

Final Rule- Management Standards for Hazardous Waste Pharmaceuticals. *Effective 8-21-19*

“Nonprescription pharmaceuticals and other retail items that are sent through reverse logistics are not solid wastes at the retail store if they have a reasonable expectation of being legitimately used/reused (e.g., lawfully redistributed for their intended purpose) or reclaimed”

Do nothing and this update could cost you more.

If managed properly, this update to the rule should be a benefit to your company. However, your lack of, or an improper response to this update could cost you more for the disposition of these items moving forward.

What do you need to know as a manufacturer?

This final rule adds regulations for the management of hazardous waste pharmaceuticals by retailers and reverse service providers. Under this new set of sector-specific standards, the new rule codifies EPA’s prior policy on the regulatory status of nonprescription pharmaceuticals going through reverse logistics. If you manufacture any of the following (but not limited to), you must be aware of the impact this rule will have on your company:

- Over-the -counter drugs
- Homeopathic drugs
- Dietary supplements
- Aerosols
- Certain cleaning product, pesticides and other chemical based items

As a Manufacturer here is only a small part of what you need to know about the ruling:

- The ruling contains incentives for the retailers to “over-manage” the disposal of these items
- Over-managing could involve:
 - Continuing the costly practice of disposing these items at store level
 - Sending the product back to reclaim for liquidation into the secondary and tertiary markets
- Implementing a “destroy” disposition creates a “loophole” that would enable a retailer to “over-manage” the disposition of these items

How will DRS help?

DRS will help you to best navigate this rule update, working with you to:

- Modify and update your returns management program to best adapt to the final rule
- Update your returns policy
- Manage and assist with retailer communication and compliance
- Automate and manage the process of claims reconciliation
- Minimize diversion of reclaim product

What are your benefits?

Benefits will include (but are not limited to):

- A timely, cost effective and appropriate reaction to the ruling
- A policy and program that are up to date, compliant with the ruling and on par with your competition
- Risk mitigation that includes:
 - Financial – all but eliminating costly store level processing fees
 - Brand equity
 - Post audits