



Testimony

Of

**Nancy Clark, MA, CIH, CSP
Assistant Commissioner
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before the

New York City Council Committee on Consumer Affairs

regarding

Intro. 541 Relating to Prohibiting the Sale of Expired Over-the-Counter Medication

June 13, 2011

250 Broadway
New York, NY

Good morning Chairman Garodnick and members of the Consumer Affairs Committee. My name is Nancy Clark, Assistant Commissioner for Bureau of Environmental Disease Prevention for the NYC Department of Health and Mental Hygiene. Thank you for this opportunity to comment on Intro. 541, a bill that would prohibit the sale of expired over-the-counter medications.

The Food and Drug Administration (FDA) began requiring expiration dates on over-the-counter (OTC) medications in the 1970's, in recognition that the potency and effectiveness of some medications may be diminished over time, and because some products may actually be chemically modified over time, causing unintended consequences. In reality, very little is known about how long most medications remain effective. Very few have been studied. Expiration dates serve to alert consumers as to how long they may expect OTC products to retain their intended effects. A product sold past its expiration date should not be used given the uncertainties over its potency or safety. Other conditions, such as improper storage of the medication, may also have an impact on the potency or effectiveness in medication. For these reasons, the Department supports Intro. 541.

Thank you for the opportunity to testify. I am happy to answer any questions you may have.