

to accompany the package. This way the package can be flagged, and the courier's U.S. Customs broker can inform the FDA about the package.

WHY A COURIER SERVICE?

A courier service familiar with U.S. Customs laws will know how to legally import pharmaceutical drugs. Areas that the courier service will have to address are the Customs entry process, Customs bond requirements, the U.S. import documentation, the Harmonized Tariff Schedule (HTS) classification of the pharmaceutical drugs, the FDA import product codes, the FDA import affirmation of compliance codes, the FDA prior notice and establishment of a separate account, and the use of the Import Trade Auxiliary Communication System (ITACS).¹²

ILLEGAL INTERNET PHARMACIES AND COURIER SERVICES

One of the best courier services, FedEx Corporation, was indicted in July 2014 for conspiracy to distribute controlled substances, conspiracy to distribute misbranded drugs, and distribution of controlled substances and misbranded drugs. On August 15, 2014, the Justice Department added conspiracy to launder money in conjunction with the distribution of pharmaceutical drugs from illegal Internet pharmacies on a “collect on delivery” basis. FedEx pleaded not guilty and is fighting these charges.¹³

It is apparent that significant numbers of deliveries were made from Internet pharmacies with invalid or nonexistent prescriptions. Some of these shipments were destined for empty lots or vacant homes. According to Patrick Fitzgerald, FedEx senior vice president of marketing and communications, FedEx handles 10 million packages a day! The challenge to monitor every one of them is next to impossible.¹⁴ I have been to two FedEx facilities during my career (Memphis and Louisville) and can attest to the massive scale and volume that each one of these facilities handles. It is easy to see how an efficient supply chain built for size and speed can be exploited at times by illegal operations.