



national asian pacific american women's forum

napawf is dedicated to forging a grassroots progressive movement for social and economic justice and the political empowerment of Asian Pacific American women and girls

October 25, 2005

[Docket No. 2005N-0345]

RIN 0910-AF72

Andrew C. von Eschenbach, M.D.
Acting Commissioner
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857-0002

Dear Dr. von Eschenbach:

I am writing to you in response to your Notice of Advanced Rulemaking Docket No. 2005N-0345. The National Asian Pacific American Women's Forum (NAPAWF) is a grassroots advocacy organization committed to a progressive movement for social and economic justice and the political empowerment of Asian Pacific American (APA) women and girls. Reproductive health care is one of six areas that form the basis of our advocacy efforts. NAPAWF opposes institutional practices, political tactics, and oppressive ideologies that limit, deny, or suppress the reproductive freedom and choice of APA women. The FDA's delay in making a decision regarding the over-the-counter (OTC) status of Plan B emergency contraception (EC) is a harmful political tactic that endangers the reproductive freedom of APA women and contradicts scientific evidence showing that EC is safe for OTC use. We urge you to discard the rulemaking process and make EC available over the counter immediately.

APA women experience high rates of unintended pregnancies and abortions, and access to EC OTC will reduce these numbers. For instance, over two-thirds of APA women are sexually active, yet less than 40% regularly use contraception, increasing their risk of becoming pregnant. In addition, APA women experience high rates of abortion, particularly Chinese American, Korean American, and Thai women. Thirty-five percent of pregnancies end in abortion for APA women, compared to 18% for white women. One study found that between 1994 and 2000, abortion rates fell for all groups except APAs.

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Unintended pregnancy is also a concern for many APA teens. The "model minority myth" and failure of researchers to disaggregate data among Asian ethnic groups leads many to believe that teen pregnancy is not an issue in the APA community. By contrast, APAs have one of the fastest growing teen birth rates in the nation. For instance, Laotian Americans make up 19% of all teen births in California, the highest rate of any racial group.

In addition, over the counter access to EC is critical for APA women who lack health insurance or access to quality reproductive health care facilities. Thirty-six percent of APA women under age 65 lack health insurance and do not have a regular source of health care, which creates a bar to accessing health care services and prescription drugs. Making EC available over the counter will enable these women to have access to this time-sensitive drug.

Evidence illustrates that EC is safe, effective, and easily self-administered if taken within 120 hours of unprotected intercourse. In 2004, the FDA's own Advisory Committee voted in support of making EC available without a doctor's prescription. In addition, over 70 medical and pediatric organizations have found EC to be a safe drug that should be made over the counter for all women, regardless of age. To date, the FDA has not presented sufficient evidence demonstrating that OTC use of EC is harmful or detrimental to women's health. Fears that access to EC will cause teens to engage in unprotected sex are also unfounded. For instance, a recent study has shown that providing young women ages 15-19 with an advanced supply of EC did not increase the likelihood of unprotected sex.

The FDA's failure to rule on the OTC status of EC is contrary to scientific evidence and harmful to the reproductive health of APA women. Access to safe and timely contraceptives is a fundamental element of basic health care for women. The FDA's two year delay has succeeded in denying women this fundamental right and undermines the credibility, accountability, and procedural requirements of the FDA's own review standards. We urge you to make an affirmative decision regarding the OTC status of EC for women.

Sincerely,

Kiran Ahuja
Executive Director

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