

November 4, 2020

Thushitha Kobikrishna
Clerk, Standing Committee on Justice Policy
99 Wellesley Street West
Room 1405, Whitney Block
Queen's Park, Toronto, Ontario

Via Email: comm-justicepolicy@ola.org

RE: Support from Ontario Generic Pharmaceutical Manufacturers for *Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020*

Dear Clerk:

I am writing today to express the support of the Canadian Generic Pharmaceutical Association (CGPA) for *Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020*.

About the Canadian Generic Pharmaceutical Association

The Canadian Generic Pharmaceutical Association (CGPA) is the national association representing Canada's generic pharmaceutical industry.

The generic pharmaceutical industry is a key player in Ontario's Life Sciences Sector, employing some 7,000 Ontarians in highly skilled, good-paying jobs. Also, made-in-Ontario generic pharmaceutical products are exported to hundreds of countries around the globe.

Generic pharmaceutical manufacturers serve an important role in controlling health-care costs in Ontario and Canada. Generic drugs are dispensed to fill 69.8 percent of all prescriptions but account for only 17.9 percent of the \$12.5-billion Ontarians spend annually on prescription medicines.

Generic and biosimilar pharmaceutical products also help Ontario employers that provide drug benefit plans for their employees to remain competitive. Because generic pharmaceutical prices are transparent in Ontario and Canada, the savings they provide benefit all Ontario payers, including patients, governments, and employers that sponsor drug benefit plans for their employees. Comprehensive benefits packages offered by Ontario employers are more affordable and sustainable with the increased utilization of cost-savings generic and biosimilar medicines.

Ontario's Generic Pharmaceutical Manufacturers Support Bill 218

As manufacturers of prescription medicines, CGPA member companies operating in Ontario have been designated, under O. Reg. 82/20, as an essential service business in the context of the COVID-19 pandemic.

Throughout the pandemic, CGPA member company employees have worked tirelessly to overcome numerous challenges to ensure that Ontarians and all Canadians have continued to have access to the prescription medicines they need.

CGPA members are, however, concerned regarding the provision of essential services and, specifically, challenges in providing those essential services with liability risk during the COVID-19 pandemic.

As essential service providers that manufacture and supply nearly three quarters of the prescription drugs dispensed in Canada, generic pharmaceutical companies must be able to perform their critical role in support of Ontarians without fear of liability for providing those essential services. Maintaining the production and distribution of prescription medicines for Ontarians and Canadians must be the priority for CGPA member companies.

Member companies are well aware of their duties under the Occupational Health and Safety Act (the "OHSA") to "*take every precaution reasonable in the circumstances for the protection of a worker*" (the "Precautionary Principle") in the difficult circumstances of regarding COVID-19 in the workplace.

It is, therefore, our view that actual legal liability should be limited to circumstances of gross negligence, in order to ensure that supply of prescription medicines for Ontarians and Canadians can continue uninterrupted during this difficult and challenging time.

Sincerely,



Jim Keon
President

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Canadian Generic Pharmaceutical Association

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