

December 9, 2003

Is support for pharmaceuticals an IEE issue?

Following is paraphrased from a General Counsel email from July 2003 involving a case in which a mission program proposed support for anti-malarial drug procurement:

“If we are funding pharmaceuticals, their safety and efficacy is essentially an OP issue, per the OP regs. [In such cases, biomedical waste disposal is often identified as an environmental issue. That would not be reviewed by OP, but would appropriately call for a negative determination with conditions.] If we are funding salaries of persons who are using the non-USAID-funded pharmaceuticals, the straightforward approach would be to approve a categorical exclusion for the salaries and not review the pharmaceuticals.”

The relevant ADS section is ADS 312.5.3c Pharmaceuticals, in [Major Functional Series 300: Acquisition and Assistance, ADS Chapter 312 - Eligibility of Commodities.](#)