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Contact: Joanna Bouldin, (267) 226-6103

Consumer Advocates Testify Before Philadelphia City Council on Expired Products at CVS Pharmacies

CVS's pattern of selling expired goods inspires City legislation

Philadelphia, PA – Consumer advocates testified before Philadelphia City Council today to discuss expired products being sold at CVS pharmacies.

The testimony comes in preparation for vote on new legislation dealing with the sale expired products at stores in Philadelphia. Introduced in May by Councilmember Maria D. Quinoñez-Sanchez, the bill would “prohibit the sale of expired non-prescription drugs, infant formula, baby food, milk, milk products and eggs.”

Quinoñez-Sanchez and the bill's other sponsors, Councilmembers Blondell Reynolds Brown and William K. Greenlee, have grown increasingly frustrated with CVS pharmacies, which has been repeatedly caught selling expired products in Philadelphia.

City Council members first spoke out about expired goods at CVS stores in March of this year, calling on the municipal government to take enforcement action against CVS for selling expired goods. Though Pennsylvania law forbids selling expired milk and may bar sales of some other outdated products, enforcement is up to the state Attorney General, who has not acted on complaints about persistent sales of expired goods at CVS stores. The proposed legislation would allow the City Health Department to take action on these issues in Philadelphia.

In his testimony today at City Hall, Lance Haver, a Philadelphia City Consumer advocate, urged the council to adopt the proposed bill. "We should join with other states in protecting consumers from CVS's pattern of selling expired food and over-the-counter medicines by passing this new legislation," he said.

Last June, two Attorneys General – in California and New York – criticized CVS for selling expired products and demanded CVS clean these items from their shelves. In December of 2008, New York Attorney General Andrew Cuomo launched a lawsuit against CVS for failing to take appropriate action to keep the public safe from expired goods.

CVS's Persistent Problem with Expired Goods

The issue of expired goods at CVS stores is not a new one. In 2008, surveyors visited 193 CVS stores in the Philadelphia area and found expired infant formula

at 52 stores and expired dairy products at 12 stores. In subsequent visits in early 2009, surveyors found 36 expired items at 15 CVS stores.

Among the expired products surveyors found were milk, eggs, infant formula and over-the-counter medication – including medication intended for children. Consumer rights advocates, public health experts and parents have expressed anger and concern over the sale of such products.

“The members of the Philadelphia chapter of the National Organization for Women (NOW) are outraged by CVS’s pattern of selling expired products. The practice not only means customers aren’t getting what we pay for, but what’s worse is that we may also be endangering our health and the health of our families,” said Karen Bojar, president of the Philadelphia chapter of NOW.

CVS’s Philadelphia Problems Follow National Pattern

CVS’s sale of expired products in Philadelphia follows a national pattern at the company’s stores. Over the past year, surveyors have found expired goods at nearly a thousand stores in 21 cities across the country, including Boston, New York, Washington, D.C., Detroit, Miami, Orlando, Houston, Dallas, Phoenix, San Diego, Los Angeles, and Las Vegas. CVS continues to defend its product removal procedures.

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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