



american society for
emergency contraception

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Inching Towards Progress: ASEC's 2015 Pharmacy Access Study

Background and Summary

Although current regulations allow one-dose levonorgestrel emergency contraception (LNG EC) to be sold on the shelf with no age or point-of-sale restrictions, our survey found that, even two years after Plan B One-Step® was approved for sale over the counter, **only 64% of stores stock EC products on the shelf**. Among stores that do stock EC on the shelf, **nearly half lock the product in a portable box or fixed case** that must be unlocked by a store employee, which can bring unwanted and uncomfortable attention to the purchase.

Compared to ASEC's [2014 EC Access Report](#), it is clear that **there has been some progress in availability of EC on the shelf**. Anti-theft measures are being used less frequently to secure EC, and a majority of respondents in 2015 reported that it was somewhat or very easy to locate EC in the store. Unfortunately, **the price of EC has not changed** since 2014, and **misinformation about age restrictions and ID requirements continues to be widespread**. Both issues pose major barriers to access.

Findings in Brief

- A majority of the stores in this sample **(64%) stock EC on the shelf** (vs 49% in 2014)
- Among stores that do stock EC on the shelf, **46% lock the product** in a case or box that must be unlocked by a store employee (vs 63% in 2014)
- For **67%** of participants, **finding EC in the store was somewhat/very easy** (vs 50% in 2014)
- **39% of stores impose an age restriction** to purchase EC
- The average price of **Plan B One-Step® is almost \$50** and one-dose **generics cost about \$40** (no change compared with 2014)
- While there are improvements in some areas compared to the 2014 EC Access Report, **full OTC access is not yet a reality**

Introduction

“Plan B space on shelf was empty, so I asked [for it] at the pharmacy counter. They told me they did not have it there and told me to go to the front of the store. EC is kept behind an opaque shelf – you can't see it and have to ask for it.”

- Participant comment about a chain pharmacy in Princeton, New Jersey

Current FDA regulations allow one-dose levonorgestrel emergency contraception (LNG EC), such as Plan B One-Step® and My Way®, to be sold directly on the shelf to women and men of any age with no point-of-sale restrictions. However, reports from across the country indicate that, in many places, it is not that simple. The regulatory status of LNG EC, particularly the age restriction for over-the-counter (OTC) sale, has changed frequently in recent years. Further complicating understandings about age restrictions is the use recommendation (“For women 17 years of age and older”) listed on packages for generic LNG EC products sold by companies other than Teva Pharmaceuticals (the owner of the branded product). This language is in place to (nominally) protect Teva’s OTC market exclusivity for Plan B One-Step® and is not meant to be an enforceable age restriction, but it confuses the question of eligibility for OTC purchase. The high price of EC coupled with continued confusion and misinformation about its regulatory status has led to great variations in individuals’ access to the product.

From June to August 2015, ASEC conducted a survey to assess availability of EC in retail locations across the United States, including whether EC was available on the shelf, how it was displayed, how much it cost, and whether store personnel believed there were age or ID requirements to purchase the product. This survey was a follow-up to ASEC’s [2014 EC Access Report](#), which was based on data gathered from September 2013 to March 2014. While the survey conducted in 2015 included both the branded product (Plan B One-Step®) and generic LNG EC, the 2014 EC Access Report focused only on Plan B One-Step®, the only product approved for OTC sale at the time. In the 2015 survey, we assessed the current environment to determine whether access has improved since the 2014 EC Access Report was published.

Methods and Participants

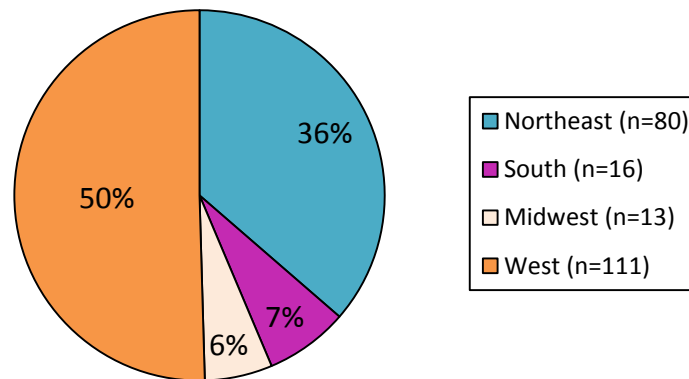
ASEC distributed an online survey via our listserv and through partner organizations. Respondents visited local stores and described how EC was being sold in that store using a standardized questionnaire. All responses (220 stores) included in this report provided information about shelf availability of EC; a subset of participants (159 stores; 72%) asked pharmacy staff additional questions about age and gender restrictions and ID requirements. In our survey, sale “on the shelf” included any type of packaging or box, even locked cases, as

long as the product was in view and not sold exclusively behind the pharmacy counter. This is a relatively small convenience sample and is not nationally representative; however, it provides a useful snapshot of how stores are displaying EC and how individuals experience purchasing it.

Geographical Distribution

Our sample includes stores in 23 states. Half of our sample is located in the West, with about one-third in the Northeast and less than 10% each in the South or Midwest. Most of the stores (61%) were described as being in an urban area, with smaller proportions in suburban (32%) and rural (6%) areas.

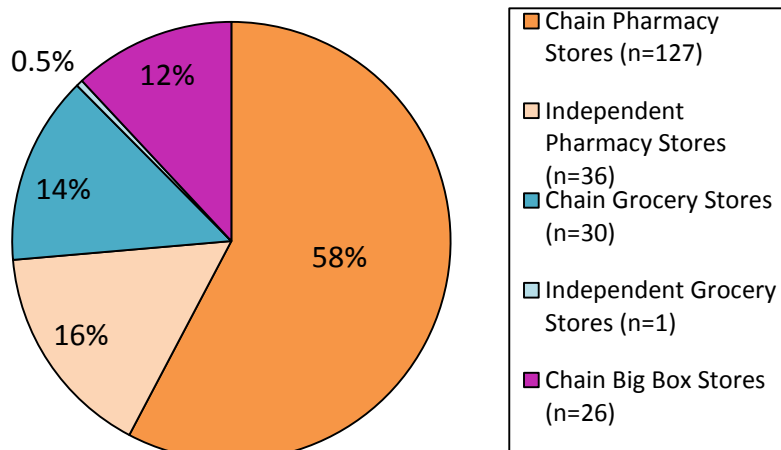
Stores by Region



Store Type

This sample includes independent and chain pharmacies, grocery stores, and big-box chain stores, such as Target. Pharmacies make up 74% of the sample. Independent stores make up only 17% of this sample, so most of these stores are part of a larger chain.

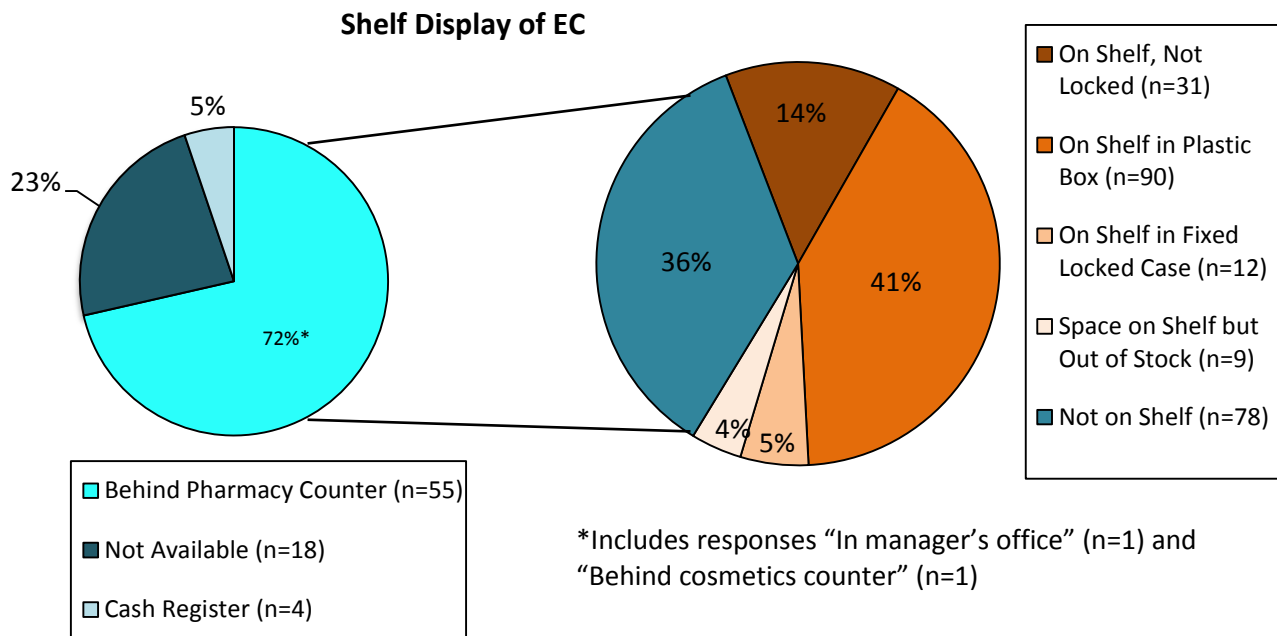
Listings by Store Type



Results

EC on the Shelf

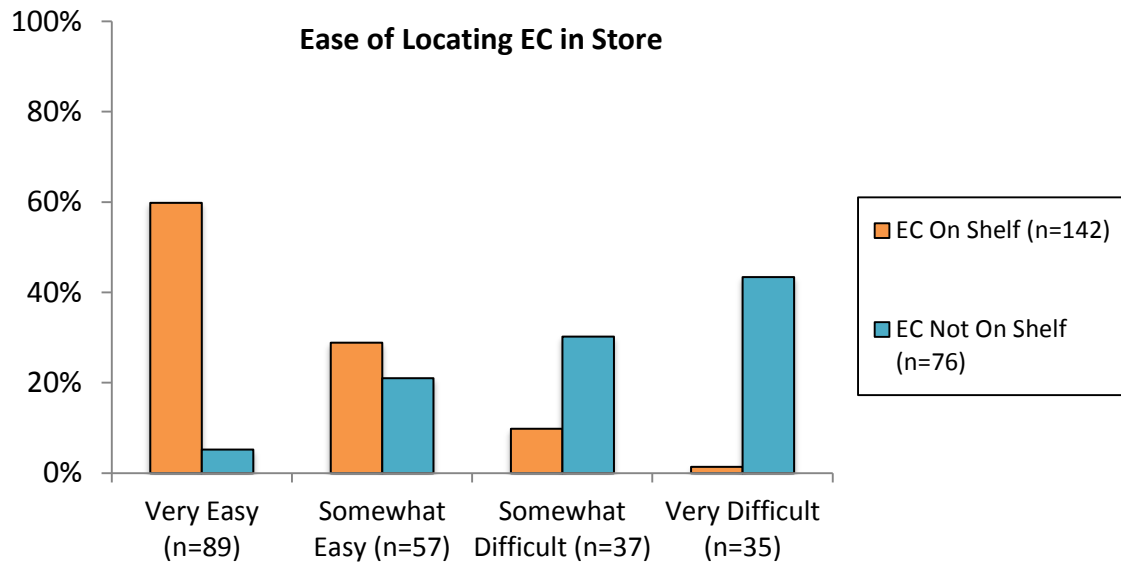
Nearly two-thirds (64%) of the stores surveyed had EC on the shelf in some form. Of these stores, the majority kept EC in some sort of a plastic box that customers had to carry to the register to have unlocked and 5% kept the product in a fixed locked case in the store aisle. Only 14% of stores had EC directly on the shelf without any security enclosure, and 4% of stores had a space for EC on the shelf, but the product was out of stock. Approximately 36% of stores did not sell EC on the shelf; in 72% of those cases, EC was located behind the pharmacy counter. But in 23% of stores surveyed, EC was not available at all.



Stores stocking EC on the shelf generally kept it in the family planning aisle near the condoms and pregnancy tests. A small proportion (8%) of stores sold EC in the feminine care aisle near tampons and pads, and 4% of stores sold EC in front of the pharmacy counter.

Locating EC in the Store

We asked respondents how easy or difficult it was to locate EC. Not surprisingly, in stores where EC was not on the shelf, in 74% of respondents reported that it was somewhat or very difficult to locate EC. Conversely, among those who did find EC on the shelf, almost 89% reported that it was somewhat or very easy.



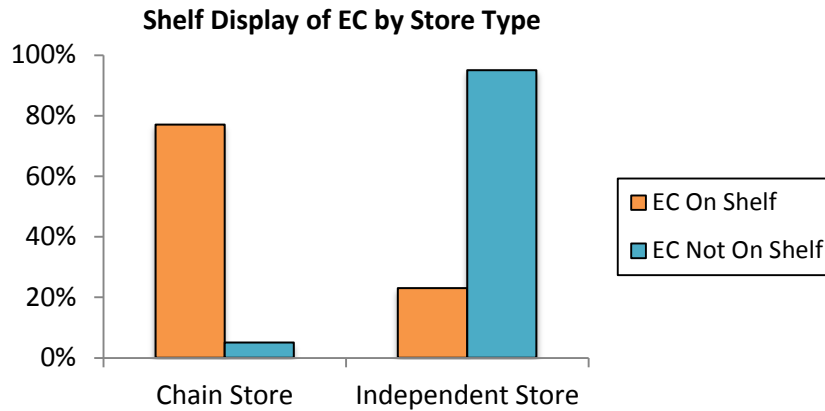
However, just because it was easy to locate does not mean it was always easy to purchase. This participant reporting from a chain store in Louisville, Kentucky said:

“It was awkward to have to ask the young boy at the customer service counter to unlock the box for me. He told me it should be open. I walked back and it wasn't. Then I had to go ask again and be supervised by him to get it and walk it through the entire store to the checkout counter.”

EC Shelf Availability

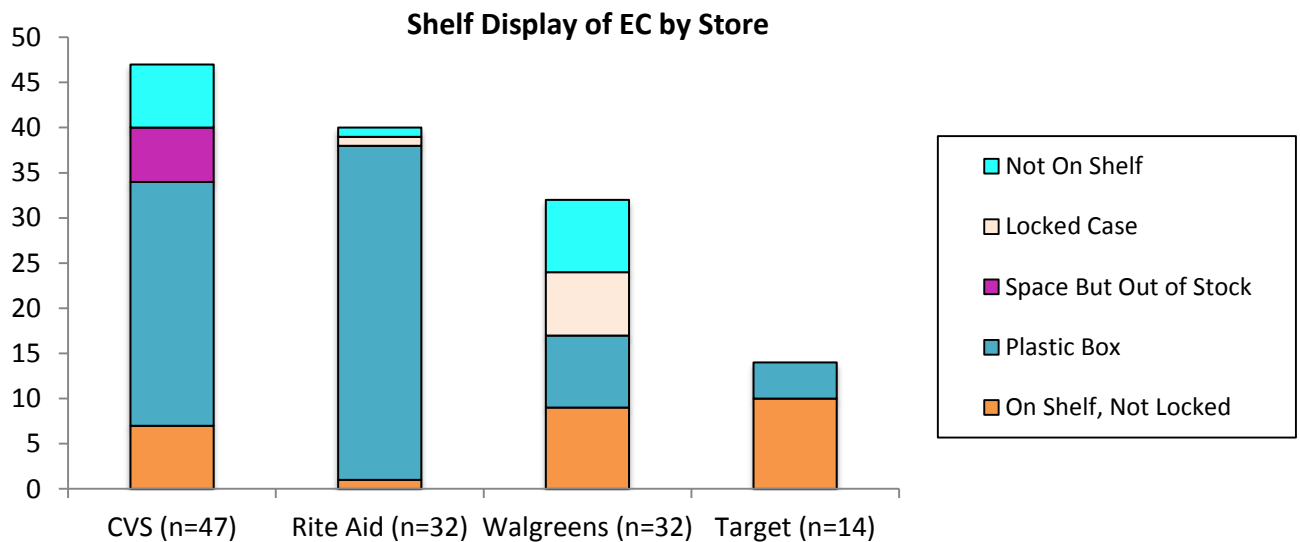
There was no difference in whether stores stock EC on the shelf when analyzed by region of the country. However, there was a significant difference by area type; a greater proportion of stores in suburban areas stocked EC on the shelf. This could reflect several underlying dynamics including theft prevention efforts in more urban areas and potentially an adherence to conservative values in more rural areas.

EC is also significantly more likely to be on the shelf in chain stores than independent stores.



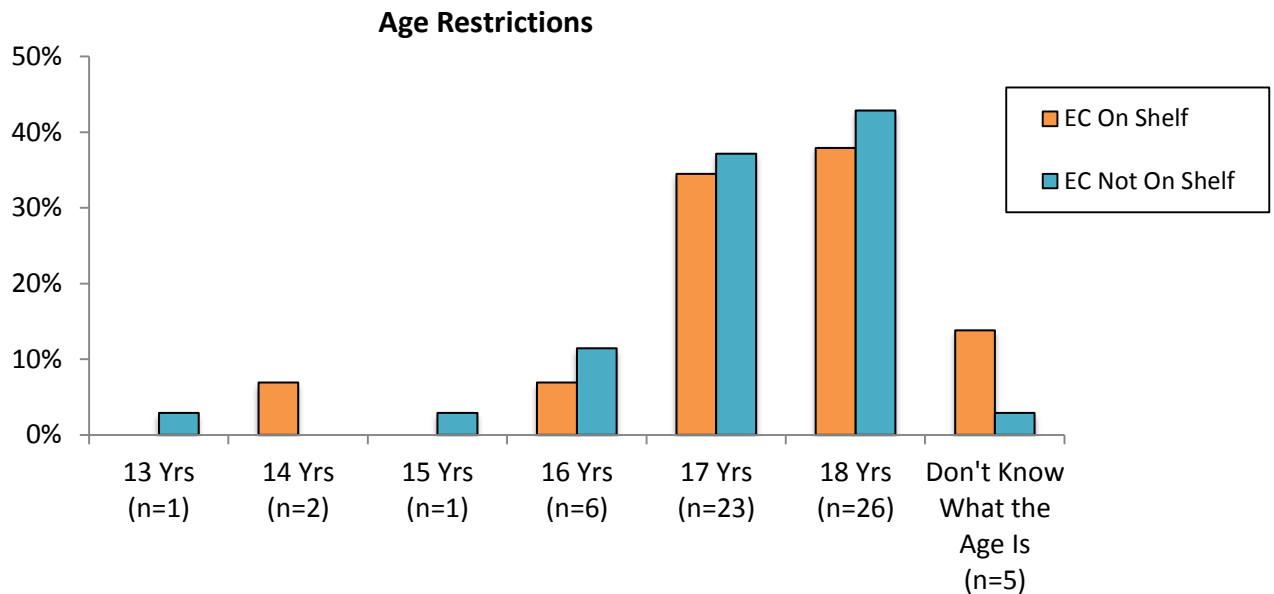
Variations in Stocking Practices by Store

Stocking practices vary widely by and within store chains. When looking at the four stores for which there was the most data (CVS, Rite Aid, Walgreens, and Target), it becomes clear that there is no consistency as to how EC is being sold, even among stores within the same chain. For example, most, but not all, Rite Aid locations stock EC in a plastic box on the shelf, while Walgreens locations are about equally likely to stock EC unlocked on the shelf, in a plastic box, in a locked case, or to not stock EC on the shelf at all.

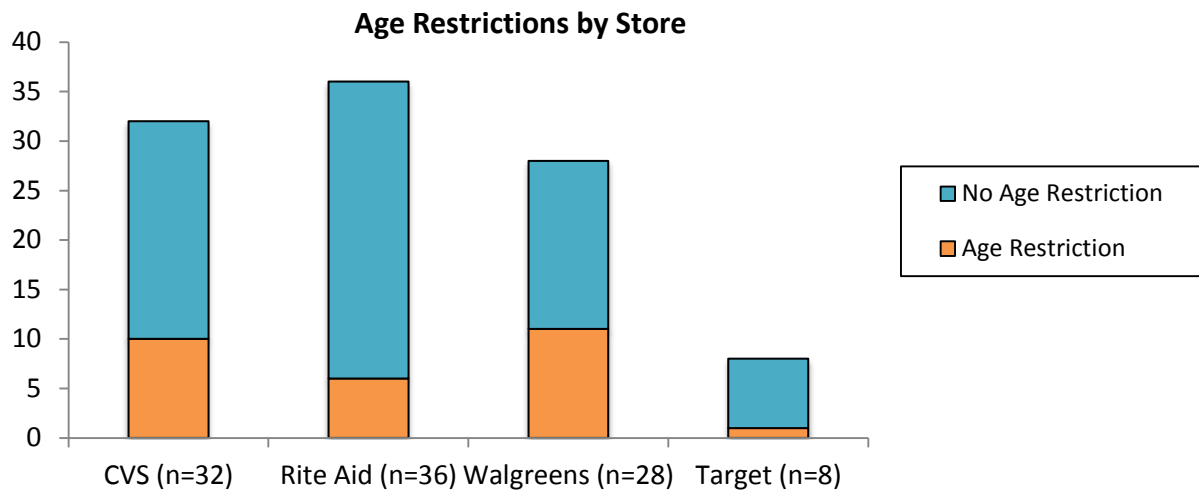


Age Restrictions

Not every respondent approached the pharmacy counter to ask additional questions about age and gender restrictions and ID requirements. Among the 159 (72% of total) participants who did, 39% were told that there is an age restriction for purchasing EC, but there was not consistency in what staff believed the age limit to be.. Store personnel reported a minimum age for OTC access ranging from 13 years to 18 years, with the majority stating that a customer had to be at least 17 years old to buy EC without a prescription. Five respondents were told that there was an age restriction but the store personnel did not know what the exact age was.



There did not seem to be a difference as to whether stores imposed an age restriction on the purchase of LNG EC when analyzed by region of the country or area. However, chain stores were significantly less likely to have an age restriction than independent stores. And, again, when looking at the four stores for which there was the most data (CVS, Rite Aid, Walgreens, and Target), there were large variations even within the same chain as to whether or not stores have an age restriction for purchasing EC.



ID Requirements and Gender Restrictions

Thirty-eight percent of stores surveyed required customers to show an ID to purchase EC. Almost all (95%) stores asked agreed that men can buy EC, although one store staff person was not sure, and one required men to show the ID of the woman for whom they were buying the EC before they could purchase.

“The pharmacist never sells EC to a guy unless the girl is with him in the store and the pharmacist checks the girl’s ID to make sure she is over 18.”

- Participant comment about a chain pharmacy in Greensboro, Alabama

Average Price of EC

Across all 220 stores, the average price of Plan B One-Step® is \$49.64 and the average price of generic one-dose EC is \$40.05.

Have We Made Progress? Comparing 2015 to 2014

When we compare these 2015 findings to the results of the EC Access Report from 2014, it is clear that in some areas we are making progress and, in others, there is more work to do.

- **EC on the Shelf:** In 2015, we found that there are more stores with EC on shelf (64%) than in 2014 (49%).
- **Anti-Theft Measures:** 41% of stores in 2015 keep EC in a plastic locked box, compared to 56% of stores in 2014. For both years, a small and similar proportion of stores keep EC in a locked case in the store aisle (5% in 2015 and 7% in 2014).
- **Ease of Locating EC in the Store:** More respondents in 2015 (67%) than in 2014 (50%) felt it was somewhat or very easy to locate EC in the store.
- **Price:** EC pricing in 2015 were consistent with what we found in 2014. Plan B One-Step® costs almost \$50 and generics are only about \$10 less on average. Price is still likely a major barrier to access for many women.
- **Misinformation about Age Restrictions and ID Requirements:** We still see widespread misinformation from pharmacists, pharmacy technicians, and cashiers regarding age restrictions and ID requirements, as we did in 2014.

Comparison of findings: 2015 vs 2014

	2015	2014
EC on Shelf	65%	49%
Anti-Theft Measures	Plastic locked box = 41% Locked case = 5%	Plastic locked box = 56% Locked case = 7%
Somewhat/Very Easy to Locate EC in Store	67%	50%
Price	Brand: \$49 Generic: \$40	Brand: \$48 Generic: \$41
Misinformation about Age/ID Requirements	Yes	Yes

Conclusions

As this survey shows, the regulatory changes that have taken place over the past several years around the sale of LNG EC are still confusing to retailers and consumers. Although these changes have sought to improve access, women still face major barriers to purchasing EC, including inconsistent availability on the shelf, high cost, and misinformation around age restrictions and ID requirements. While access appears to be improving, more needs to be done. In addition to these survey findings, we continue to hear complaints from individuals across the country about barriers to accessing EC.

As of April 2016, all of the generic EC labels will be able to match the Plan B One-Step® label. This means that the confusing use recommendation, which says that the product is for women aged 17 and older, can be removed from the packages for My Way®, Next Choice One-Dose™, and other generics that are not made by Teva. We hope that this will further increase EC access through the standardization of its sale, regardless of brand.

Harmonizing the labels for the different EC products should help to minimize confusion about regulations, but the high cost remains a persistent problem. There is an online retailer selling LNG EC at a reduced cost (afterpill.com), but because it does not offer expedited shipping, this is not a solution for women who need EC immediately. Clinics often offer EC at lower prices, and women for whom price is a major concern might consider obtaining EC from a Planned Parenthood or another community clinic.

While ASEC continues to monitor how and whether access to EC improves, we encourage colleagues and consumers to look for EC in stores and pharmacies and share your findings with us. When it is not available on the shelf, ask store managers why that is and ensure that they understand that current regulations allow EC to be sold on the shelf with no restrictions; our [Guide for Pharmacies and Retailers](#) is a useful tool for educating store personnel on the often-confusing landscape of EC regulations. Working together, we will continue to advocate for improved access for all women.