marketed as OxyContin, is deemed to have  
15       been withdrawn under section 505(e) of such Act.

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