

Attorney General Pam Bondi News Release

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Attorney General Bondi Joins Multistate Antitrust Action Against Generic Drug Companies

TALLAHASSEE, Fla.—Attorney General Pam Bondi and 19 other state attorneys general today filed a federal antitrust action against generic drug-maker Heritage Pharmaceuticals, Inc., Auribindo Pharma USA, Inc., Citron Pharma, LLC, Mayne Pharma (USA), Inc., Mylan Pharmaceuticals, Inc. and Teva Pharmaceuticals USA, Inc. The drug companies allegedly entered into numerous unlawful conspiracies to unreasonably restrain trade, artificially inflate and manipulate prices and reduce competition in the United States for two drugs. These drugs are doxycycline hyclate delayed release, an antibiotic, and glyburide, an oral diabetes medication.

“Generic medicine is an important option for consumers in need of medical care and any effort to distort the price of these drugs harms consumers,” said Attorney General Bondi. “Today’s multistate action seeks to hold these drug companies accountable and protect the market place.”

In 2015, generic drug sales in the U.S. were estimated at \$74.5 billion. Currently, the generic pharmaceutical industry accounts for 88 percent of all prescriptions written in the U.S.

Attorney General Bondi and the other state attorneys general filed the action under seal in the U.S. District Court for the District of Connecticut.

The states’ investigation uncovered evidence of a broad, well-coordinated and long running series of conspiracies to fix prices and allocate markets for a number of generic pharmaceuticals in the U.S. In the action filed today, the states allege senior drug company executives and their subordinate marketing and sales executives conceived and carried out the misconduct. The complaint further alleges that the defendants routinely coordinated the schemes through direct interaction with competitors at industry trade shows, customer conferences and other events, as well as through direct email, phone and text message. According to the complaint, the anticompetitive conduct – including efforts to fix and maintain prices, allocate markets and otherwise thwart competition – caused significant, harmful and continuing effects in the U.S. healthcare system.

After becoming aware of the investigation, the drug companies, knowing their conduct violated the law, made efforts to avoid communicating with each other in writing and deleted written communications. The companies’ alleged conduct violates the federal Sherman Antitrust Act and various state antitrust laws. To address the violations of law and restore competition, the states are asking the court to enjoin the drug companies from engaging in illegal, anticompetitive behavior and for equitable relief, including substantial financial relief.

In addition to Florida, the other states participating in the multistate action include: Connecticut, Delaware, Hawaii, Iowa, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Nevada, New York, North Dakota, Ohio, Pennsylvania, Virginia and Washington.

To view the public version of the complaint, click [here](#).

A multistate investigation into potential collusion by generic drug manufacturers regarding the pricing of a number of other generic drugs remains ongoing.