

FOR IMMEDIATE RELEASE THURSDAY, MAY 21, 2009

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CVS Selling Expired Products, Violating Health Codes, Failing to Provide Equal Access, Locking Condoms Disproportionately in Communities of Color

Warning to Consumers Issued by Community Leaders

Pittsburgh, Pennsylvania – A new study released today shows two-thirds of local CVS drugstores surveyed are selling expired products, among other issues. In reaction to the news, a delegation of community and faith leaders held a demonstration outside a local CVS pharmacy on Thursday to challenge CVS's practice of selling products past their expiration dates, violating health codes, failure to provide equal access and locking up condoms, often in communities of color. Community leaders stood behind a table covered in expired goods recently purchased in CVS stores in the Greater Pittsburgh and issued a warning to consumers.

"After these problems first came to light in Philadelphia and other cities across the country, CVS said it would 'retrain' its staff to take expired goods off its shelves. Why hasn't that happened? What could be more important to this company than the safety of the products in its stores?" asked Nettie Pelton, Board Member for Association of Community Organizations for Reform Now (ACORN).

Surveyors recently visited 310 CVS stores in 9 states and found expired infant formula, dairy and/or medication for sale at just over 58 percent, or 180 stores surveyed. Demonstrations took place in those 9 states today, including Pennsylvania.

Expired Goods for Sale in Two-Thirds of Local CVS Stores Surveyed

Surveyors visited 30 of the 44 CVS stores in Greater Pittsburgh this May and found expired dairy, infant formula and medications for sale at two-thirds, or 20 out of 30 stores surveyed.

More than ten percent of CVS stores surveyed sold expired infant formula, including a container of Similac Advance infant formula that was six months past its expiration date, purchased at the CVS store at 4692 Old William Penn Highway in Monroeville.

More than half of the CVS stores surveyed sold expired medication, including a package of Alavert Non-Drowsy Allergy Relief medicine that was ten months past its expiration date purchased at the CVS store at 510 Brookline Avenue in Pittsburgh. A package of Children's Tylenol that was two months past its expiration date was bought at the CVS store at 226 6th St. at Liberty Street in Pittsburgh.

The Allegheny County Health Department found expired or otherwise adulterated food items in more than one in five CVS store inspections (22%), cited CVS for improper food storage in more than one-third of inspections (35%) and found broken or dirty refrigerators in 28 percent of CVS stores inspected. Regulators cited CVS in over 40 percent of inspections for violations that the inspectors concluded were 'critical'.

"CVS can't have it both ways. It can't seemingly systematically sell expired products and then say it's really trying to comply with policies to remove products after their sell-by dates have passed. It can't denigrate community HIV/AIDS prevention efforts by locking condoms and also brand itself as a health care company that cares about our families. These growing demonstrations around the country highlight the hypocrisy in CVS's corporate identity and shows people what's really going on at CVS," said Ken Love, Pastor with Kerr Presbyterian Church and member of Pittsburgh Interfaith Impact Network.

CVS "Goods Gone Bad"

The website www.CureCVSNow.org asks customers who observe expired products for sale in CVS stores to upload a photo and submit their story to the online gallery of "CVS Goods Gone Bad" where they can also sign a petition urging CVS to clean up its act.

CVS's Failure to Provide Equal Access

The study found that CVS stores surveyed in Greater Pittsburgh reflect a national pattern of CVS failing to provide equal access to all communities. CVS operates fewer stores per person in communities of color and lower-income communities. CVS is far more likely to allocate time- and money-saving conveniences—like in-store medical clinics—to affluent and majority-white areas than to communities of color and lower income areas. Less than 20 percent of Greater Pittsburgh's population lives in the zip codes with median household income greater than \$50,000, yet 6 of the 10 in-store medical MinuteClinics in Greater Pittsburgh are located in these wealthier areas.

Locked Condoms Found in CVS Stores Operating in Communities of Color

CVS also keeps condoms under lock and key in at one-fifth of the CVS stores visited. Condoms in some of these stores are completely inaccessible without staff assistance, despite CVS's claim that all stores have some unlocked packages available. Locking cases 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 April and May, suggests that Greater Pittsburgh stores with condom lockup are also more likely located in areas with the greatest concentration of people of color, based on U.S. census bureau data. In zip codes with significant portions of people of color – such as the CVS store at 3440 Forbes Ave in Pittsburgh, where more than a third of the local residents are people of color – CVS locked up some condoms in two thirds of stores, and locked ALL condoms in one-third of stores. In areas where people of color

compose less of the population, CVS surveyed stores locked up condoms in a much smaller portion of stores.

“For a company that claims it is committed to the health of its customers, CVS’s locked condom cases are a sign of both dishonesty and disrespect. Health experts criticize locked condom cases, saying they decrease condom use, but CVS refuses to listen to the pleas of this community. If the company really cared about its customers, it would unlock condom cases in all its stores,” said Tiffany Hickman, Grassroots Organizer of Planned Parenthood of Western Pennsylvania.

HIV/AIDS is the number one killer of black American women between the ages of 25 and 34. 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.

Pittsburgh CVS Troubles Reflect National Pattern

The CVS protest in Pittsburgh today comes as community leaders also demonstrated outside CVS stores in Chicago, Illinois; Houston, Texas; Atlanta, Georgia; Baltimore, Maryland; Indianapolis, Indiana; Newark, New Jersey; Bridgeport, Connecticut and near CVS’s corporate headquarters in Providence, Rhode Island. Today’s actions come on the heels of dozens of community demonstrations outside CVS stores in New York City, Philadelphia, Boston, Detroit, Miami, and in Los Angeles, San Diego and Santa Ana, California over the last few weeks and months – all over similar issues with CVS Caremark Corp.

Last June, California 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. CVS’s offering expired products for sale poses “serious, even life-threatening consequences” to CVS customers, according to the Office of New York Attorney General Cuomo.

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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