

September 23, 2015

Diana Dooley, Secretary  
Health and Human Services Agency  
1600 9<sup>th</sup> St. Suite 460  
Sacramento, CA 95814

Dear Secretary Dooley:

**Re: Request for temporary exemption for use of thimerosal-containing vaccine**

Due to delays in the delivery of preservative-free flu vaccine across the U.S., we request a temporary exemption be granted to allow health care providers in California to administer thimerosal-containing vaccine to children under three years of age and pregnant women.

The United States is experiencing a national shortage of **Fluzone** pediatric pre-filled syringes, manufactured by Sanofi Pasteur. This is the only preservative-free injectable vaccine that can be administered to children ages 6-35 months under California law (California Health and Safety Code Section 124172 ). Additionally the delivery of **FluMist**, the live attenuated influenza vaccine (LAIV) that is administered intranasally, is also delayed throughout the country. **FluMist** has no preservative and can be administered to a two-year old child if there are no contraindications. The manufacturer reports that the vaccine is delayed due to production and shipping issues.

Physicians across California are reporting that delays of preservative-free flu vaccine are resulting in significant missed opportunities for vaccination and protection of vulnerable members of our community—hundreds of parents who desire the flu vaccine for their infants and toddlers are being turned away. Many young children and pregnant women may be at risk for serious disease and even death if providers are legally prohibited from administering flu vaccine that contains thimerosal, which is safe and effective for these groups.

California Health and Safety Code Section 124172 requires that vaccines administered to children less than 36 months of age and women who are known to be pregnant be thimerosal-free unless an exemption is provided by the Secretary of Health and Human Services and agreed to by the Governor. Existing law stipulates that such an exemption can be granted in the event of a “shortage of supply of a vaccine.” (See Chapter 837, September 28, 2004).

Thank you for your consideration of our position regarding this important public health issue. We are happy to provide additional information. Please contact Catherine Flores Martin, Director, at the California Immunization Coalition [cmartin@immunizeca.org](mailto:cmartin@immunizeca.org) or 916-414-9016.

Sincerely,



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