



Legislation Text

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Res. No. 359

Resolution denouncing the Food and Drug Administration's decision not to allow over-the-counter sale of emergency contraception.

By Council Members Gioia, Quinn, Yassky, Brewer, Clarke, Fidler, Gerson, Gonzalez, James, Koppell, Liu, Lopez, Palma, Sanders and Weprin

Whereas, On May 6, 2004, the Food and Drug Administration (FDA) rejected an application to make Plan B, a brand of emergency contraception, available for over-the-counter sale; and

Whereas, Emergency contraception is a medication used to prevent a woman from ovulating, or, if she has already ovulated, to prevent an egg from subsequently being fertilized or implanted in the uterine wall, thereby preventing pregnancy when other contraceptive methods have failed or unprotected intercourse has occurred; and

Whereas, Emergency contraception, reduces a woman's risk of pregnancy by up to 89 percent if taken within 72 hours of unprotected intercourse; and

Whereas, Given that there are several barriers to accessing emergency contraception within the 72 hour time constraint, including a physician's limited office hours, inconvenient locations of doctors' offices and the refusal of some providers to dispense such medication due to religious objections, it is essential that it be available for over-the-counter sale; and

Whereas, The panel of independent experts assembled by the FDA voted 23 to 4 to recommend that the drug be available without a prescription, which, according to a May 7, 2004, article in the The New York Times, makes the FDA's decision surprising since the FDA normally follows the recommendation of its advisory panels; and

Whereas, Furthermore, the majority of the expert panel concluded that the drug was not only effective but that women could be trusted to use it correctly without a doctor; and

Whereas, In 1997, the FDA approved certain combinations of the medications that are used in standard birth control, including estrogen and progesterone, as safe and effective methods of reducing the risk of pregnancy after sex; and

Whereas, According to a study, entitled "The Effects of Self-Administering Emergency Contraception" in the New England Journal of Medicine, the use of emergency contraception could prevent as many as 1.7 million unintended pregnancies that occur each year in the United States, including as many as 800,000 pregnancies that result in abortion; now, therefore, be it

Resolved, That the New York City Council denounces the Food and Drug Administration's decision not to allow over-the-counter sale of emergency contraception.

CR
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