

Click Twice and Call Me in the Morning

The Growing Underground Market in Prescription Drugs

Between 1994 and 2001, American spending on prescription medications grew from \$61 billion to \$155 billion. Increasingly, these drugs are being dispensed not by the neighborhood pharmacist but by Internet websites or sellers hawking their wares along our country's borders with Mexico and Canada. Until recently, this shift largely avoided the regulatory gaze of the Food and Drug Administration and the Drug Enforcement Agency—but no more.

In a series of articles published last fall, the *Washington Post* reported that “the Internet has become a pipeline for narcotics and other deadly drugs,” with customers picking from “a vast array of painkillers, antidepressants, stimulants, and steroids with few controls and virtually no medical monitoring.” Most of the prescriptions offered by the more popular Internet sites—several of them now shut

down by the DEA—were for addictive painkillers. The DEA has created a task force to tackle the booming business of Internet narcotics, although officials admit it is a nearly impossible task—one enforcement officer told the *Post* that it “is like trying to work every corner drug dealer.”

Who writes the prescriptions for these online pharmacies? Some prescriptions are written by legitimate physicians, but, as FDA and DEA investigations have found, many of these online pharmacies operate virtual “scrip farms,” where physicians who would have trouble finding gainful employment elsewhere (often due to a history of substance abuse or other professional misconduct) are paid to churn out prescriptions. Rarely do the “consultations” offered by these online sites meet the standards for ordinary patient care—often a simple phone call or an online questionnaire is the only hurdle to obtaining a prescription.

State and federal law enforcement agencies are beginning to crack down on such abuses, however. As the *Fort Worth Star-Telegram* reported in January, until recently such prescription-writing was “not illegal in all states,” which meant that “online pharmacies have thrived as state regulatory agencies ... feverishly rewrite rules and close loopholes.”

The country also faces the growing challenge of monitoring a burgeoning market of “middlemen,” who shadily divert drugs from wholesalers for resale or dilute drugs, with serious consequences for patients who receive counterfeit medications.

In some cases, Internet pharmacies and rogue sellers do far worse than siphon drugs off the mainstream market. In early February, the FDA issued a warning to consumers regarding a website, apparently run out of India, which was selling counterfeit birth-control patches. The patches were made to resemble the popular Johnson & Johnson Ortho Evra patch, but provided no protection at all against pregnancy.

Faced with rising costs for prescription drugs, Americans are also turning to less expensive outlets in Mexico and Canada. The *Post* places the number of Americans who have sought cheaper foreign drugs in the millions, despite the fact that the FDA

warns that such foreign-bought medications are often illegal and unsafe.

It is not only prescription medications that pose risks. Americans consume copious amounts of unregulated, nonprescription dietary supplements, from weight-loss pills such as Zantrex-3 to herbal pills that claim to improve vision, cure prostate problems, and prevent the common cold. Writing in a February issue of the *New Yorker*, Michael Specter noted that “thousands of different tablets, elixirs, potions, and pills are sold in the United States, and remarkably little is known about most of them.” Last December, the FDA banned over-the-counter supplements that contain the weight-loss substance ephedra, which has been linked to increased risk of heart attacks, strokes, and death. As nonprescription pills continue to proliferate, more regulatory action might be called for.

In the end, though, it seems unlikely that federal regulators will be able to stay ahead of such risks in an age of countless new drugs and supplements and countless new means of obtaining them. Consumer vigilance may be the only protection, and these early incidents of trouble may help to encourage some caution. However much the market may change, the ancient watchword still rings true: *caveat emptor*.