

## **The Controversy over Online Drugstores**

### **Section I**

This semester I am taking Drugs and Behavior, a psychology class that explores the effects of drugs on the body. In class a few weeks ago, we read an article about online drugstores, and then we surfed the web for “no prescription codeine.” We got thousands of hits with these search terms. In fact, we managed to nearly purchase some Fiorinal Codeine within five minutes of being online.

Before my psychology class, I was relatively naïve about the current controversy over Internet pharmacies. Though we did not discuss this issue at length, we talked about it enough for there to be several questions raised in my mind on the matter. First, I would like to know the laws pertaining to the selling of drugs over the Internet and what sort of action the government is taking to curb the situation. Second, I am interested in the risks and benefits for consumer purchasing of prescription drugs online. Lastly, I want to explore the issue of Canadian and other foreign online pharmacies that are undercutting U.S. prescription drug sales.

I think this is an issue that impacts every audience. We are all consumers. It is important for everyone to be made aware of the consumer safeguards of purchasing drugs from online drugstores, as well as the law pertaining to such pharmacies. There are several advantages to obtaining drugs on the net, including privacy, convenience, and cost. Therefore, it is imperative

that the American public understands the dangers of buying prescription drugs on the Internet.

### **Section I-b**

- UNC library catalog: pharmacy\* and “prescription drugs”  
(online or internet) and (drugstore or pharmacy)
- Lexis-Nexis Academic: “drug sales” and (online or internet)  
illegal and drug and internet
- Google: “online drugstores” and ~law~  
regulation and “no prescription” and internet

### **Section II**

- 2 print sources from UNC libraries

Cady, John F. *Drugs on the Market: the Impact of Public Policy on the Retail*

*Market for Prescription Drugs.* Lexington, Mass.: Heath, 1975.

HD9666.6 .C25

Mintx, Morton. *By Prescription Only: a Report on the Roles of the United States*

*Food and Drug Administration, the American Medical Association,*

*Pharmaceutical Manufacturers, and Others in Connection with the*

*Irrational and Massive Use of Prescription Drugs that may be Worthless,*

*Injurious, or Even Lethal.* Boston: Beacon Press, 1967. HD9666.6 .M55

1967b

- One non-print source from UNC libraries

*Reforming Federal Drug Regulation.* (Washington, D.C.: American Enterprise

Institute for Public Policy Research, 1976). Video Cassette. 65-CA235

### **Section III**

Anderson, J.N., T.L. Bessell, J.E. Hiller, L.N. Sansom, and C.A. Silagy. "Quality of Global E-Pharmacies: Can We Safeguard Consumers?" *European Journal of Clinical Pharmacology* 58, no. 9 (2002): 567-72 [online]; available from Medline, <http://www.ncbi.nlm.nih.gov/entrez/query/> (September 17, 2003).

Crawford, S.Y. "Internet Pharmacy: Issues of Access, Quality, Costs, and Regulation." *Journal of Medical Systems* 27, no. 1 (2003): 57-65 [online]; available from Medline, <http://www.ncbi.nlm.nih.gov/entrez/query/> (September 17, 2003).

Holloway, Andy. "The New Drug Trade." *Canadian Business* 76, no. 16 (2003): 9-11 [internet]; available from Infotrac, <http://www.infotrac.com/> (September 17, 2003).

Kantor, A. "The Corner Drugstore Moves to Cyberspace." *Hospital Practice* 35, no. 5 (2000): 29-32 [internet]; available from Medline, <http://www.ncbi.nlm.nih.gov/entrez/query/> (September 17, 2003).

Mitchell, Susan. "Drug Sales Online to Hit \$15BN." *Sunday Business Post* (2003) [internet]; available from Lexis-Nexis Academic, <http://www.lexisnexis.com/> (September 17, 2003).

Stolberg, Sheryl Gay. "Internet Prescriptions Boom in the 'Wild West' of the Web." *New York Times*, 27 June 1999 [internet]; available from Infotrac, <http://www.infotrac.com> (September 17, 2003).

#### **Section IV**

##### **Site I:**

**Title of Web page:** Downfall of the Online Pharmacy: The Legal Climate for Online Drugs

**Web address:** <http://www.tilj.com/content/healthheadline04140101.htm>

**Brief description:** This website looks at three key issues relating to online drugstores: the dangers of obtaining prescriptions online without consulting a licensed doctor; the legal issues; and what the government is doing about the situation. There are also links to helpful websites relating to these issues, as well as that of a recent raid and lawsuit against an online pharmacy.

**Source of Web site:** The Internet Law Journal

**Title of Web page:** 24-7 Pharmacy: Buy Prescription Drugs and Medicine Online

**Web address:** <http://www.247-pharmacy.com>

**Brief description:** This is an example of an actual online pharmacy where consumers can buy prescription drugs without a prescription. The names and links to buy the individual drugs available through this company are listed along the left side of the page. Unlike many online drugstores, there is not even an online consultation; all you need to purchase is a credit card and address.

**Source of Web site:** 24-7 Pharmacy

**Title of Web page:** The Risks and Benefits of Online Pharmacies

**Web address:** <http://www.hsca.com/InetPharm.htm>

**Brief description:** An analysis of the risks and benefits of internet pharmacies: advantages, the physician-patient relationship, foreign pharmacies, etc. The site also gives consumer tips for using online drugstores.

**Source of Web site:** MedAssets HSCA

**Title of Web page:** Buying Drugs Online: It's Convenient and Private, but Beware of Rogue Sites

**Web address:** [http://www.fda.gov/fdac/features/2000/100\\_online.html](http://www.fda.gov/fdac/features/2000/100_online.html)

**Brief description:** The FDA outlines its concerns over the cyber pharmacy controversy and what it is doing about the issue. There are many informational links on the page for consumers, including that of the National Association of Boards of Pharmacies, which lists all approved online drugstores.

**Source of Web site:** U.S. Food and Drug Administration

**Title of Web page:** Drugstores on the Net: the Benefits and Risks of Online Pharmacies

**Web address:** <http://www.ftc.gov/os/1999/07/pharmacytestimony.htm>

**Brief description:** The FTC outlines its own law enforcement efforts, including the actual scope of its authority and the FTC's interaction with state and local law enforcement agencies. It also describes specific commission activities relating to internet pharmacies, and, as a result, the FTC analyzes consumer risks.

**Source of Web site:** Federal Trade Commission

## **Section V**

### **How the Net Has Affected the Pharmaceutical Industry**

Today, it is very simple to obtain prescription drugs through online pharmacies. Though there are many lawful cyber drugstores, offering convenience, privacy, and lower costs, there are an increasing number of Internet pharmacies offering products and procedures that are considered illicit in

the offline world. Not only are there questions of legality, but also of consumer safety.<sup>1</sup>

Rogue sites, or online pharmacies, “either sell unapproved products, or if they deal in approved ones, often sidestep established procedures meant to protect consumers.”<sup>2</sup> Some online drugstores only require a credit card to purchase prescription drugs. Others may require an online consultation, which entails the consumer filling out a questionnaire about his or her medical history and the reasons for choosing whichever prescription drug is desired. The FTC has conducted two mock consultations on certain rogue sites, in which staff filled out the medical history questionnaire in a way that should have raised serious concerns. However, the online pharmacies sent the prescription Viagra with no questions, even though staff listed bypass surgery and obesity, among other things, in the medical history questionnaire.<sup>2</sup>

The regulation of Internet pharmacies is left to the states. The reason that these drugstores can operate is because certain states do not require medical consultations in order to obtain prescriptions—this is how the online consultation overrides this legal issue. Nevertheless, cyber pharmacies will ship to states that do require a consultation with a physician.<sup>3</sup> Also, many Internet pharmacies make it very difficult to find any sort of identifying information, such as address,

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<sup>1</sup> J. Howard Beales, “Internet Pharmacy Consumer Safeguards,” FDCH Congressional Testimony, 27 March 2003 [online]; available from Infotrac, <http://www.infotrac.com> (September 20, 2003).

<sup>2</sup> J. Henkel, “Buying Drugs Online: It’s Convenient and Private, but Beware of ‘Rogue Sites’,” *FDA Consumer* 34, no. 1 (2000) [online], available from Ebscohost, <http://www.ebscohost.com> (September 20, 2003).

<sup>3</sup> Amy J. Oliver, “Internet Pharmacies: Regulation of a Growing Industry,” *Journal of Law, Medicine, and Ethics* 28, no. 1 (2000): 98-102 [online]; available from Ebscohost, <http://www.ebscohost.com> (September 20, 2003).

phone number, etc. One way in which the government plans to curb the online drugstore controversy is to require such information to be readily available.<sup>2</sup>

The most inherent problem with Internet drugstores is that of consumer safety. Even those that do not use these sites to obtain prescription drugs to abuse are at risk because there is great potential for consumer injury. For a variety of reasons, including false and deceptive claims, privacy issues, and fraud, consumers are in danger of being the prey of certain rogue sites.<sup>1</sup>

**Sources:**

- (1) Beales, Howard J. "Internet Pharmacy Consumer Safeguards." FDCH Congressional Testimony, 27 March 2003 [online]; available from Infotrac, <http://www.infotrac.com> (September 20, 2003)
- (2) Henkel, J. "Buying Drugs Online: It's Convenient and Private, but Beware of 'Rogue Sites'." *FDA Consumer* 34, no. 1 (2000) [online]; available from Ebscohost, <http://www.ebscohost.com> (September 20, 2003).
- (3) Oliver, Amy J. "Internet Pharmacies: Regulation of a Growing Industry." *Journal of Law, Medicine, and Ethics* 28, no. 1 (2000) [online]; available from Ebscohost, <http://www.ebscohost.com> (September 20, 2003).

**List of Web Sites:**

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**Source of Web site:** Federal Trade Commission