

EMBARGOED FOR RELEASE : APRIL 2, 2009

Contact: Gina Bowers, Change to Win (202) 288-0257

## **CVS Selling Expired Products, Locking Condoms in South Florida**

### **Warning to Consumers Issued by Community Advocates**

Miami, Fla. – A delegation of community and faith leaders held a lively demonstration outside a local CVS pharmacy on Thursday to challenge CVS's practice of repeatedly selling products past their expiration dates and locking up condoms, often in communities of color. Activists are reacting to the findings of a study, announced today, that found expired goods and locked condoms in CVS stores in Miami-Dade, Broward and Palm Beach counties.

### **Expired Goods for Sale in 58% of Local CVS Stores Surveyed**

In the last few weeks, surveyors found expired products at over half—19 of 33—CVS stores visited in South Florida. These expired goods included over-the-counter medicines, infant formula, and milk products. More than one-third of CVS stores surveyed sold expired infant formula, including a container of Enfamil Prosobee infant formula that was more than six months past its expiration date, purchased at the CVS store at 11721 S. Dixie Highway in Miami. Nearly 40 percent of CVS stores surveyed sold expired medication, including children's pain reliever that was almost two years past its expiration date, also purchased at the Dixie Highway CVS store.

### **Locked Condoms Found in CVS Stores Operating in Communities of Color**

CVS also keeps condoms under lock and key in fourteen—over one-third—of the 33 CVS stores visited. In each of these stores all the condoms are inaccessible without staff assistance, despite CVS's claim that all stores have some unlocked packages available. This requires customers to ask for staff assistance to buy condoms, which creates a barrier and stigmatization of condoms and condom users, according to public health advocates.

The survey, conducted this March, suggests that South Florida stores with condom lockup are also more likely located in areas with the greatest concentration of people of color, according to U.S. census bureau data. In zip codes with a majority of people of color, such as the CVS store at 4800 Biscayne Blvd. in Miami where 52% of the local residents are people of color, the CVS stores locked up all condoms. In areas where people of color compose ten percent or less of the population, only one in eleven CVS surveyed stores locked their condoms.

HIV/AIDS is a leading cause of death for Latinos. The rate of new HIV infections among Latinos is three times the rate among whites. HIV/AIDS is the number one killer of black American women between the ages of 25 and 34. Miami, where over 58,000 people are afflicted with AIDS, is third among U.S. cities in the number of AIDS cases.

### **Community Reaction**

"I've been fighting to cure the epidemic of HIV/AIDS in the African American community for 20 years, and to find that CVS pharmacies are making it difficult to obtain contraceptives to fight the disease is a disgrace," said Rev. Dr. George McRae, Pastor of Mt. Tabor Baptist Church in Liberty City, Florida.

“We are here today to hold CVS accountable for its actions, or should we say inaction. No longer will we stand idly by as CVS sells expired and potentially dangerous products,” said Francesca Menes, Community Organizer Florida Immigrant Coalition. “Customer, Value, and Service is what CVS stands for, so why does it not value its customers and provide good service?” Menes asked before leading the crowd into the CVS store to meet with the manager about their concerns.

Healthcare for All Florida chair Santiago Leon said, "If we are serious about healthcare costs, we have to be concerned about the epidemic of sexually transmitted diseases. For CVS to restrict access to contraceptives at this moment is exactly the wrong prescription for what ails us"

### **South Florida CVS Troubles Reflect National Pattern**

The CVS protest in Miami today comes as a similar event took place today in Boston regarding CVS stores' troubling track record on the same issues. Late last week, community advocates in Houston, Texas and San Diego, California urged CVS to stop selling expired goods and unlock condoms, while Philadelphia city council members and the city consumer advocate urged the city solicitor to bring legal action against CVS for selling expired goods there. Last June, Attorney General Jerry Brown criticized CVS for selling expired products at dozens of stores in Southern California, saying the practice violated laws against deceptive advertising and unfair business practices. The New York State Attorney General has sued CVS to stop the company from selling expired goods.

According to a [report](#) published last year, surveyors found expired infant formula, milk or eggs on CVS shelves in 666 stores across the country—representing more than 42 percent of the stores surveyed. And in the same report, surveyors found that condom lockup was widespread in CVS stores and that in many areas the proportion of CVS stores that locked up condoms increased with the percentage of residents of color in the stores' zip codes. Public health advocates are criticizing CVS for locked condom cases, saying it is creating a barrier which could decrease condom use.

The following groups participated in today's demonstration in Miami: South Florida Jobs With Justice (SFJWJ); South Florida Interfaith Worker Justice (SFIWJ); National Interfaith Worker Justice (IWJ); Healthcare For All Florida; South Florida AFL-CIO; Florida Immigrant Coalition (FLIC); Students Working for Equal Rights (SWER); A. Philip Randolph Institute, Miami Dade Chapter (APRI); SEIU 32BJ Florida Restaurant Opportunities Center (ROC)-Miami; more.

For more information visit [www.CureCVSNow.org](http://www.CureCVSNow.org)

**Cure CVS** is an initiative by Change to Win and partner organizations to reform the drugstore industry, starting with CVS, the country's leading provider of prescription drugs and largest drugstore chain. By joining concerned citizen groups with the six million members of Change to Win unions, Cure CVS aims to ensure that CVS provides equal access across all communities and income levels to its stores and services, offers fair and accurate prices, provides quality products and services, protects customers' privacy and puts quality pharmacy care first.

###