



2021-12

THE NATIONAL SHERIFFS' ASSOCIATION CALLS ON CONGRESSIONAL LEADERS TO COMBAT THE PROLIFERATION OF COUNTERFEIT DRUGS, MEDICINES, AND MEDICAL DEVICES

WHEREAS, the trafficking of counterfeit pharmaceuticals is the most lucrative sector of the global trade in counterfeit goods, generating sales estimated at between \$163 and \$217 billion annually,ⁱ and;

WHEREAS, criminal organizations traffic counterfeit medicines for a wide range of health conditions, including diabetes, cardiovascular disease, and sexual dysfunction, as well as counterfeit medical devices, such as glucose tests, syringes, and blood pressure cuffs, and;

WHEREAS, counterfeit medicines and medical devices obviously may be harmful to the health of an individual,ⁱⁱ and;

WHEREAS, the COVID-19 pandemic has exacerbated the threats and dangers of counterfeit medicines and medical devices, as demonstrated by the Homeland Security Investigations' "Operation Stolen Promise" initiative, which has seized staggering amounts of fake COVID-19 testing kits, treatments, vaccines, and cures, as well as fake PPEs,^{iii,iv} and;

WHEREAS, criminals have readily seized upon the COVID-19 pandemic to prey upon weary and desperate Americans looking for a path back to normal life,^v and;

WHEREAS, law enforcement nationwide is working to combat the vast array of COVID-19 frauds and scams perpetrated by criminals and criminal organizations before these counterfeit therapeutics harm the citizens of their communities,^{vi,vii,viii} and;

WHEREAS, in 2020, the Drug Enforcement Administration (DEA) reported that, "Illicit fentanyl — produced in foreign clandestine laboratories and trafficked into the United States in powder and pill form — is primarily responsible for fueling the ongoing opioid crisis. Fentanyl-laced counterfeit pills continue to be trafficked across the country and remain significant contributors to the rates of overdose deaths observed across the country,"^{ix} and;

WHEREAS, in 2019, the DEA reported that, "Based on a sampling of tablets seized nationwide between January and March 2019, DEA found that 27 percent contained potentially lethal doses of fentanyl,"^x and

WHEREAS, “While public health officials have focused on the opioid epidemic in recent years, another epidemic has been brewing quietly, but vigorously, behind the scenes. Methamphetamine use is surging in parts of the U.S., particularly the West. . . . And throughout the West and Midwest, 70% of local law enforcement agencies say meth is their biggest drug threat,”^{xi} and;

WHEREAS, in 2020, the DEA reported that, “in recent years, methamphetamine has become more prevalent in areas that historically were not major markets for the drug, particularly the Northeast,”^{xii} and;

WHEREAS, in 2020, the DEA reported that, “Methamphetamine in pill form has appeared in several states in 2019 and into 2020. Many incidents have...been counterfeit pharmaceuticals with methamphetamine present or as the primary substance.” Furthermore, according to the DEA’s report, “(s)eizures of methamphetamine reported to NSS [National Seizure System] have increased dramatically,”^{xiii} and;

WHEREAS, the number of drug overdose deaths in the 12 months ending in May 2020 was 81,230, driven primarily by synthetic opioids, as well as by cocaine and methamphetamine,^{xiv} and;

NOW, THEREFORE, BE IT RESOLVED, that the National Sheriffs’ Association continues to focus on the threats and dangers that counterfeit drugs, medicines, and medical devices pose to public health and safety, and;

BE IT FURTHER RESOLVED, that the National Sheriffs’ Association will continue to lead and partner with law enforcement across the United States to combat counterfeit drugs, medicines, and medical devices, and;

BE IT FURTHER RESOLVED, that the National Sheriffs’ Association calls on Congressional leaders to combat the proliferation of counterfeit drugs, medicines, and medical devices by providing resources for law enforcement to protect against these threats and dangers, and by refraining from the passage of any legislation that would jeopardize the American public’s health and safety.

ⁱ PricewaterhouseCoopers (June 29, 2017). *Fighting counterfeit pharmaceuticals: New defenses for an underestimated – and growing – menace*. Retrieved from <https://www.strategyand.pwc.com/gx/en/insights/counterfeit-pharmaceuticals.html>.

ⁱⁱ U.S. Food & Drug Administration (as of January 1, 2021). *Counterfeit Medicine*. Retrieved from <https://www.fda.gov/drugs/buying-using-medicine-safely/counterfeit-medicine>.

ⁱⁱⁱ United States Immigration and Customs Enforcement (as of February 26, 2021). *Operation Stolen Promise 2.0*. Retrieved from <https://www.ice.gov/topics/operation-stolen-promise>.

^{iv} U.S. Immigration and Customs Enforcement (February 17, 2021). *DHS prevents millions of counterfeit N95 masks from reaching hospital workers, first responders*. Retrieved from <https://www.ice.gov/news/releases/dhs-prevents-millions-counterfeit-n95-masks-reaching-hospital-workers-first>.

^v Fox 5 Washington DC (November 30, 2020). *COVID-19 scams to be aware of as vaccine approaches FDA approval*. Retrieved from <https://www.fox5dc.com/news/covid-19-scams-to-be-aware-of-as-vaccine-approaches-fda-approval?fbclid=IwAR171MsHRBpsaGzhqteolXD7JtDg6UI6AwJzqjIEgTpK8qfoGAONKaCHvM>.

^{vi} U.S. Customs and Border Protection (October 7, 2020). *CBP Baltimore Field Office Seizes nearly 59,000 Counterfeit COVID-19 Facemasks and other Test Kits and Medication*. Retrieved from <https://www.cbp.gov/newsroom/local-media-release/cbp-baltimore-field-office-seizes-nearly-59000-counterfeit-covid-19>.

^{vii} United States Immigration and Customs Enforcement (as of March 1, 2021). *Operation Stolen Promise 2.0*. Retrieved from <https://www.ice.gov/topics/operation-stolen-promise>.

^{viii} Federal Bureau of Investigation (as of March 3, 2021). *FBI Urges Vigilance During COVID-19 Pandemic*. Retrieved from <https://www.fbi.gov/coronavirus>.

^{ix} U.S. Department of Justice, Drug Enforcement Administration (March 2021). *2020 National Drug Threat Assessment*. Retrieved from Retrieved from https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf, p. 4.

^xU.S. Department of Justice, Drug Enforcement Administration (November 4, 2019). Press Release: *DEA issues warning over counterfeit prescription pills from Mexico*. Retrieved from <https://www.dea.gov/press-releases/2019/11/04/dea-issues-warning-over-counterfeit-prescription-pills-mexico-0>.

^{xi} Kaiser Health News (May 7, 2019). *Meth vs. Opioids: America has Two Drug Epidemic, But Focuses on One*. Retrieved from <https://khn.org/news/meth-vs-opioids-america-has-two-drug-epidemics-but-focuses-on-one>.

^{xii} U.S. Department of Justice (March 2021). *2020 National Drug Threat Assessment*, supra, p. 19.

^{xiii} Ibid, p. 26.

^{xiv} Centers for Disease Control and Prevention (December 17, 2020). *Increase in Fatal Drug Overdoses Across the United States Driven by Synthetic Opioids Before and During the COVID-19 Pandemic*. Retrieved from <https://emergency.cdc.gov/han/2020/han00438.asp>.