

NEWS FROM Congressman

# Steve Israel



Press Release 109-60  
For Immediate Release  
May 9, 2005

For more information, contact:  
Ryan Rudominer (202) 225-3335; (202) 593-2868 (cell)  
Page/Email [ryan.rudominer@mail.house.gov](mailto:ryan.rudominer@mail.house.gov)  
<http://www.house.gov/israel>

## Press Release

### **Rep. Steve Israel (D-NY 02) Announces Groundbreaking Legislation, "Tim Fagan's Law," to Fight Counterfeit Prescription Drugs**

#### ***Israel Makes Announcement Alongside Fagan Family, Author of New Book Exposing Dark Side of Pharmaceutical Trade, Investigators and Prosecutor***

New York, NY—Congressman Steve Israel (D-NY 02) joined a Long Island family victimized by fake drugs, journalist Katherine Eban, the "Five Horsemen of the Apocalypse" — a group of five nationally prominent investigators (featured in the book excerpt in *Vanity Fair's* May issue) — Eric Turkewitz (Fagan's family attorney), and Stephanie Feldman Aleong (former assistant Florida prosecutor) today in announcing new legislation to combat the growing counterfeit prescription drugs crisis.



In 2002, after Israel's 16-year old constituent Tim Fagan underwent a liver transplant, Tim's parents purchased prescription drugs at a major pharmacy; however, the drugs they purchased, which he was injected with for weeks, turned out to be counterfeit. The current distribution system for prescription drugs has significant loopholes that allow criminals to introduce counterfeits into our drug supply that reach reputable pharmacies.

"Somewhere between the manufacturer and the pharmacy, Tim Fagan's medicine became the medical equivalent of a \$3 bill," Israel said. "His medicine didn't belong on the drugstore shelves, it belonged in the drug store dumpster. Most Americans trust the doctors who write their prescriptions and the pharmacists who fill their prescriptions. What they don't know is that in between the manufacturer and pharmacy, prescription drugs can change hands up to a dozen times, in a shady gray market, where they can be tainted, diluted, relabeled and counterfeited. In the case of Tim Fagan, his Epogen was bought and sold out of a strip club in Miami. The best remedy against counterfeit drugs is 'Tim Fagan's Law' which I will be introducing in congress. It will give the FDA the authority to recall drugs, implement harsher penalties for criminals who pawn fake medicine off on innocent consumers, and requires paper pedigrees. If Fed Ex can track a package from my congressional office in Washington, DC to Long Island, NY, we can take extra care tracking prescription drugs to ensure no families have to worry about whether the medication their loved one is taking to get better is safe and genuine."

CONTINUED

"I am profoundly grateful to the Florida investigators whose hard work tracked down the source of the counterfeiting," noted Tim Fagan. "I am thankful to Katherine Eban for telling their story. And I am deeply appreciative of Congressman Israel in sponsoring legislation that will toughen the penalties for counterfeiters, make the investigation and recall of phony drugs easier, and makes our nation's drug distribution system safer."

"We, along with our son, are indebted to Congressman Israel for introducing a bill before Congress that will toughen the penalties for counterfeiters, empower the FDA to investigate and recall bad drugs, and make our nation's drug distribution system safer," said Tim Fagan's parents, Kevin and Jeanne Fagan.

Israel's announcement takes place on the same day as the release of [Dangerous Doses: How Counterfeiters Are Contaminating America's Drug Supply](#) (Harcourt Inc.) by investigative journalist Katherine Eban, formerly with *The New York Times*. "Dangerous Doses" exposes the seedy underbelly of the prescription drug trade and takes readers inside the criminal networks that have infiltrated the U.S. prescription drug supply. It also exposes for the first time the circuitous route that Tim Fagan's counterfeit medicine traveled, from a dusty Florida trailer to the back of a Miami strip club to the largest wholesaler of drugs in America to the largest pharmacy chain in America.

"During the three years I spent investigating the pharmaceutical drug trade for my book, *Dangerous Doses: How Counterfeiters Are Contaminating America's Drug Supply*, I uncovered how a steady stream of adulterated, stolen, diverted and even counterfeit medicine routinely pollutes the legitimate drug supply," noted Eban. "Federal legislation that strengthens enforcement, tightens regulations and increases penalties for buying and selling adulterated drugs is the best way to stop the flow of unsafe medicine from reaching patients."

"On a daily basis, dirty secondary wholesalers commit murder by inches by illegally counterfeiting drugs and by illegally storing fragile pharmaceuticals in laundry rooms, in car trunks and in back-alley operations in unsafe conditions," added Stephanie Feldman Aleong. "Sick patients will die, and their doctors will never know the cause."

"We are grateful for the extraordinary and difficult work of the Florida investigators that tracked Tim's counterfeits, having cracked criminal counterfeiting rings and made arrests with such limited resources," noted Fagan attorney Eric Turkewitz. "And we tip our hats to Katherine Eban for telling their story in her spellbinding exposé, *Dangerous Doses*. Lastly, we are thankful to Congressman Steve Israel for introducing 'Tim Fagan's Law,' in the hopes that our government will provide tougher penalties for counterfeiting and more resources to the FDA to investigate and recall phony pharmaceuticals that endanger our lives."

For additional information on counterfeit drugs:

Dangerous Doses:  
[www.dangerousdoses.com](http://www.dangerousdoses.com)

The Turkewitz Law Firm Counterfeit Drug Resource Page:  
[www.EricTurkewitz.com](http://www.EricTurkewitz.com)

The National Consumers League:  
<http://fraud.org/fakedrugs/>

###