

For Immediate Release: June 5, 2013

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Court Partially Rejects DOJ “Stay” in Decade-Long Battle for Emergency Contraception Over the Counter

Washington, DC -- Statement by Susannah Baruch, Interim President & CEO of the Reproductive Health Technologies Project, on the ruling of the United States Court of Appeals for the Second Circuit partially denying the Department of Justice’s request for a stay in *Tummino v. Hamburg* and requiring the U.S. Food and Drug Administration to comply with U.S. District Court Judge Edward Korman’s court order to make two-pill versions of levonorgestrel-based emergency contraception available without a prescription and without point-of-sale or age restrictions.

“The wait is finally over. Emergency contraception will sit on store shelves so that all women have easier access to back-up birth control when they experience a contraceptive failure.

The courts have said enough is enough. The political arguments for denying all women over-the-counter access to emergency contraception simply do not hold up. Despite years of political interference, science will prevail.

For more than a decade multiple administrations have wasted time and resources ignoring the science and prohibiting women timely access to an important product used to prevent unintended pregnancy.

We are anxious to close this chapter of delays and continue the work of ensuring that all women know where and when to access emergency contraception if they need it. A broken condom doesn’t have to mean an unplanned pregnancy. When a woman can plan her pregnancy, there are clear benefits for the health, economic, and social well-being of her and her family.”

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Emergency contraception is a safe, effective back-up method of birth control that can prevent pregnancy in the first few days after unprotected sex or contraceptive failure. For more information about emergency contraception, please visit RHTP’s website [here](#).

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Susannah Baruch, Interim President & CEO, Reproductive Health Technologies Project is available for interview upon request.