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CVS's Pattern of Selling Expired Products, Locking up Condoms Subject of Town Hall Meeting in San Diego

Community Advocates, Faith Leaders Reach Out to CVS, Demand Reform of Retail Drugstores

San Diego, Calif. – CVS's pattern of selling expired products and locking condoms came under fresh scrutiny today at a town hall meeting attended by more than 100 consumer advocates, community activists, and faith leaders who signed a joint letter calling on the nation's largest retail drugstore to reform for the sake of communities in which it operates.

The town hall was organized by Planned Parenthood of San Diego and Riverside Counties, Bienestar, Kalusugan FilAm Wellness Center, and Cure CVS in response to the results of a recent survey of 27 of the 51 CVS stores in Greater San Diego. 77 percent of CVS stores visited had expired goods for sale. Further, the study also found that CVS stores operating in communities with higher concentrations of residents of color are more likely to lock condoms, creating a deterrent to condom use in communities most at risk of HIV/AIDS.

The town hall meeting comes in the wake of a demonstration outside the CVS store at 313 Washington Street in San Diego in March, where community leaders demanded that CVS unlock condoms and stop selling expired products. Similar protest have taken place recently outside CVS stores in Orange County and Los Angeles.

Expired Products for Sale in 77% of CVS Stores Surveyed in Greater San Diego

In late February 2009, surveyors visited 27 CVS stores in Greater San Diego, and observed expired products for sale in over three-fourths of them. The expired goods included infant formula, dairy goods and child and adult medications. Over 40 percent of visited stores had expired milk or eggs in their dairy coolers; the same number of stores stocked expired infant formula. One-third of CVS stores surveyed had expired child and/or adult medications available for sale.

"This isn't about CVS making a few mistakes, selling a few expired donuts. This is about a documented, widespread pattern that suggests CVS offers medication and dairy products for sale despite the fact that these products are expired and should be removed from the shelves and destroyed, not bought with our hard-earned dollars and given to our families and children," said Ofelia Dirige, founder and executive director of Kalusugan FilAm Wellness Center.

This is not the first time expired products have been found at CVS. 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, according to a [report](#)

released last year. Last June, Attorney General Brown criticized CVS for selling expired products at dozens of stores in Southern California, including San Diego County. The Attorney General said the practice violated laws against deceptive advertising and unfair business practices.

Locked Condoms Found in CVS Stores Operating in Communities of Color

CVS also keeps condoms under lock and key in one-quarter of the CVS stores visited (7 of the 27 stores). 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.

Moreover, the stores with locked condoms are more likely located in areas with the greatest concentration of residents of color than in CVS stores located in more white areas of Greater San Diego. In communities where people of color compose at least 40 percent of the population, a majority of the stores visited (5 of 9) have condoms under lock and key. In the communities with smaller concentrations of people of color, less than 15 percent of the visited stores (2 of 18) had locked up condoms.

"This is CVS's problem to fix. We're not going to stand around and let CVS defend and perpetuate a policy that is increasing the risks of HIV/AIDS for our communities. CVS must come to see that locking up condoms anywhere, but especially in communities of color, is wrong," said Antonio Munoz, Bienestar of San Diego.

HIV/AIDS is a leading cause of death for Blacks and Latinos. The rate of new HIV infections among Latinos is three times the rate among whites. San Diego is among the top 10 cities in the U.S. with the highest number of Hispanic adults/adolescents living with AIDS. Blacks have the highest rate of AIDS in the County of San Diego and blacks have the highest proportion of cases diagnosed in women. HIV/AIDS is the number one killer of black American women between the ages of 25 and 34.

The Greater San Diego findings reflect a nationwide pattern: In multiple cities and metropolitan areas surveyed across the country, the likelihood that a CVS store will lock up its condoms increases with the percentage of residents of color in the store's zip code, according to a [survey](#) of CVS stores conducted by Change to Win and Cure CVS and demographic data from the U.S. Census Bureau.

Similar events were also held today in New York, Dallas and Los Angeles while advocates are informing consumers about similar issues outside CVS drugstores in Washington, D.C., Philadelphia, Houston and Orlando today. News of today's demonstrations against CVS's policies comes on the heels of protests outside CVS drugstores last week in Boston and Miami. These events across the country highlight a pattern with CVS's poor behavior that is not restricted to individual stores and taken together, point to a corporate problem.

For more information visit 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.

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