

Members of the Committee,

I am writing in support of HB 2128, Rep. Post's bill to rescind the regulation of pseudoephedrine.

The current restriction on free access to what is a benign, effective, and widely needed medicine is flawed in numerous ways. The medicine itself was sold over the counter for years for relief of cold symptoms, with few if any adverse consequences for public health despite its being quickly and universally available. The recently imposed restrictions are based solely on its misuse by criminals, and even then not by consumption of it for some illicit purpose but merely as an ingredient in the illegal manufacture of methamphetamine. This combination of circumstances indisputably constitutes a clear example of our misguided public policy of punishing innocents - in this case, even sick people - for the action of criminals.

Moreover, while successfully restricting and inconveniencing the innocent - and, might I add, raising the cost of the medicine in the bargain - the restrictions have been completely ineffective in reducing the availability of methamphetamine. At most, perhaps those bent on "cooking meth" have had to find other sources for their ingredients or alternative syntheses for their dope. Meanwhile, the recent - and increasing - seizures of large amounts of methamphetamine by the Oregon State Police in the possession of Mexican nationals traveling the I-5 corridor bears witness to the fact that any resulting "unfilled demand" for methamphetamine has been "backfilled" by the Mexican drug cartels - and as any police officer will tell you, these seizures probably represent less than 10% of what actually reaches "consumers" in Oregon.

Additionally, as is the case in general with such misdirected attempts to address issues of public health and safety, restrictions of this sort are misguidedly focused on a physical object or material which is being misused, rather than on the culpability of those misusing it. Every penny spent on creating, enacting, and enforcing this legislation would have been better spent on any number of remedies, both punitive and redemptive, directed at criminal drug manufacturers and users.

Which raises another issue - the cost and availability of medicines in general. We have repeatedly seen how the cost of a medicine drops dramatically when prescription requirements are removed and the medicine is allowed to be sold "over the counter". Usually, such removals of restrictions are widely acclaimed as a result - but somehow, as a result of misuse by a small minority of criminals, we're willing to put a truly innocuous drug back on the

prescription list? One can't help but conclude that again, in typical misguided fashion we've taken a big leap backwards.

Opponents of HB 2128 will undoubtedly raise dire warnings of a resulting increase in the prevalence of "meth labs". Such a result is doubtful, considering the tsunami of drugs pouring across our southern border, but if anything is needed by way of legislation to deal with "meth labs" it is again not the objects or materials which should be addressed but the criminal acts committed therewith. To that end, enhanced penalties should be applied to the exposure of others to toxic chemicals while engaged in drug manufacturing. Fundamentally, this is the same issue as we have with explosions and fires caused by "hash oil" manufacturing. The issue is not the materials or objects involved - butane canisters, in the case of the "hash oil" makers - but the creation of public health hazards by incompetents. And I stress the point of "incompetence": by way of illustration, we have now reached such a state that the educational "chemistry sets" which I and most others of my generation possessed as children and rarely if ever abused, have now passed into history - regulated out of existence due to their misuse by an incompetent few, with current and future generations thereby denied their unquestionable educational and entertainment value.

Please pass HB 2128. In addition to addressing the issues I raise above, you will thereby send a much-needed message to your constituents that Government is actually capable of rescinding restrictions and enhancing personal freedom.

Thank You

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