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GlaxoSmithkline, LLC and SB Pharmco Puerto Rico, Inc.

GlaxoSmithkline, LLC and SB Pharmco Puerto Rico, Inc. have agreed to pay \$40.5 million in a settlement with 37 states and the District of Columbia. The Department of Commerce and Consumers Affairs' Office of Consumer Protection received more than \$550,000 under the settlement with the drug companies.

The States claimed GlaxoSmithkline and SBPharmco engaged in unfair and deceptive practices when they manufactured and distributed certain lots of drugs made at their facility in Cidra, Puerto Rico. The drugs included Kytril (a sterile drug used to prevent nausea and vomiting caused by cancer chemotherapy and radiation therapy), Bactroban (an antibiotic ointment used to treat skin infections), Paxil CR (the controlled release formulation of the popular antidepressant drug, Paxil), and Avandamet (a combination Type II diabetes drug). The states claimed the drugs were adulterated because the manufacturing processes used to produce these lots were substandard.

The Cidra plant closed in 2009. There is no current cause for concern regarding the drugs covered by this agreement because all affected products have been recalled or the products' expiration date has passed. If consumers have any concerns they should contact their health care provider.

As a result of the settlement, GlaxoSmithkline is enjoined from making false, misleading or deceptive claims regarding the manufacturing of all drugs formerly manufactured at the Cidra facility regardless of where these drugs are now produced. In addition, the companies must not misrepresent the drugs characteristics, or cause the likelihood of confusion or of misunderstanding about the way in which they are manufactured.

A portion of Hawaii's payment will be used to recover costs stemming from the investigation and lawsuit. The agreement permits any remaining funds to be used for consumer protection enforcement and education or to benefit medical or health care programs.