



Women's Health Advocates Support Court Action for Expanded Access to Emergency Contraception

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(Washington, DC) – Statement by Kirsten Moore, President and CEO of the Reproductive Health Technologies Project after oral argument was held for the Center for Reproductive Rights' motion for contempt against Food and Drug Administration (FDA):

“It comes as no surprise that Judge Korman reached the same conclusion as women's health advocates - Secretary Sebelius' decision to overrule the FDA Commissioner and restrict Plan B One-Step behind pharmacy counters is a clear case of politics trumping science, or in this case, common sense.

“Secretary Sebelius should have deferred to medical experts and allowed Plan B One-Step to be stocked on the shelf. While we wish a legal remedy were not necessary, we applaud the Center for Reproductive Rights for continuing this important case.

“We hope the eventual outcome of this lawsuit is a label for Plan B One-Step and other levonorgestrel EC products that does not contain an age restriction. On-the-shelf access to emergency contraception is the best way to realize the full potential of this time sensitive product.

“In a country where nearly half of all unintended pregnancies are unplanned, effective accessible birth control options like emergency contraception is not just a case of convenience; it is an urgent health need.”

BACKGROUND: In March 2009, a U.S. federal District Court ordered the FDA to immediately make Plan B available over-the-counter to 17 year olds and to reconsider making emergency contraception available without a prescription for consumers of all ages, citing the overwhelming consensus among scientists at the FDA in support of the switch without restrictions. The FDA complied with the first component of the order in 2009, but waited until December 12, 2011 – the day before this hearing – to act on the second component of responding to the Citizen Petition. As a result, the Center for Reproductive Rights filed a contempt of court motion in 2010 to force FDA to take the ruling seriously. For more information about the filing, see: <http://reproductiverights.org/en/document/tummino-v-margaret-hamburg-memo-of-law-in-support-of-plaintiffs-motion-for-civil-contempt>

Emergency contraception is a safe, effective back-up method of birth control that can prevent pregnancy in the first few days after unprotected sex or contraceptive failure. Current levonorgestrel emergency contraceptive products on the market are Plan B® One-Step and two Plan B® generics.

For more information on emergency contraception: www.rhtp.org

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