



CANCER FAMILIES FOR AFFORDABLE MEDICINE

CANCER PATIENTS, SURVIVORS, AND LOVED ONES UNITED FOR ACCESS TO CANCER MEDICINES

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The Trans-Pacific Partnership: A Deal That Will Make America Sick

Why Congress Should Protect Americans' Health and Say "NO" to the TPP

↔ A coalition of cancer patients and others have a message for the U.S. Congress ↔

Reject the TPP

The Trans-Pacific Partnership (TPP), if approved by Congress, would lock in policies that threaten patients' access to medicines, especially the biologic medicines that provide hope to so many cancer patients and others with serious illnesses.

"The TPP will...go down in history as the worst trade agreement for access to medicines."
-- *Doctors Without Borders*

Summary: Why Is the TPP Bad for Health?

- The TPP would lock in policies that delay production of affordable generics. Lack of generics causes higher prices and reduces access to medicines.
- The TPP would lock in policies that give companies 20-year monopolies for tweaking existing medicines rather than innovating new medicines. That contributes to skyrocketing medical costs, which increase taxes, co-pays, and insurance premiums.
- The TPP would bind the hands of policymakers who want to improve health policies and control health costs.
- The TPP would empower foreign corporations to challenge U.S. public health laws in private tribunals whose decisions supersede our courts.

"When so many new medicines and the Cancer Moonshot offer hope, the threat of the TPP passing is like an ominous cloud for cancer patients."

-- *Zahara Heckscher, breast cancer patient,
Cancer Families for Affordable Medicine*

What is the TPP?



The Trans-Pacific Partnership (TPP) is an international agreement among the U.S. and Mexico, Canada, Vietnam, Japan, and seven other countries. If ratified by the U.S. Congress, the TPP would affect access to medicines, wages and outsourcing, environmental protections, and democratic institutions. It would be enforced by unelected tribunals that allow multinational companies to sue the U.S. government and seek colossal sums to be paid by taxpayers, including for the loss of expected future profits.

The TPP is called a "Free Trade Agreement," but it is not focused on trade and it is not free. Only six of TPP's 30 chapters deal with traditional trade issues such as tariffs. Many of the provisions of the TPP are anti-free trade and would decrease competition, including in the health sector, leading to higher prices and less access to affordable medicines.

The Effects of the TPP on Health



The TPP could threaten people's access to vital new biologic medicines.

The TPP could impair patient access to emerging biologic medicines by delaying "generics" and keeping prices sky high.

When drug companies charge \$50,000 a year and up for biologics, speeding up access to biosimilars (like generics for biologics) is vital for guaranteeing access to treatment. The TPP would lock in extra monopolies of 5-8 years for biologics just at the time when some U.S. policymakers are seeking to reduce extended monopolies on biologics so that the medicines can more easily reach those who need them.

These monopolies, which block biosimilars, come in the form of "marketing exclusivity" where only the brand name company gets permission to market a medicine. Medicines are already covered by 20-year patents in the U.S., and special laws for biologics can give them extended time beyond that without competition. Under the TPP, if the U.S. wanted to change our own laws to speed up biosimilars, policymakers would be restricted by TPP requirements. The net effect: decreased access for patients who need these medicine to stay alive.

"An experimental immunotherapy – a new biologic medicine – is keeping me alive. With the TPP, even if treatments like this one are approved, they could stay out of reach for too many people who need them."

-- Hannah Lyon, young adult cancer patient, Cancer Families for Affordable Medicine

What Are Biologic Medicines?

Biologics are medicines that are made from live cells and/or biotechnology. They include immunotherapies, vaccines, gene therapies, and monoclonal antibodies.

These medicines are vital for preventing diseases and treating cancer, heart disease, diabetes, Crohn's, and other common illnesses. For cancer patients, these breakthrough medications often provide effective treatments with fewer harmful side effects than traditional chemotherapy.

Recent years have seen rapid growth in the number of biologics. In 2014, seven of the top eight best-selling drugs in the United States were biologics. New biologics in the pipeline offer hope to families for future cures.

Thousands of Americans are benefiting now from biologics, with numbers expected to grow rapidly, since about 30% of Americans are diagnosed with cancer during their lifetimes.

The TPP would contribute to skyrocketing U.S. health costs, insurance premiums, and taxes.

"While the public in the United States has been focusing on making drugs cheaper, our TPP negotiators were working to make them more expensive." -- Dean Baker, Economist

We all subsidize overpriced prescriptions through our insurance premiums and tax dollars that pay for Medicare, Medicaid, veterans' health, and other government programs. The TPP would hamper negotiation for reasonable prices. It would lock in a distorted system that incentivizes expensive treatment for advanced disease rather than affordable and preventative treatment. These problems lead to excessive insurance premiums, high co-pays, and high taxes being funneled to private companies.





The TPP would incentivize legal maneuvers instead of innovation.

The TPP would mandate policies that extend drug monopolies for some tweaks of existing medicines (such as extended release dosing or new delivery mechanisms), known as “evergreening.”

“The TPP includes measures that... enable ‘evergreening’ by requiring countries to grant additional 20-year patents for modifications of existing medicines, including new uses, new methods or new processes of using, existing medicines. These provisions extend monopoly protection that enables pharmaceutical companies to delay competition and keep prices high over many more years for products that are already on the market.” -- *Doctors Without Borders*

With evergreening laws locked in by the TPP, brand-name pharmaceutical companies would continue to have incentives to hire more lawyers to fight for extended patents on existing medicines, and more marketers to push new names for old drugs with different dosing, rather than hiring more researchers to find new medicines that extend lives.



The TPP would diminish access to medicines overseas, and thus could contribute to future epidemics that spread across borders.

“The TPP is a particular threat to fragile and under-resourced health systems in Mexico, Vietnam, Peru and Malaysia. By raising prices of medicines, it would reduce these countries’ capacity to treat infections such as HIV, TB, malaria, dengue fever, and emerging infectious diseases.”
-- *Hilary McQuie, Health GAP*

We know from the recent spread of the Zika virus in the U.S. and the ebola outbreak that microbes do not respect borders. And we know from the HIV/AIDS epidemic that delaying generics and keeping prices high can fuel the spread of deadly diseases overseas. The effect of the TPP on delaying generics will hit especially hard on low-income countries. These delays can give diseases time to gain a foothold and become epidemics that can spread around the world. The resulting high cost of medicine will also distort efforts to improve health systems in other countries, and make foreign aid less effective, with more money going to expensive medicines and less left over for basic health needs and prevention.



The TPP would allow international pharma companies to sue the U.S. government if they think U.S. law decreases expected profits.

A key provision in the TPP is the notorious “investor-state dispute settlement” (ISDS) system. This process empowers corporations to go outside the U.S. court system to attack laws that protect our health and environment. These cases are decided by tribunals of three corporate lawyers, many of whom rotate between judging cases and representing corporations suing governments – a serious conflict of interest. They can order U.S. taxpayers to pay corporations astronomical sums. Their decisions cannot be appealed. It does not matter if the policy being appealed is constitutional according to U.S. courts. Even decisions by the Food and Drug Administration or efforts by Congress to make medicines more accessible could potentially be subject to these costly ISDS lawsuits.



“Handcuffs on Policymakers”: The TPP would be a threat to Congress’ power to craft effective policy for decades to come.

If the TPP passes, to change the policies it mandates, all 12 signatory countries would have to agree to any text change, however small. Such changes are virtually impossible, as we know from NAFTA, which affects only three nations. Bad policies that result from the TPP would therefore be locked in for decades to come, affecting the health needs of future generations. That is like putting handcuffs on policymakers.

The TPP would also undermine the democratic decision-making powers of U.S. elected officials by empowering multinational corporations to challenge our laws outside our courts. The mere threat of a costly ISDS suit could put a damper on policymakers’ efforts to reduce health costs. In this way, the TPP creates an imbalance of power – a special system of “justice” – just for multinational corporations. That puts both our democratic system of decision-making and our taxpayer dollars at risk.

Who Opposes the TPP?

Groups against the TPP include:

- Doctors without Borders, the National Nurses Union, RESULTS, Breast Cancer Action and over 50 other **health organizations**
- **Faith groups** such as the Presbyterian Church (U.S.A.), Washington Office, Network: A Catholic Social Justice Lobby, United Church of Christ Justice and Witness Ministries, United Methodist Church, General Board of Church and Society, Maryknoll Office for Global Concerns
- The AFL-CIO, Teamsters, United Auto Workers, International Association of Machinists and Aerospace Workers and over 1,000 other **labor organizations**
- Sierra Club, 350.org, Greenpeace, Center for Biological Diversity, Food & Water Watch, and dozens of other citizen and **environmental organizations**



Congress has the power to stop the TPP.

We call upon all Members of Congress to pledge to vote NO on the TPP.

“If you have ever needed medication, if you have ever had a loved one impacted by cancer, if you care about how we access medicine here in the US and around the world, please call your member of Congress and tell them to oppose the TPP.” -- *Hannah Keppler, American Medical Student Association*

Take Action:

1. Call the congressional switchboard at 202-224-3121. Ask to be connected to the Member of Congress for your zip code. Tell that Member:

“I am a constituent. Please oppose the Trans-Pacific Partnership and publicly state your opposition to the TPP because it threatens access to medicines.”

2. Email your Representative and Senators: [**tinyurl.com/TellCongressNoTPP**](http://tinyurl.com/TellCongressNoTPP)

3. Learn more or sign the petition: [**CancerFam.org**](http://CancerFam.org)

4. Talk to your friends, family, doctors, and co-workers about the threat of the TPP.