FOREIGN DRUG IMPORTATION:

OCTOBER 2026 UPDATE

Well-meaning advocates have spent a quarter century proposing importing unauthenticated medicine from foreign countries' drug supplies to lower prices for Americans, even though past efforts didn't pay off financially and raised risks to public health.

NEW PAPERWORK REQUIREMENTS FOR IMPORTS

On October 22, 2026, all packages being imported to the U.S. must comply with new paperwork requirements defined by the U.S. Customs and Border Protection. In the past, many packages of unsafe medicines entered the U.S. without entry paperwork because illegal foreign pharmacies declared (often inaccurately) that they were de minimis shipments with a value of less than $800.

The volume of de minimis packages is so large (over one billion per year) that customs officials have struggled to catch these illegal shipments at the border. The new rules require shipping agents to declare a package's value, the identity of the sender, and an accurate trade category. This leaves illegal pharmacies with a difficult choice: file honest paperwork and trigger customs compliance issues, or file dishonest paperwork and face penalties from shipping brokers and customs officials.

Advocates for illegal foreign drug importation are lobbying the Administration to make an exception for these medicines in the customs process.

BULK CANADIAN DRUG IMPORTATION

Since the federal government defined requirements for state-sponsored Canadian drug importation programs (SIP) in 2020, the Food and Drug Administration (FDA) has approved SIPs in Florida and Colorado.

Florida's program

In January 2024, Florida received federal approval for a two-year pilot to import Canadian drugs for residents enrolled in state-sponsored health programs. A three-page July 2026 legislative report states that the pilot was extended again in May 2026, but **still hasn't imported a single drug**. It attributes that failure to manufacturers and the Canadian government.

Colorado's program

Colorado won FDA-approval to import 19 prescription drugs from Canada on June 15, 2026. Importation won't save money for the state's Medicaid program, but if they avoid Florida's procurement issues, actuaries estimate that Coloradans would save $24.5 million in 2027. That's down from the estimated $36 million to $60 million annual savings projected in 2020.

Canadian misgivings

It's unlikely that Canadian manufacturers will agree to sell wholesale quantities of drugs to U.S. states because it would endanger the supply for Canada's own population. Colorado officials were unable to interest Canadian manufacturers in 2024, and drugmakers were no more interested in participating in February 2026.

A few states persevere

As of September 1, 2026, Canadian drug importation bills had been filed in the Illinois, Mississippi, New Jersey, New York, Rhode Island and West Virginia state legislatures. None of them have moved forward since March.

Consult our importation resources to learn about past attempts to import unauthenticated medicine from foreign drug supplies: *https://safedr.ug/drugimportation*

The Partnership for SAFEMEDICINES®

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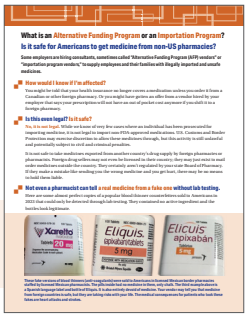
Alternative Funding Programs (AFPs): October 2026 update

Some employers who sponsor self-funded insurance plans are steering patients into filling high-cost medications from "alternative" sources, including foreign pharmacies, a practice that is illegal in almost all cases. "Alternative Funding Program" vendors help health plans in these efforts. PSM's handout, "What's an Alternative Funding Program or an Importation Program?," summarizes this practice and the risk to patients.


What is an Alternative Funding Program or an Importation Program?

Is it safe for Americans to get medicine from non-US pharmacies?

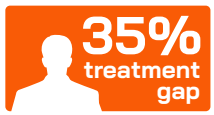
How would I know if I'm affected?

Is this even legal? Is it safe?

Not even a pharmacist can tell a real medicine from a fake one without lab testing.

Xarelto Eliquis apixaban Elicuis apixaban

A NEW STUDY CONFIRMS THE NEGATIVE IMPACTS OF AFPS



A Vanderbilt Specialty Pharmacy study presented in July 2026 reported that AFP patients faced barriers to medication access, treatment gaps at 35%—compared with just 2% for patients not enrolled in an AFP, and a ninefold jump in poor clinical outcomes. 23% of AFP patients saw their disease progress as a direct result of these delays.

The Doses He Never Should Have Missed

Discussion: Donovan Guerrero, Engineering student at ECPI University and bleeding disorders patient & advocate and Shabbir Imber Safdar, Executive Director, PSM

That data aligns with what PSM heard firsthand from a patient in February 2026. Hemophiliac patient Donovan Guerrero described how an AFP delayed access to the clotting factor he relies on to prevent bleeding episodes. Gaps in treatment made him uncertain and anxious, caused him to miss doses, and ultimately landed him in the hospital three times.

FEDERAL AUTHORITIES MAINTAIN THAT DRUG IMPORTATION THROUGH AFPS IS UNLAWFUL

In August 2026, the U.S. Fourth Circuit Court of Appeals affirmed a preliminary injunction barring Meritain Health, Inc. and a network of connected vendors from importing, advertising, or facilitating the import of foreign-market Gilead Sciences, Inc. medications. The court found that drugs manufactured for overseas markets may "share a chemical formula but materially differ" in how they're produced and inspected. Gilead sued the defendants in 2024, after they filled a Maryland HIV patient's prescription with medication sourced from a Turkish pharmacy.

The FDA has taken the same position. In March 2026, the agency reiterated that drugs imported through AFPs bypass standard regulatory checks and may be counterfeit, contaminated, or contain inconsistent levels of active ingredient — risks the agency has publicly flagged as a growing concern.

In August, PSM signed a memorandum of understanding with the National Intellectual Property Rights Coordination Center (IPR Center), establishing a partnership to pursue complex investigations into alternative funding programs and drug importation schemes.

To follow PSM's work on the issue, go to *https://safedr.ug/AFPs* or scan this QR code:

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