



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

LISA J. PINO, M.A., J.D.
Executive Deputy Commissioner

March 10, 2021

Dear Manufacturer,

Chapter 120 of the Laws of 2018 establishes a Drug Take Back Act in New York State (Public Health Law §§290-294), administered by the Department of Health (DOH). The law, viewable online at <https://legislation.nysenate.gov/pdf/bills/2017/S9100>, mandates that any manufacturer of a covered drug shall establish, fund, and operate an approved drug take back program.

In compliance with this legislation, a manufacturer of covered drugs shall individually or jointly operate its own drug take back program or enter into an agreement with a drug take back organization (“organization”) which shall operate a drug take back program on its behalf. It is the responsibility of any manufacturers who have entered into an agreement with an organization to ensure that the organization’s proposal shows the manufacturer’s participation and is approved by DOH. Participating manufacturers are also required to notify the Department upon contracting with an organization by submitting a *Notification of Participation and Compliance* which can be found online at https://www.health.ny.gov/professionals/narcotic/drug_take_back.htm.

The drug take back program proposal template and guidance are available online at https://www.health.ny.gov/professionals/narcotic/drug_take_back.htm. DOH will accept proposals submitted through **June 8, 2021**. DOH, in consultation with the Department of Environmental Conservation (DEC), shall determine whether a proposed program complies with the requirements of the Drug Take Back Act and shall notify the applicant of its determination. If, for any reason, DOH finds that a proposed program does not so comply, the applicant shall have 30 days to address any deficiencies and resubmit the proposal to DOH for reconsideration.

For any questions, or if you do not manufacture covered drugs as defined by Public Health Law §290, please e-mail dtb@health.ny.gov.

Thank you for your anticipated cooperation and compliance with the Drug Take Back Act.

Sincerely,

Joshua S. Vinciguerra
Director
Bureau of Narcotic Enforcement
New York State Department of Health