



NATIONAL ASSOCIATION OF
CHAIN DRUG STORES

0248 '02 MAY 17 A9:30

May 8, 2002

Dockets Management Branch
5630 Fishers Lane
Room 1061
Rockville, MD 20852

RE: 01P-0161/CP 1

To Whom It May Concern:

NACDS has been asked to comment on a citizen petition (01P-0161/CP1) that would require retail outlets to install magnification devices at regular intervals on their shelves. The stated purpose of the petition is to facilitate the reading of labels on over the counter drugs.

413 North Lee Street
P.O. Box 1417-D49
Alexandria, Virginia
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Founded in 1933 and based in Alexandria, Virginia, the National Association of Chain Drug Stores (NACDS) membership consists of nearly 200 chain community pharmacy companies. Collectively, chain community pharmacy comprises the largest component of pharmacy practice with over 100,000 pharmacists. The chain community pharmacy industry is comprised of approximately 20,500 traditional chain drug stores, 8,500 supermarket pharmacies and 5,900 mass merchant pharmacies.

NACDS is opposed to such a requirement for retail outlets. Although we agree that it is important for consumers to be able to read the labels of over the counter drugs before purchasing them, we feel there are better ways to accomplish this objective. As a start, there are pharmacists, technicians, clerks and cashiers on duty who would help someone who requested assistance with reading a label.

We are opposed to requiring magnification devices for the following reasons:

- The person who has trouble reading OTC labels would also have trouble reading labels, directions, price tags etc. in every department of a retail outlet. In fact, the same person would have trouble in every type of retail outlet and everywhere else they go, including buses, trains, airplanes, and even in their own home. The responsibility for procuring assistance with presbyopia and other types of visual impairment should lie with the consumer and not the owner of retail establishments where they shop.
- Retail pharmacies sell magnification devices and reading glasses and they would be pleased to help customers find the best product to suit their individual needs. There is no reason why they should provide them free of charge to customers and constantly replace them on their shelves. The consumer could carry the device or the glasses wherever they might go.

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- There was ample opportunity to comment on regulations that address font type and size (21CFR 201.66(d)(2) that manufacturers must provide on OTC drug labels. There is a limit, however, to how large the font size can be and still include the necessary information on small packages.
- The petitioner states this is a common sense cost-effective solution to a known problem. We don't feel the addition of magnification devices in retail outlets solves the problem of visual impairment nor do we think it is cost effective for retailers to provide them.
- Such a requirement would be costly to retail stores.
- We question the FDA's statutory authority to require magnification devices.

We thank you for the opportunity to comment on this citizen petition. If you have any additional questions, please do not hesitate to contact us.

Sincerely,



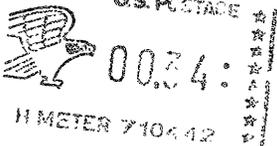
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Senior Vice President, Government Affairs & General Counsel



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