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Chuck pushes plan to let other firms make Cipro

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DAILY NEWS WASHINGTON BUREAU

WASHINGTON — Fearing high costs and dwindling supplies of Cipro, lawmakers and the White House were debating yesterday how to make sure there's enough of the anthrax remedy for everyone who might need it.

Sen. Chuck Schumer (D-N.Y.) is pushing Health and Human Services Secretary Tommy Thompson to yank Bayer's patent on Cipro — and allow others to quickly manufacture the anthrax drug because of the national emergency.

But Thompson and the rest of the Bush administration appear likely to reject Schumer's idea.

"We don't feel it's necessary to pursue that," said White House spokeswoman Anne Womack.

She said that between the existing Cipro and other antibiotics that can treat anthrax, "there is a plentiful supply" of medicine.

Schumer insists that Thompson has the power to commandeer Bayer's patented drug recipe and let other companies help meet a national priority.

He said taxpayer money could fund a stockpile of the drug for anyone exposed to the treatable but potentially lethal bacteria.

"It would produce a lot more of the drug at a lot lower price," Schumer said yesterday of his proposal to take away Bayer's patent on the drug.

"We have an emergency here," he argued. "These are not usual times, and the drug companies have to learn that."

But Thompson said he doesn't think he has the authority to do that. "We are looking at Sen. Schumer's suggestion. But I do not believe we have the legal authority to do so," Thompson said this week on NBC.

An administration official said such a move would not save money because the feds would have to pay Bayer off at market rates.

"You have to reimburse the company that holds the patent, which could be incredibly costly," the administration official said.

Meanwhile, Bayer, which could suffer big-time revenue losses if its profitable drug — which wholesales for $4.67 per tablet — was sold by other companies, has fought back.

Bayer promised to triple Cipro production, to 15 million tablets per week, and sell it at or below its price before Sept. 11.

Officials say there's enough Cipro available to treat 2 million people for the antibiotic's full 60-day run.

Thompson wants a sixfold increase, to be able to treat as many as 12 million people for anthrax.

Barr Laboratories, a Pomona, N.Y., generic drug maker, says Bayer likely couldn't keep up with the increase that Thompson wants. "They literally couldn't do it in a year," Barr spokeswoman Carol Cox said yesterday.

A Bayer spokeswoman did not return a phone call.

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