



## VITAMIN MANUFACTURES PAY \$25 MILLION FOR PRICE FIXING, ANNOUNCES AG

Release date: 12/1/2009

### ***Cooper says competing vitamin manufacturers hatched scheme to set prices***

**Raleigh:** Vitamin manufacturers who took part in a price fixing scheme have agreed to pay North Carolina and 22 other states \$25 million, Attorney General Roy Cooper announced today.

"Price fixing undermines fair competition and hurts consumers," Cooper said. "Conspiring to overcharge customers is the wrong way to do business."

Today's settlement was negotiated on behalf of consumers and businesses that purchased certain vitamins between 1988 and 2000. As a result of the settlement, North Carolina will receive more than \$1.7 million.

Cooper and the other attorneys general alleged that certain vitamin manufacturers got together and fixed prices of vitamin ingredients that they sold to food processors and drug manufacturers.

The vitamins affected by this alleged price fixing are: vitamin A, astaxanthin, vitamin B1 (thiamin), vitamin B2 (riboflavin), vitamin B3 (niacin), vitamin B4 (choline chloride), vitamin B5 (calpan), vitamin B6, vitamin B9 (folic acid), vitamin B12 (cyanocobalamin pharma), beta-carotene, vitamin C, canthaxanthin, vitamin E, and vitamin H (biotin), as well as all blends and forms of these vitamins. Also included is Premix, a product that contains one or more these vitamins in combination with other substances.

The companies that sold these vitamins and are subject to the \$25 million settlement are: Akzo Nobel Inc.; Bioproducts Incorporated, Mitsui & Co., Ltd. and Mitsui & Co. (U.S.A.), Inc.; Chinook Global Limited and Chinook Group, Inc.; Evonik Degussa GmbH, successor to Degussa AG, and Evonik Degussa Corporation; Lonza AG; Merck KGaA, E. Merck and EM Industries, Inc.; Nepera, Inc.; Sumitomo Chemical America, Inc. and Sumitomo Chemical Co., Ltd.; Mitsubishi Tanabe Pharma Corporation and Tanabe U.S.A., Inc.; UCB Pharma, Inc.; and, Vertellus Specialties Inc. and Vertellus Chemicals SA.

The \$25 million settlement announced today follows an earlier \$225 million settlement reached in 2000 involving the same vitamins but different vitamin manufacturers. North Carolina received approximately \$16 million as part of the earlier settlement.

Court approval of a related class action lawsuit, *Richardson et al. v. Akzo Nobel Inc. et al.*, is pending with the U.S. District Court for the District of Columbia.

Besides North Carolina, the other states participating in this settlement are: Arizona, District of Columbia, Florida, Hawaii, Idaho, Illinois, Kansas, Maine, Michigan, Minnesota, Nevada, New Mexico, New York, North Dakota, Puerto Rico, Rhode Island, South Dakota, Tennessee, Vermont, Washington, West Virginia and Wisconsin.

Contact: [Noelle Talley](#) (919) 716-6413

North Carolina Department of Justice / Roy Cooper, Attorney General (919) 716-6400