



Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017 (Chart Slide Set)

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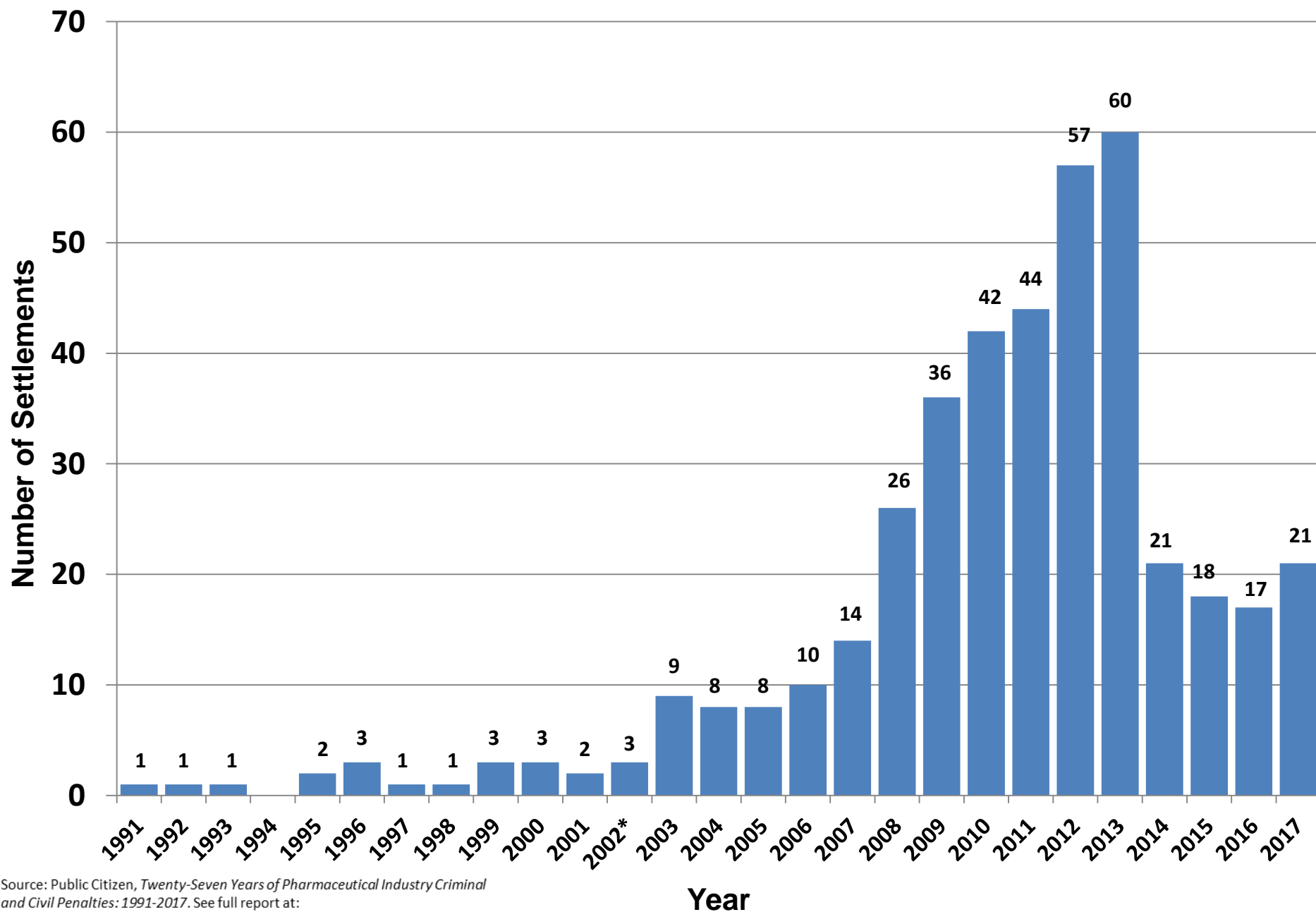
Public Citizen's Health Research Group

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Full report available at:

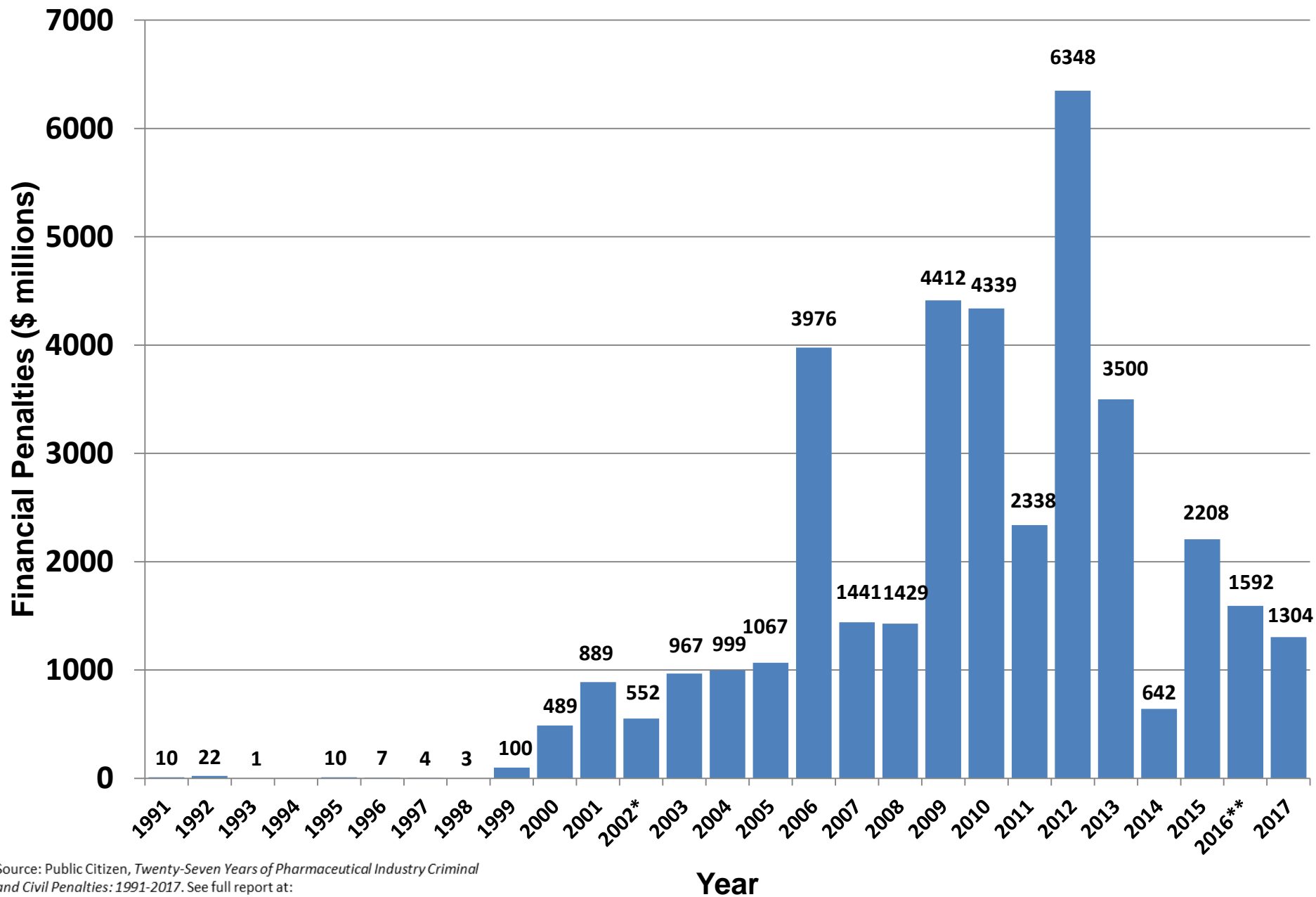
<https://www.citizen.org/our-work/health-and-safety/pharmaceutical-industry-penalties>

Figure 1. Number of Pharmaceutical Industry Settlements, 1991 – 2017



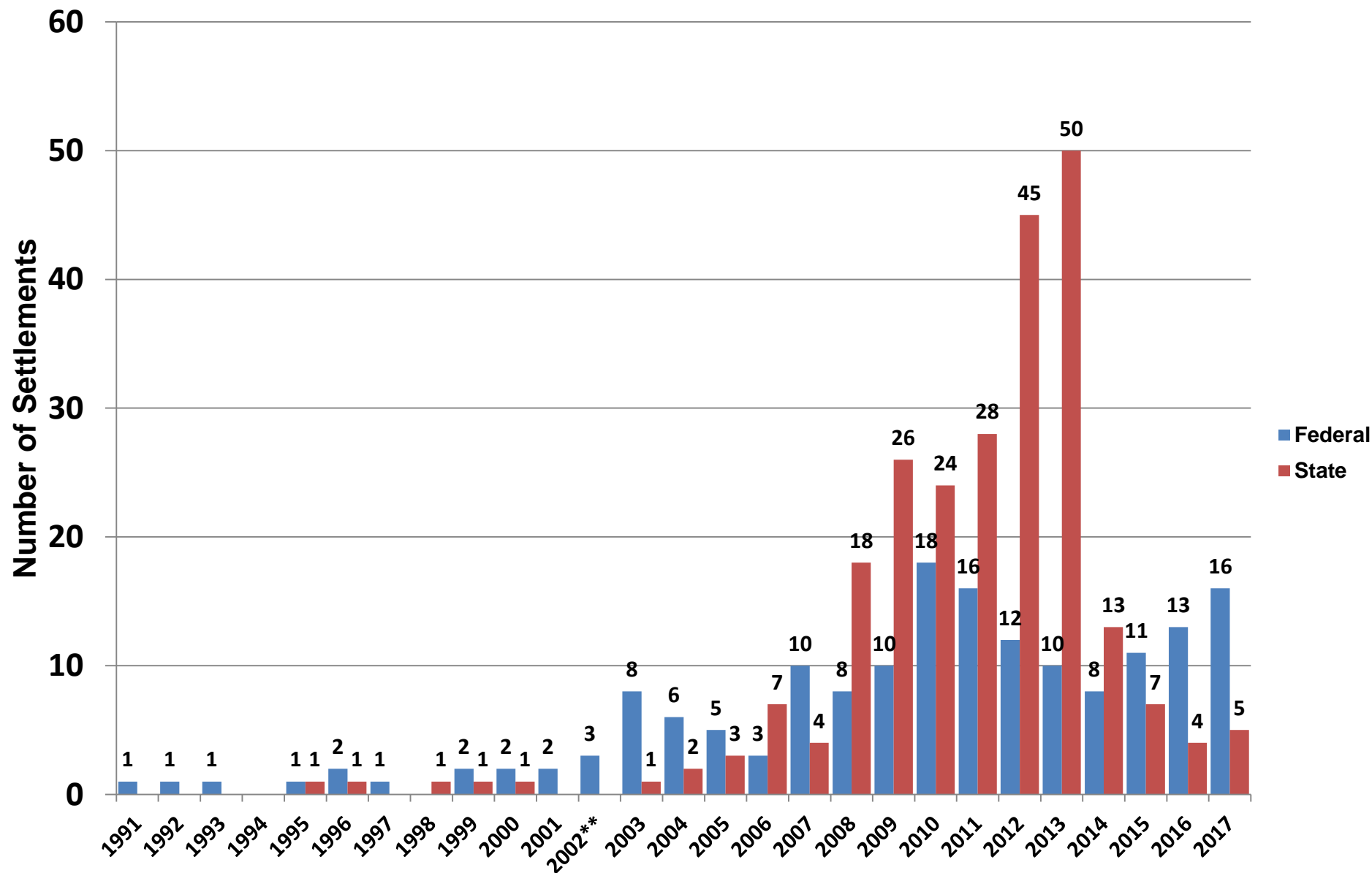
Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at: <https://www.citizen.org/our-work/health-and-safety/pharmaceutical-industry-penalties>

Figure 2. Pharmaceutical Industry Financial Penalties, 1991 – 2017



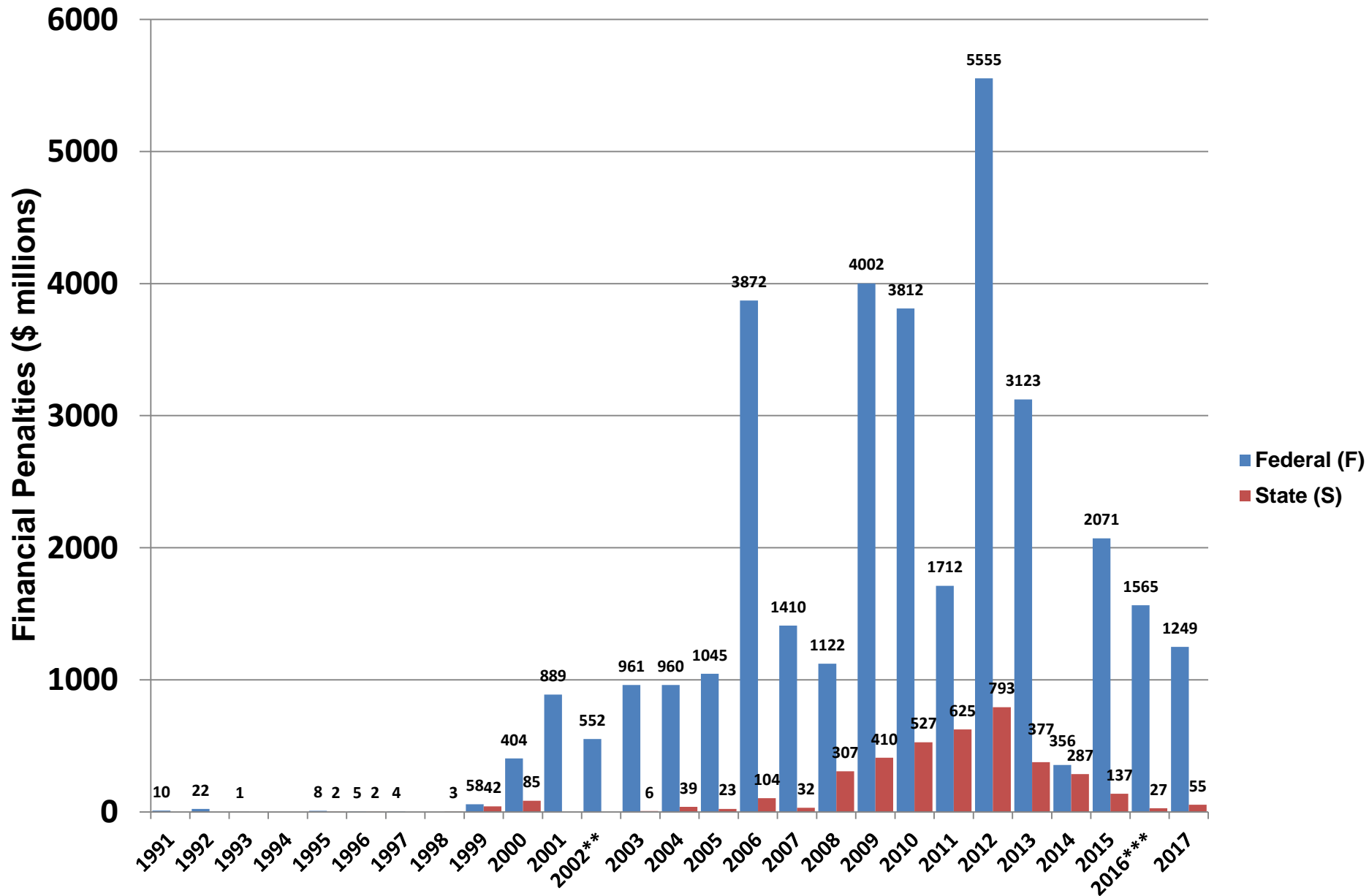
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**Figure 3. Number of Pharmaceutical Industry Settlements, 1991 –2017:
Federal vs. State***



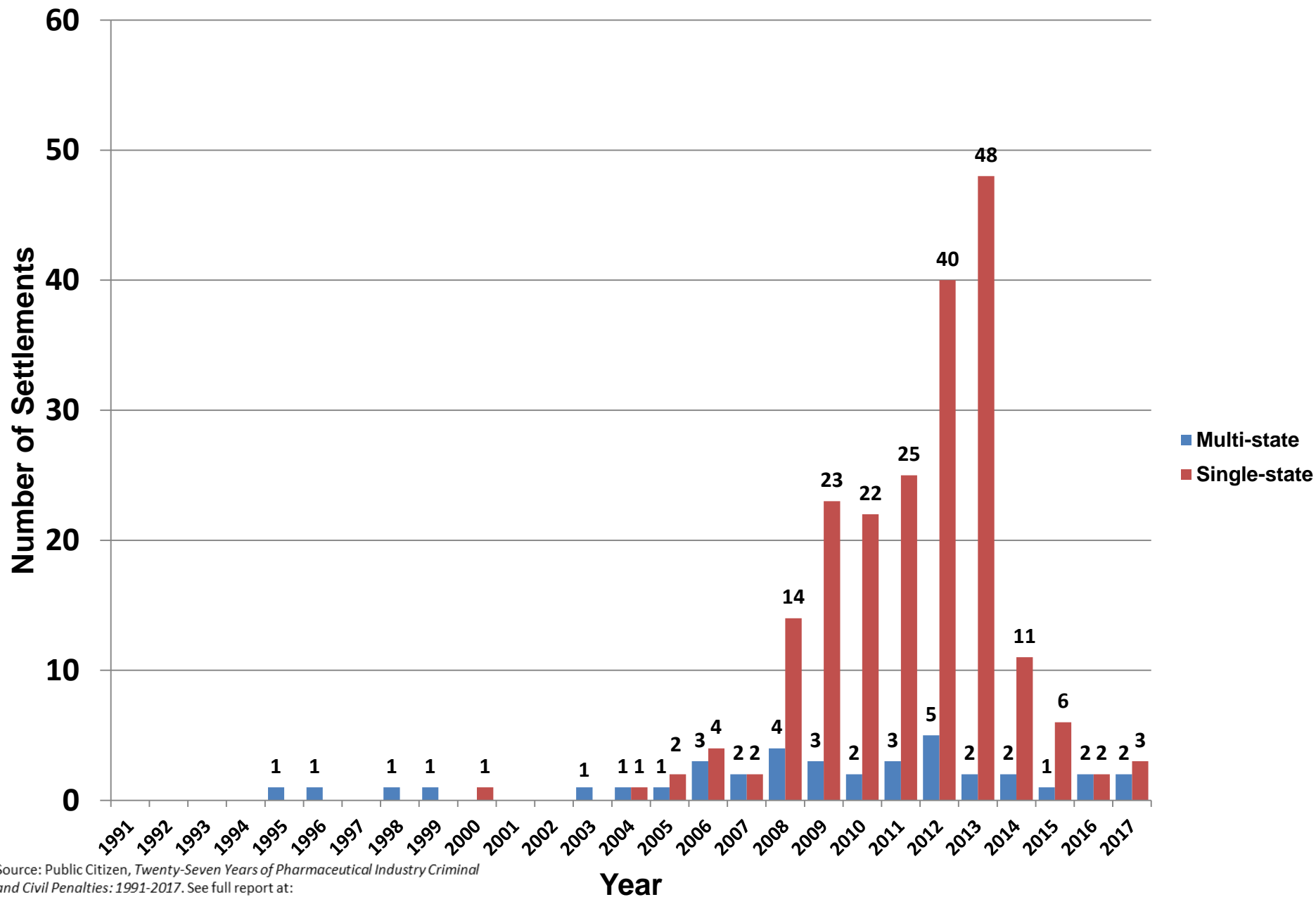
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**Figure 4. Pharmaceutical Industry Financial Penalties, 1991 –2017:
Federal vs. State***

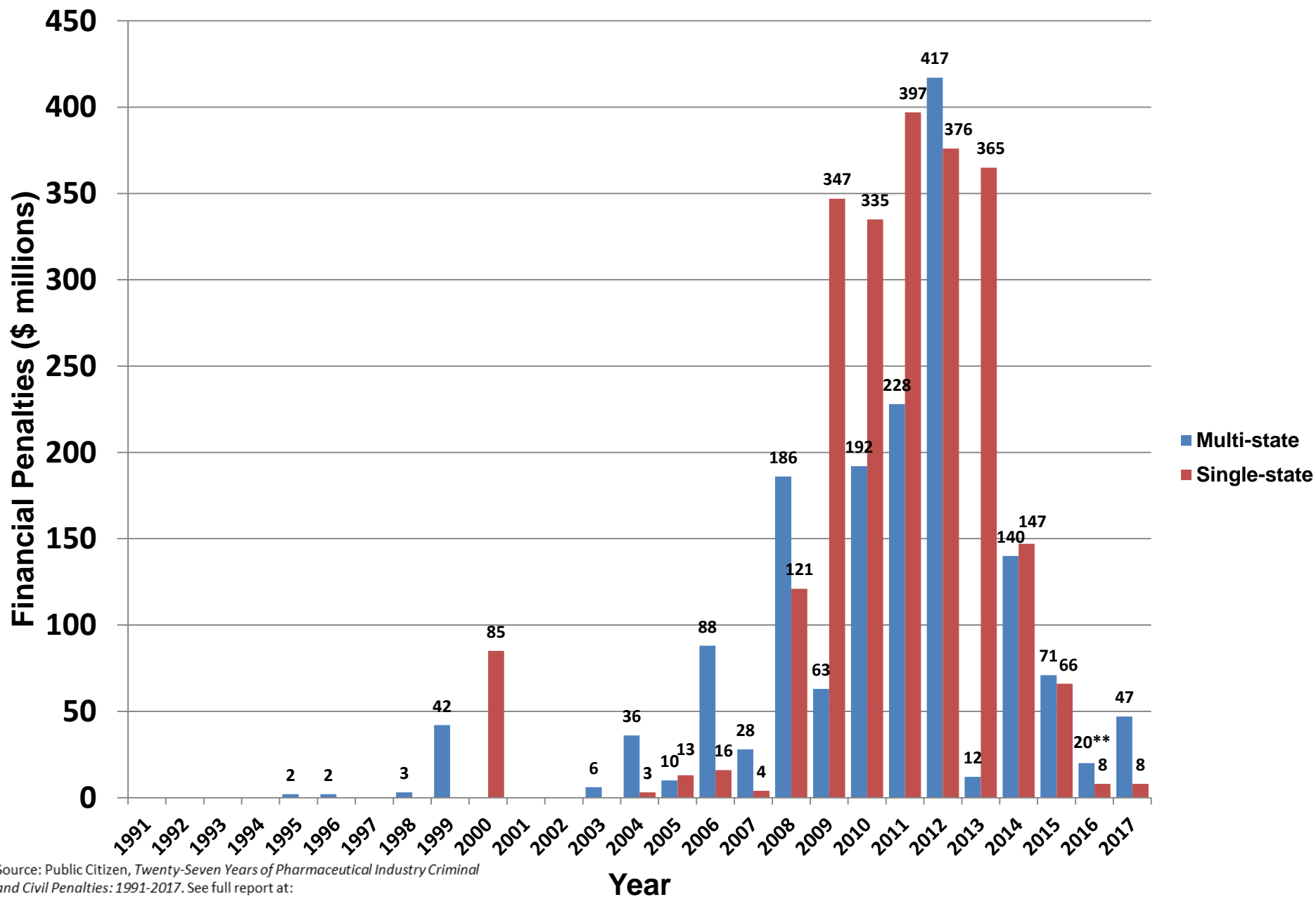


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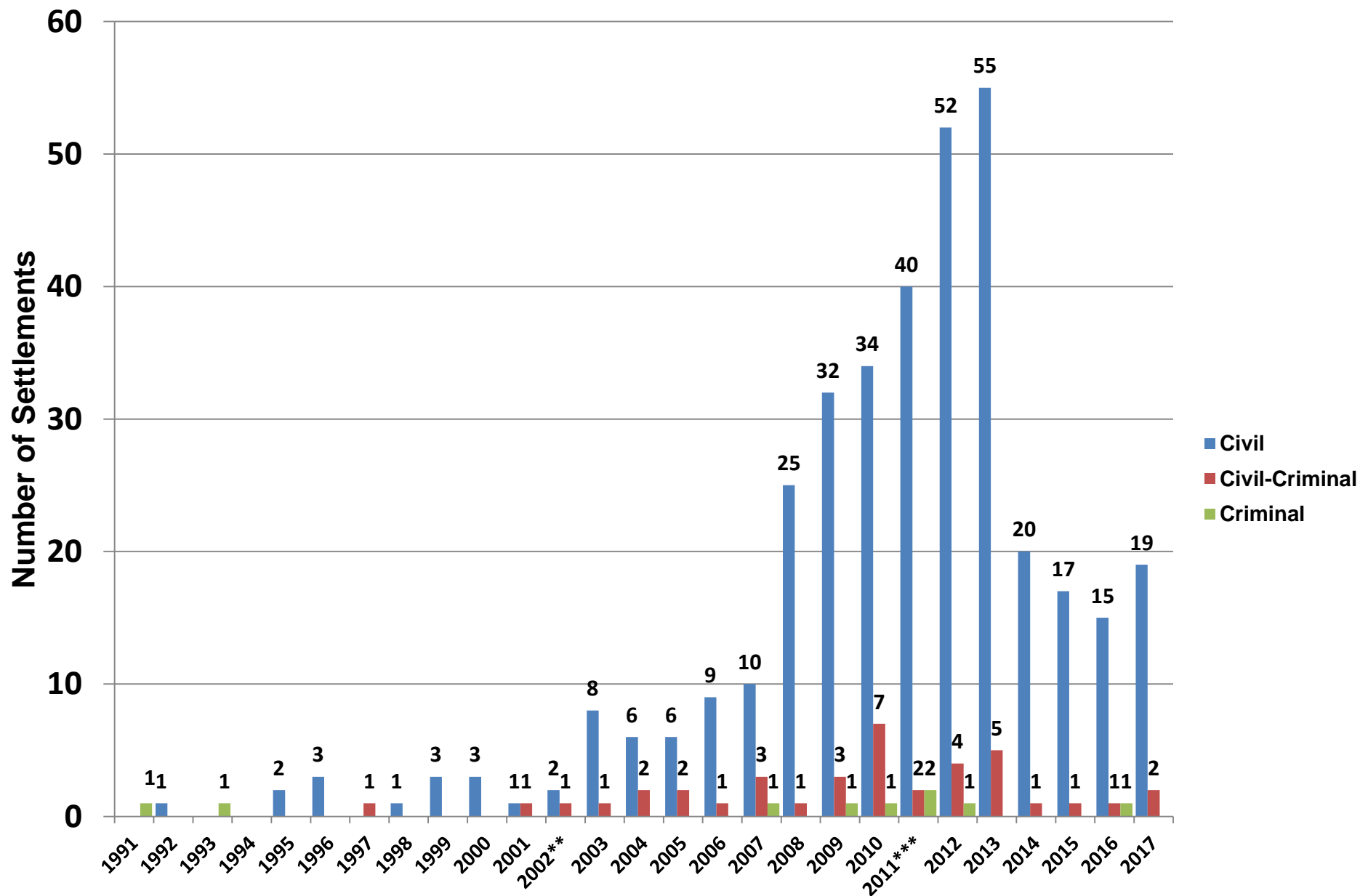
**Figure 5. Number of State Pharmaceutical Industry Settlements, 1991 –2017:
Multi-State vs. Single-State***



**Figure 6. State Pharmaceutical Industry Financial Penalties, 1991 –2017:
Multi-State vs. Single-State***



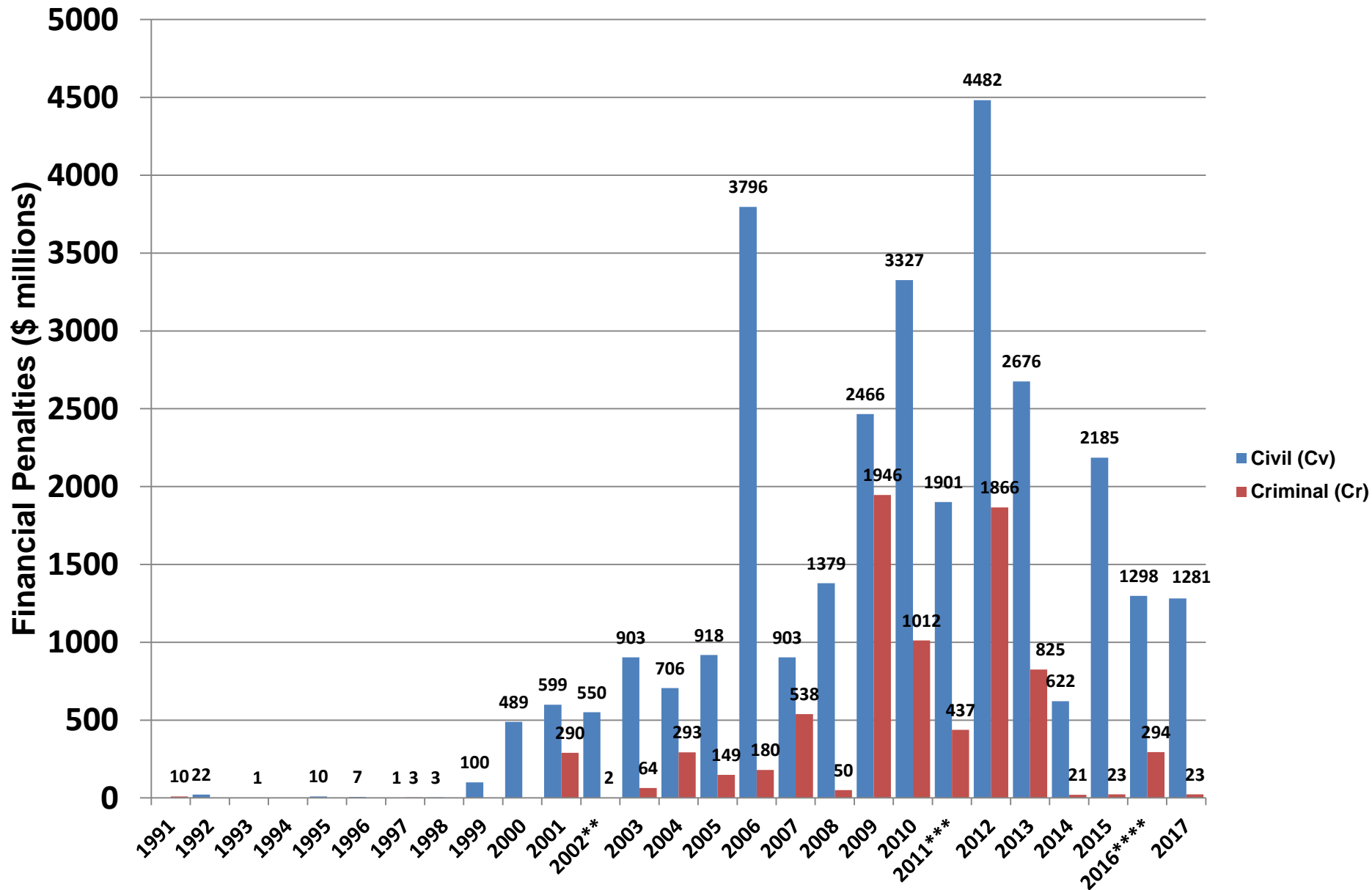
**Figure 7. Number of Pharmaceutical Industry Settlements, 1991 – 2017:
Civil vs. Criminal***



Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at:
<https://www.citizen.org/our-work/health-and-safety/pharmaceutical-industry-penalties>

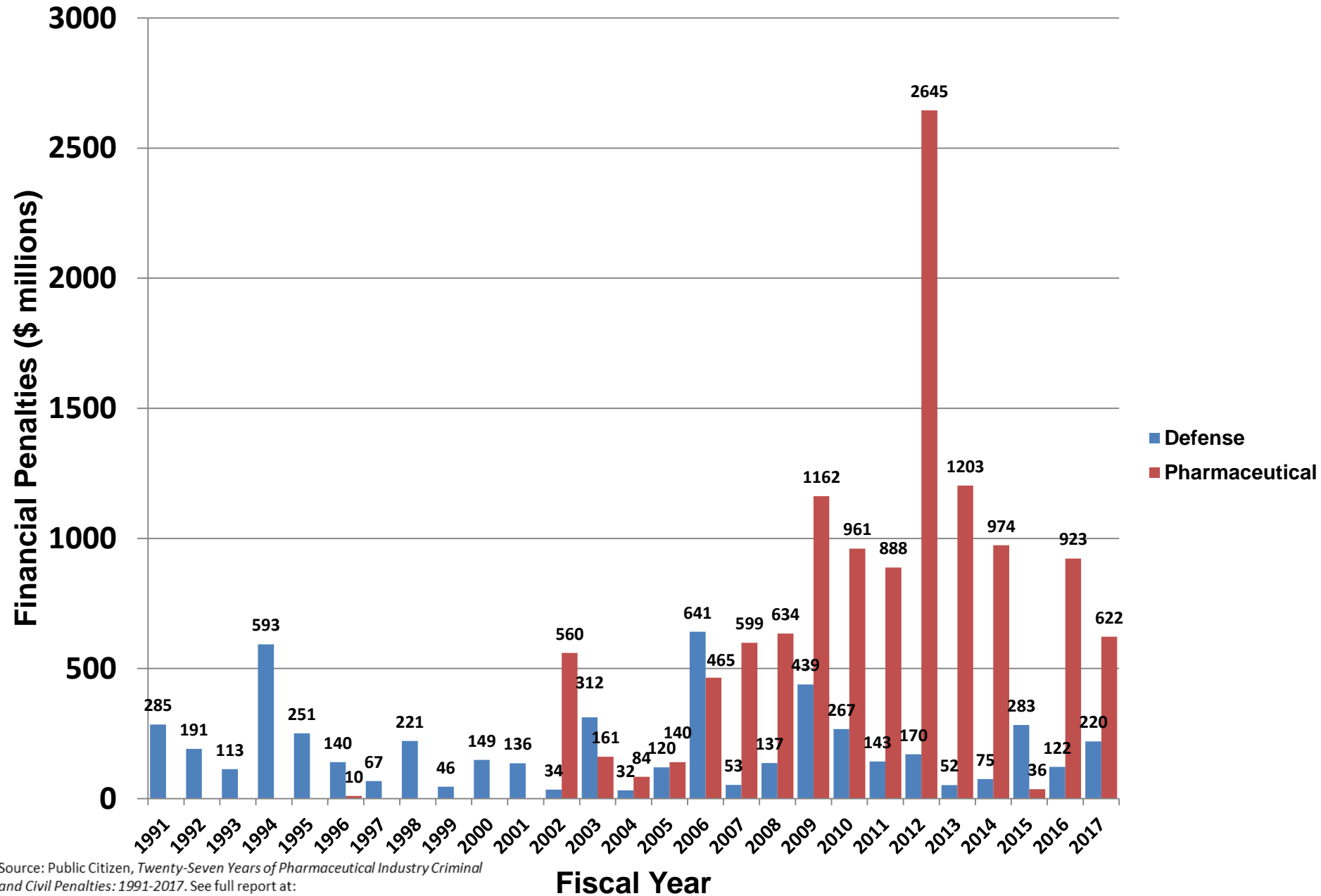
Year

**Figure 8. Pharmaceutical Industry Financial Penalties, 1991 –2017:
Civil vs. Criminal***

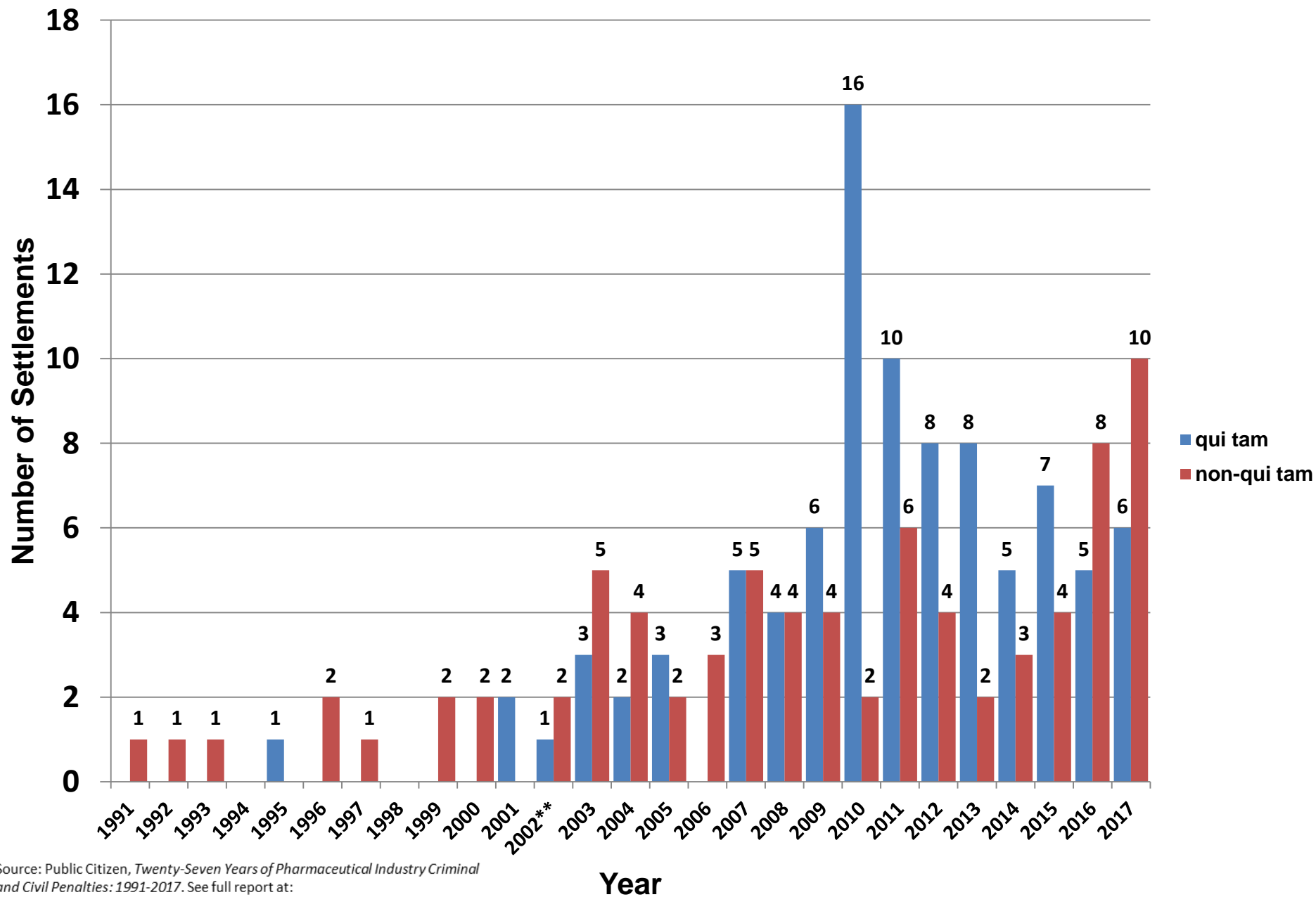


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Figure 9. Federal False Claims Act (FCA): Financial Penalties by Industry, Fiscal Year (FY) 1991 –2017*

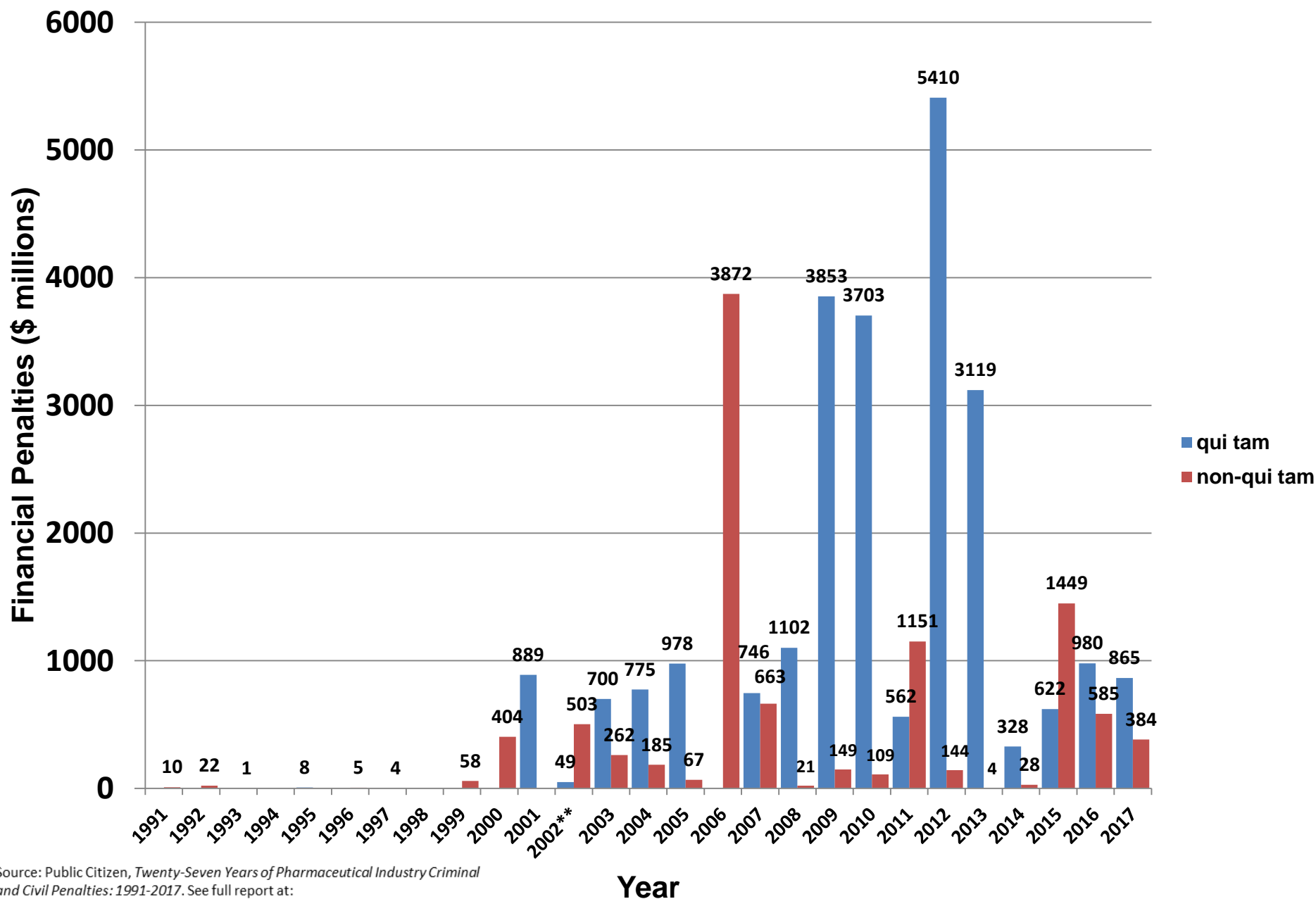


**Figure 10. Federal Pharmaceutical Industry Settlements, 1991 –2017:
Qui Tam (Whistleblower) vs. Non-Qui Tam***



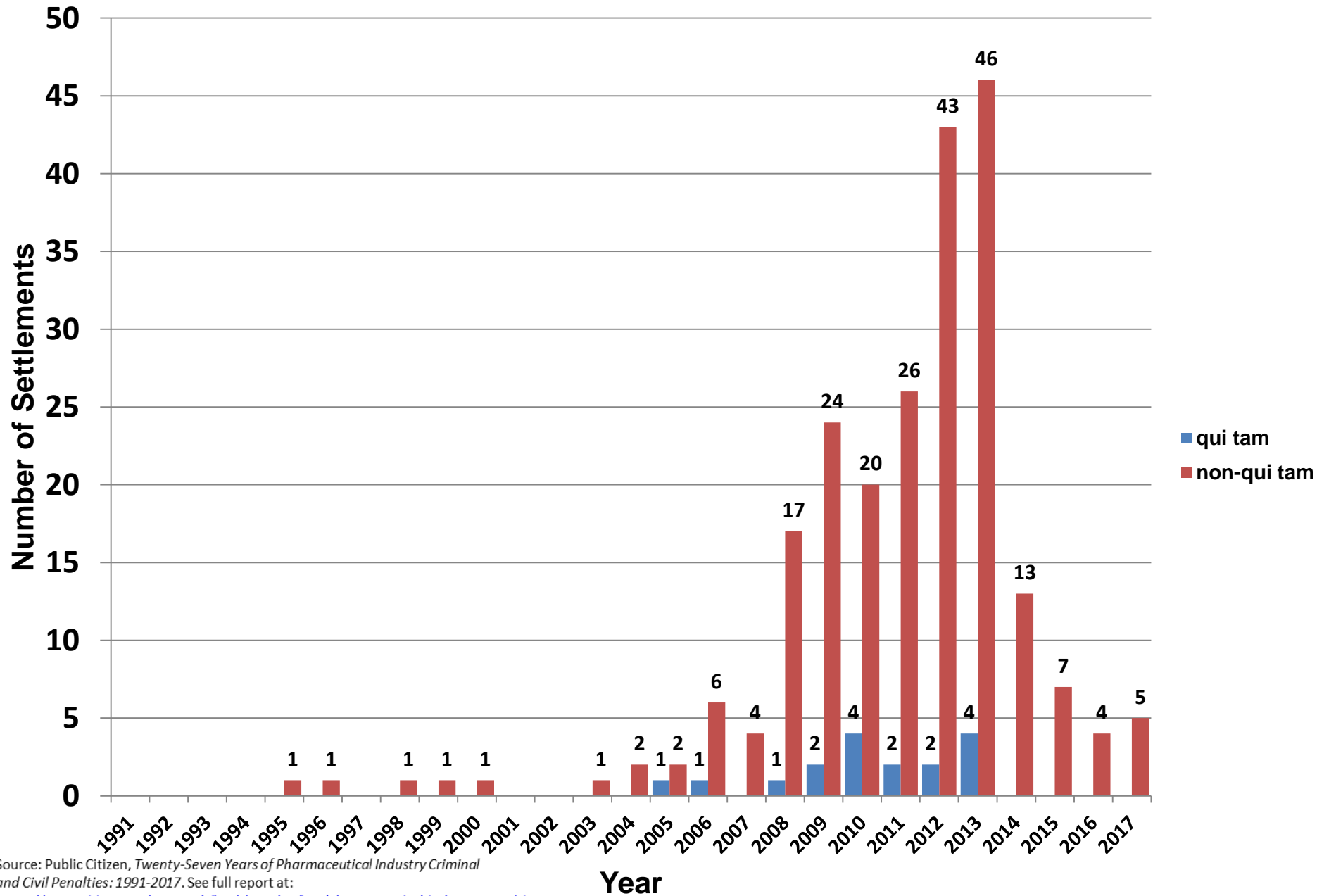
Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at:
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**Figure 11. Federal Pharmaceutical Industry Financial Penalties, 1991 –2017:
Qui Tam (Whistleblower) vs. Non-Qui Tam***

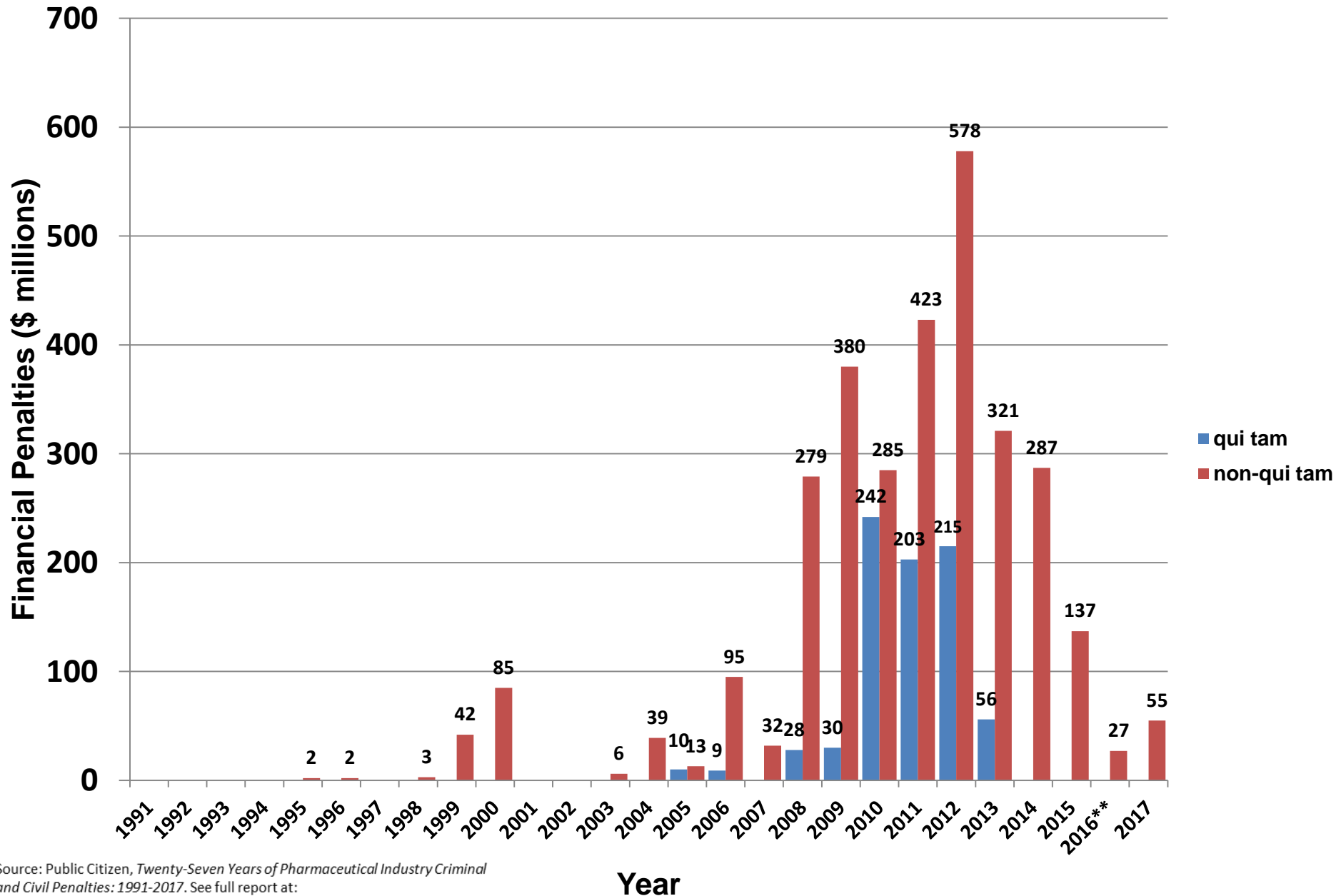


Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at:
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**Figure 12. State Pharmaceutical Industry Settlements, 1991 –2017:
Qui Tam (Whistleblower) vs. Non-Qui Tam***



**Figure 13. State Pharmaceutical Industry Financial Penalties, 1991 –2017:
Qui Tam (Whistleblower) vs. Non-Qui Tam***



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<https://www.citizen.org/our-work/health-and-safety/pharmaceutical-industry-penalties>

Figure 14. Types of Pharmaceutical Industry Violations, 1991 –2017*

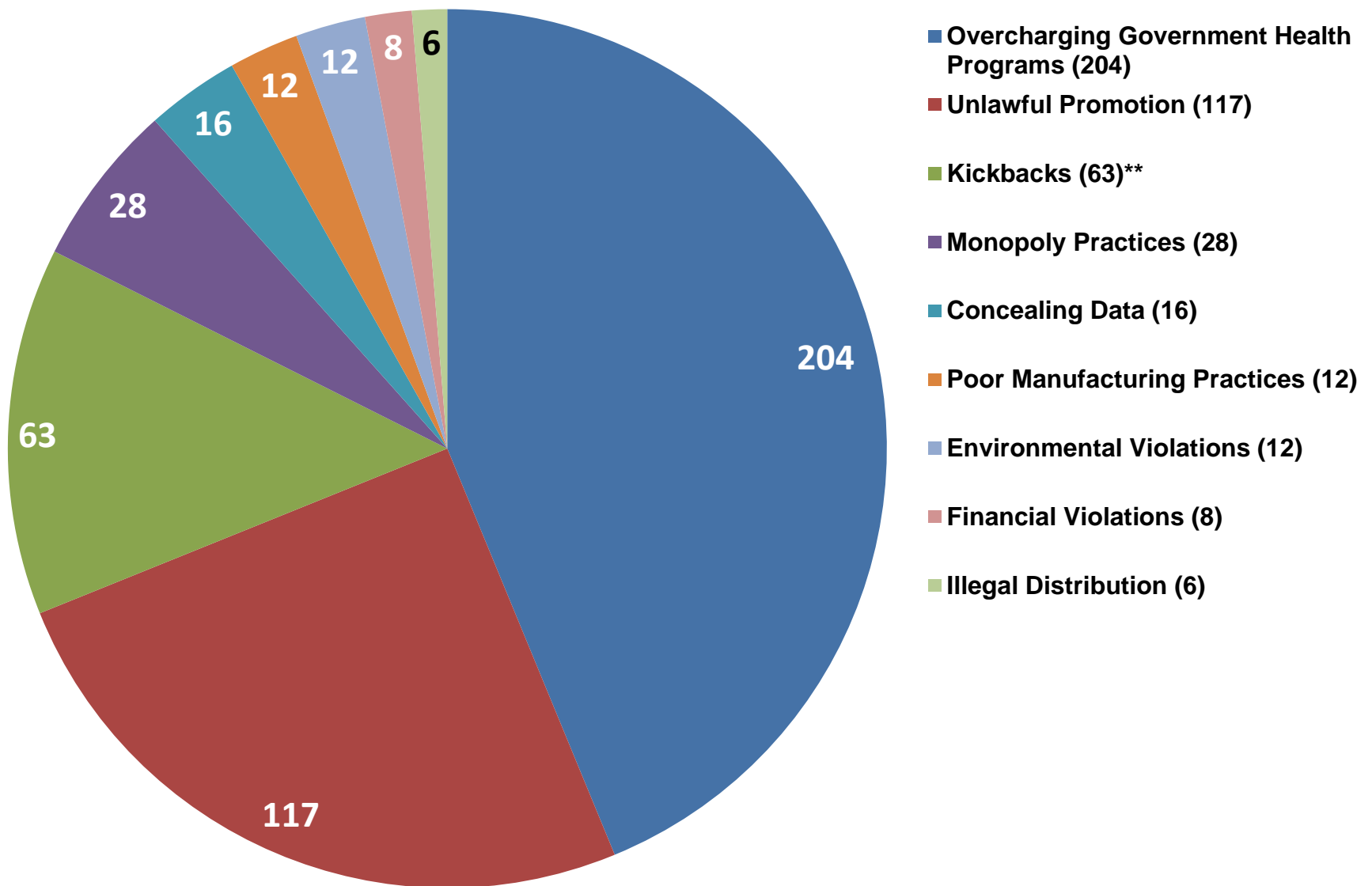
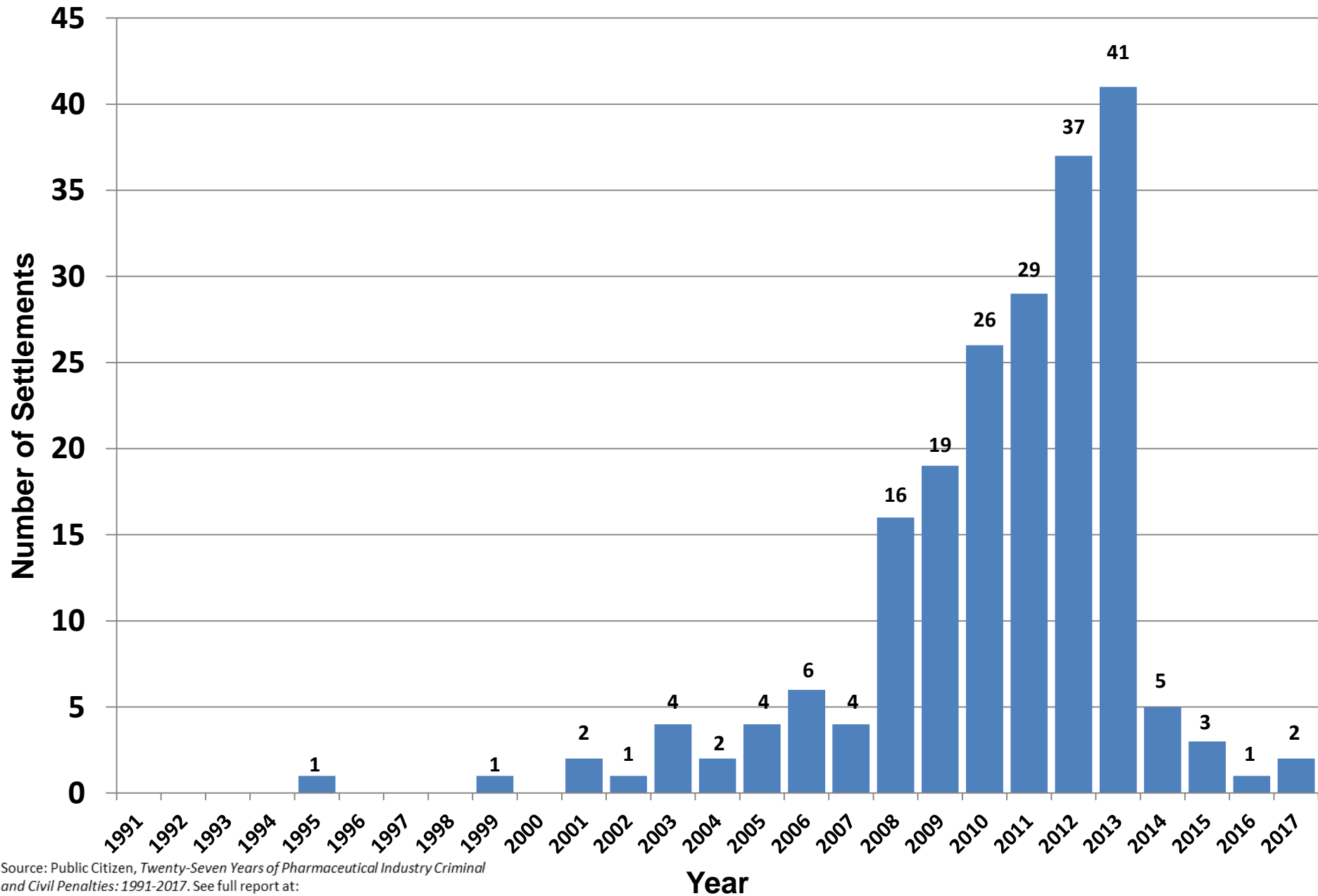
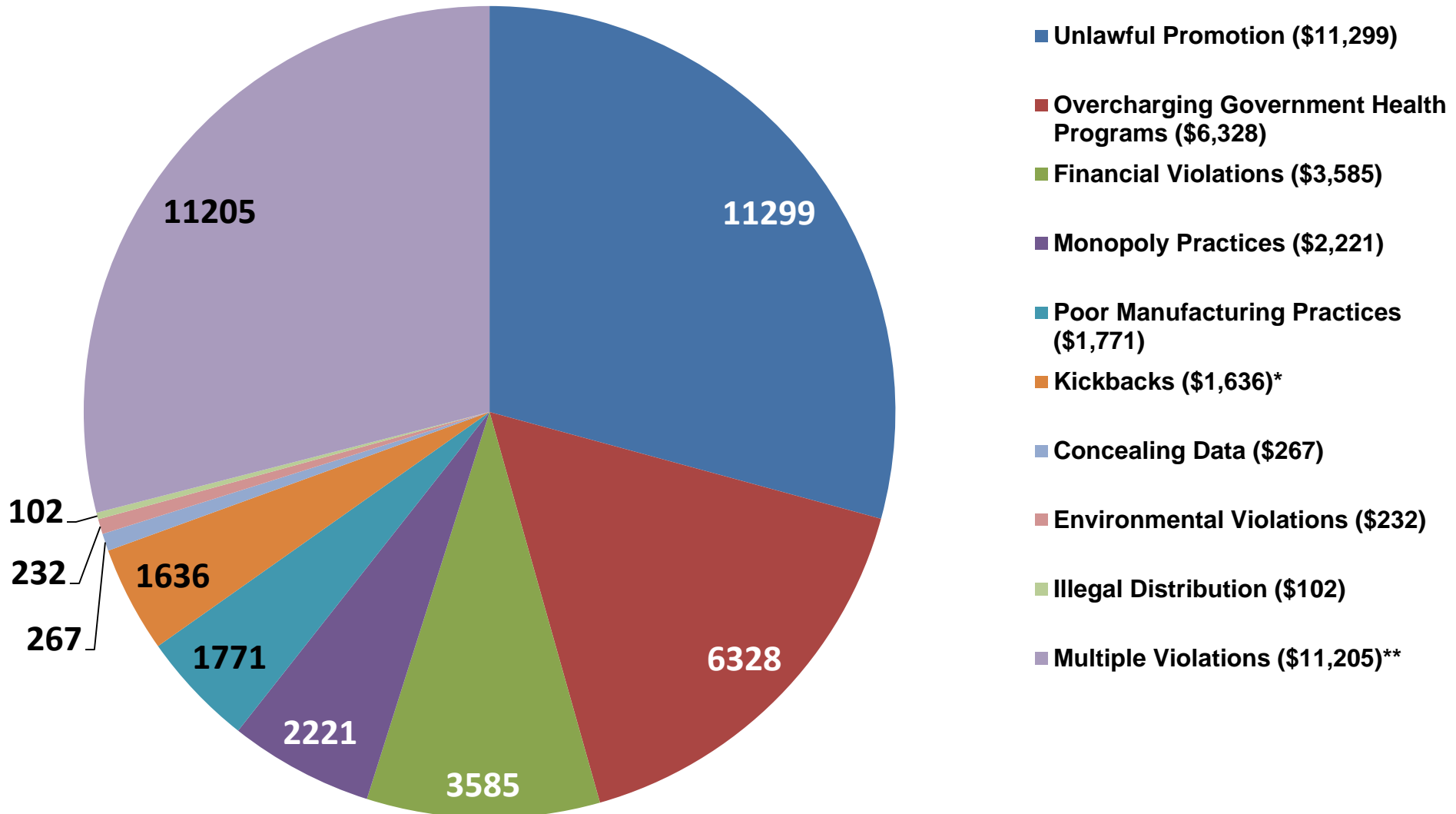


Figure 15. Number of Pharmaceutical Industry Settlements Involving Overcharging of Government Health Programs, 1991 – 2017

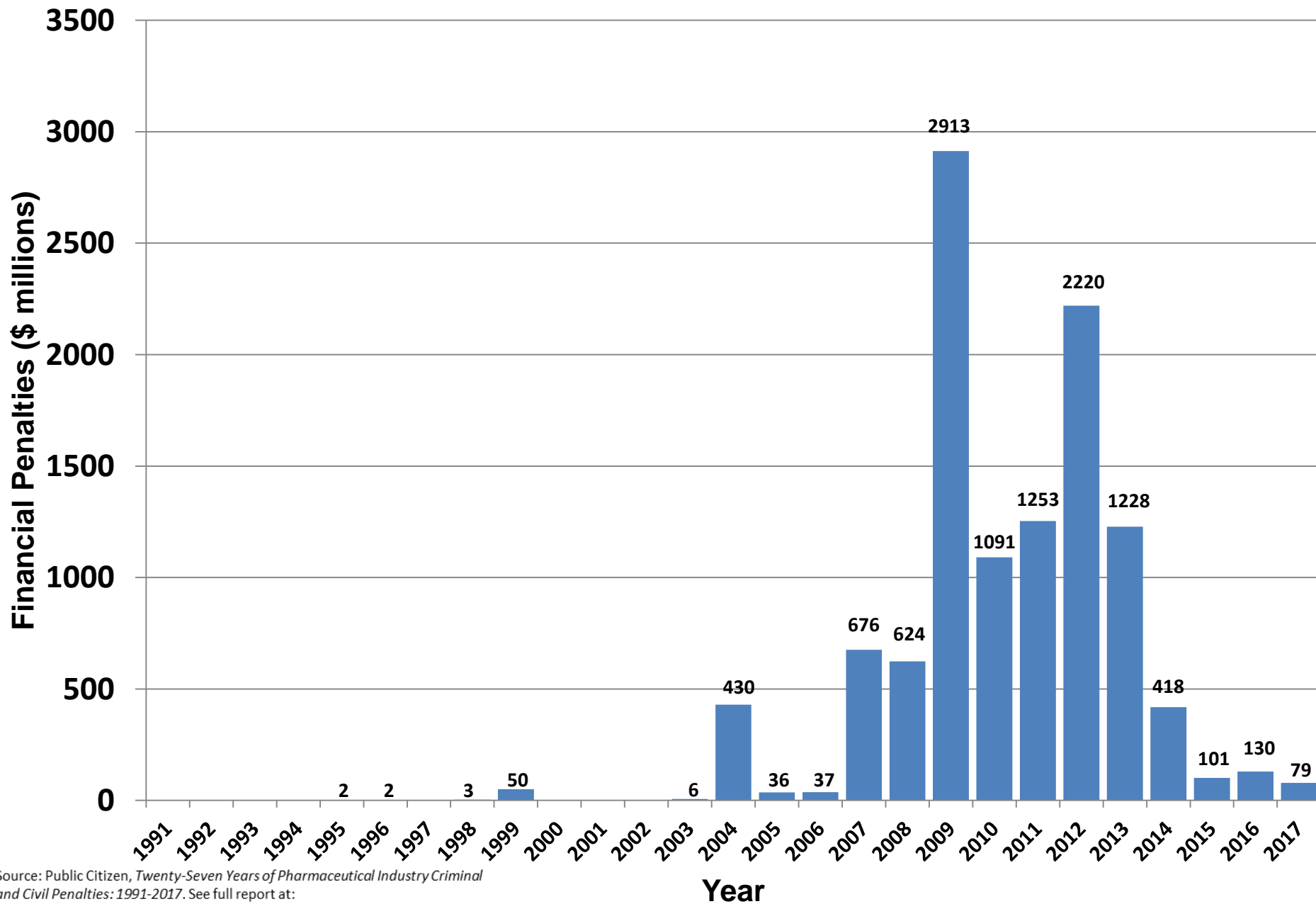


Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at: <https://www.citizen.org/our-work/health-and-safety/pharmaceutical-industry-penalties>

Figure 16. Pharmaceutical Industry Financial Penalties by Type of Violation, 1991 –2017

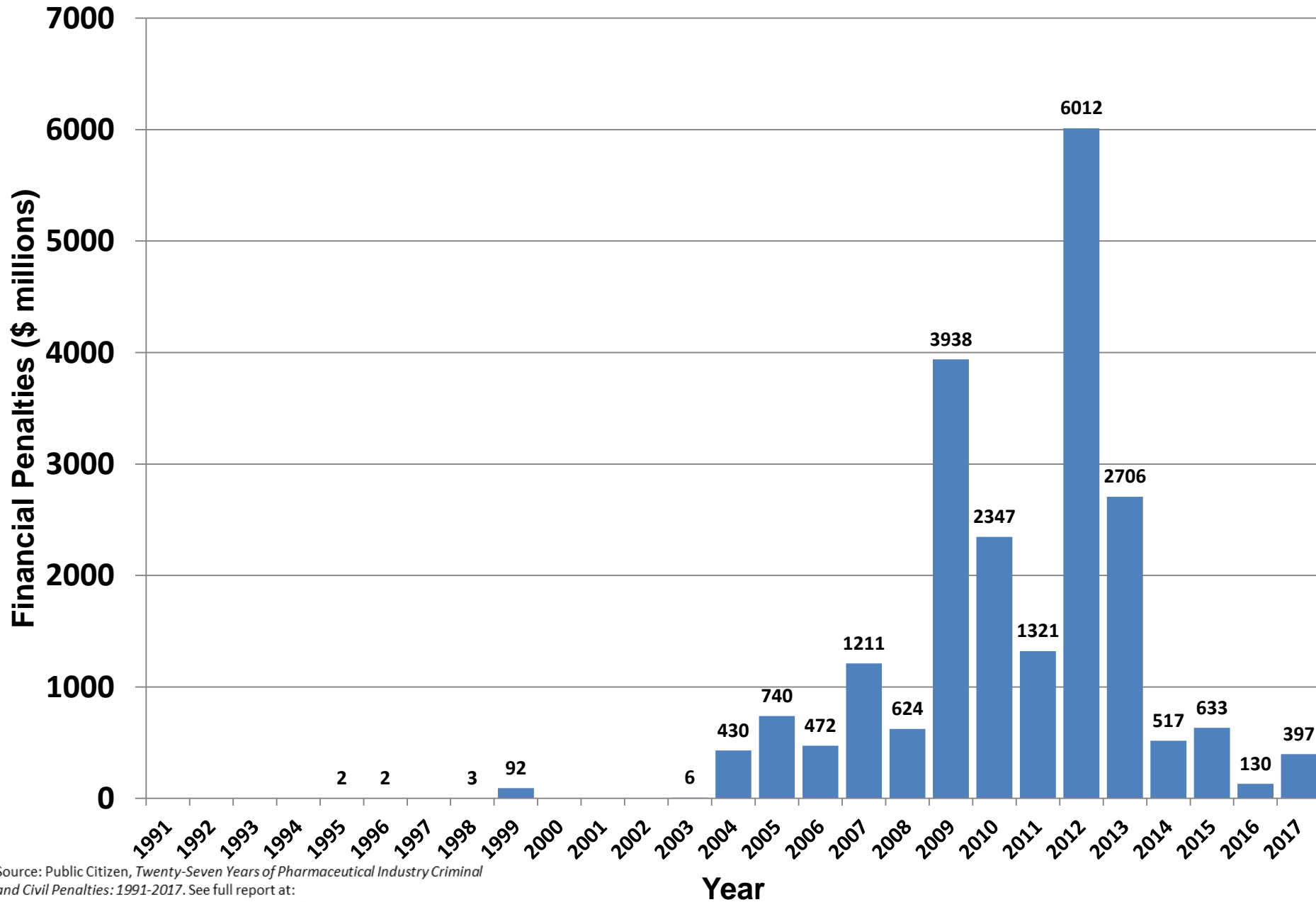


**Figure 17. Pharmaceutical Industry Financial Penalties (86% federal)
for Unlawful Promotion, 1991 – 2017***



Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at:
<https://www.citizen.org/our-work/health-and-safety/pharmaceutical-industry-penalties>

**Figure 18. Pharmaceutical Industry Financial Penalties (92% federal)
for Settlements Involving Unlawful Promotion, 1991 – 2017**



Source: Public Citizen, *Twenty-Seven Years of Pharmaceutical Industry Criminal and Civil Penalties: 1991-2017*. See full report at:
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State	Recoveries per \$1,000 Medicaid prescription drug expenditures*	Total Financial Penalties (\$ millions)**	Number of Settlements and Judgments	ROI (dollars recovered per enforcement dollar spent)***	FCA as of 2017****
Hawaii	\$147.09	\$83.75	2	\$5.44	Y
New Mexico	\$89.07	\$34.10	2	\$1.31	Y
South Carolina	\$47.64	\$169.00	2	\$9.66	Y
Texas	\$35.96	\$584.10	19	\$2.41	Y
Louisiana	\$35.89	\$298.84	55	\$4.45	Y
Pennsylvania	\$33.85	\$163.90	8	\$2.16	
Idaho	\$32.65	\$38.10	16	\$4.54	
Kentucky	\$28.39	\$138.54	20	\$4.22	
Mississippi	\$26.61	\$112.80	14	\$3.35	
Alabama	\$24.19	\$124.25	9	\$10.02	
Alaska	\$18.97	\$15.00	1	\$1.18	Y
Utah	\$18.08	\$28.50	3	\$1.30	Y
West Virginia	\$14.80	\$44.50	2	\$2.54	Y
Wisconsin	\$8.41	\$46.25	6	\$2.45	Y
Nevada	\$8.38	\$9.50	1	\$0.45	Y
Montana	\$7.84	\$5.90	1	\$0.67	Y
Massachusetts	\$7.53	\$50.60	9	\$0.89	Y
Connecticut	\$5.64	\$27.60	2	\$1.55	Y
California	\$5.61	\$163.30	3	\$0.42	Y
New Hampshire	\$4.40	\$3.40	1	\$0.35	Y
Oregon	\$4.13	\$7.99	5	\$0.38	Y
Maryland	\$4.06	\$15.00	1	\$0.37	Y
Missouri	\$3.87	\$37.00	3	\$1.42	Y
Kansas	\$3.72	\$5.70	2	\$0.38	Y
North Carolina	\$2.11	\$25.93	2	\$0.40	Y
Iowa	\$1.58	\$4.30	2	\$0.33	Y
Illinois	\$1.56	\$18.50	3	\$0.14	Y
Ohio	\$1.26	\$12.44	2	\$0.15	
Florida	\$1.13	\$15.00	2	\$0.06	Y
New Jersey	\$0.22	\$1.30	1	\$0.02	Y
New York	\$0.19	\$5.58	5	\$0.01	Y

State	Number of Settlements and Judgments	Verifiable Financial Penalties (\$ millions)*	FCA**	State	Number of Settlements and Judgments	Verifiable Financial Penalties (\$ millions)*	FCA**
Arizona	32	\$25.25		New Jersey	24	\$31.90	Y
Florida	32	\$66.17	Y	South Dakota	24	\$13.24	Y
Texas	32	\$109.95	Y	Delaware	23	\$13.54	Y
Massachusetts	31	\$26.12	Y	Hawaii	23	\$1.18	Y
North Carolina	31	\$39.96	Y	Nebraska	23	\$3.69	Y
Vermont	31	\$19.06	Y	Minnesota	22	\$0.00	Y
California	30	\$51.45	Y	North Dakota	22	\$0.00	
Maryland	30	\$11.12	Y	Colorado	21	\$15.70	Y
Wisconsin	30	\$17.46	Y	Kentucky	21	\$11.06	
Illinois	29	\$51.45	Y	New Mexico	21	\$4.81	Y
Nevada	29	\$17.19	Y	Rhode Island	20	\$10.50	Y
Tennessee	29	\$27.05	Y	Montana	19	\$4.48	Y
Washington	29	\$25.21	Y	Oklahoma	18	\$0.00	Y
District of Columbia	28	\$14.92	Y	South Carolina	18	\$0.00	Y
Michigan	28	\$8.89	Y	Indiana	17	\$17.98	Y
New York	28	\$56.14	Y	Alabama	16	\$0.00	
Ohio	28	\$29.76		West Virginia	16	\$1.85	Y
Connecticut	27	\$14.44	Y	Virginia	15	\$10.22	Y
Pennsylvania	27	\$35.56		Louisiana	13	\$2.94	Y
Missouri	26	\$22.03	Y	Alaska	12	\$2.86	Y
Oregon	26	\$33.21	Y	Mississippi	12	\$1.12	
Arkansas	25	\$9.60	Y	New Hampshire	12	\$5.00	Y
Idaho	25	\$15.64		Utah	12	\$1.65	Y
Iowa	25	\$12.70	Y	Georgia	10	\$4.63	Y
Kansas	25	\$0.70	Y	Wyoming	8	\$0.00	Y
Maine	25	\$9.88	Y				

State	Number of Settlements and Judgments	Verifiable Financial Penalties (\$ millions)*	FCA**	State	Number of Settlements and Judgments	Verifiable Financial Penalties (\$ millions)*	FCA**
Louisiana	68	\$301.78	Y	Mississippi	26	\$113.92	
Texas	51	\$694.05	Y	New Jersey	25	\$33.20	Y
Idaho	41	\$53.74		Maine	25	\$9.88	Y
Kentucky	41	\$149.60		Arkansas	25	\$9.60	Y
Massachusetts	40	\$76.72	Y	Hawaii	25	\$84.93	Y
Wisconsin	36	\$63.71	Y	Alabama	25	\$124.25	
Pennsylvania	35	\$199.46		South Dakota	24	\$13.24	Y
Florida	34	\$81.17	Y	Delaware	23	\$13.54	Y
New York	33	\$61.72	Y	New Mexico	23	\$38.91	Y
California	33	\$214.75	Y	Nebraska	23	\$3.69	Y
North Carolina	33	\$65.89	Y	Minnesota	22	\$0	Y
Illinois	32	\$69.95	Y	North Dakota	22	\$0	
Arizona	32	\$25.25		Colorado	21	\$15.70	Y
Oregon	31	\$41.20	Y	Rhode Island	20	\$10.50	Y
Vermont	31	\$19.06	Y	Montana	20	\$10.38	Y
Maryland	31	\$26.12	Y	South Carolina	20	\$169.00	Y
Ohio	30	\$42.20		West Virginia	18	\$46.35	Y
Nevada	30	\$26.69	Y	Oklahoma	18	\$0	Y
Tennessee	29	\$27.05	Y	Indiana	17	\$17.98	Y
Washington	29	\$25.21	Y	Virginia	15	\$10.22	Y
Missouri	29	\$59.03	Y	Utah	15	\$30.15	Y
Connecticut	29	\$42.04	Y	New Hampshire	13	\$8.40	Y
District of Columbia	28	\$14.92	Y	Alaska	13	\$17.86	Y
Michigan	28	\$8.89	Y	Georgia	10	\$5	Y
Iowa	27	\$17.00	Y	Wyoming	8	\$0	Y
Kansas	27	\$6.40	Y				

Company*	Total Financial Penalties (\$ millions)	Percent of Total**	Number of Settlements***
GlaxoSmithKline	\$7,901	20.4%	32
Pfizer	\$4,728	12.2%	34
Johnson & Johnson	\$2,857	7.4%	20
Teva	\$1,990	5.1%	16
Merck & Co.	\$1,840	4.8%	22
Abbott	\$1,840	4.8%	16
Eli Lilly	\$1,742	4.5%	15
Schering-Plough	\$1,339	3.5%	6
Novartis	\$1,275	3.3%	21
Mylan	\$1,180	3.1%	22
AstraZeneca	\$1,035	2.7%	13
Amgen	\$901	2.3%	12
TAP	\$875	2.3%	1
Bristol-Myers Squibb	\$815	2.1%	14
Serono	\$704	1.8%	1
Purdue	\$646	1.7%	5
Allergan	\$601	1.6%	2
Daiichi Sankyo	\$586	1.5%	8
Boehringer Ingelheim	\$441	1.1%	16
Cephalon	\$425	1.1%	1
Other****	\$4,100	10.6%	196
Total	\$37,822	97.9%	473

Company**	Number of Federal Settlements	Total Federal Financial Penalties (\$ millions)	Percent of Total***
Pfizer	14	\$4,416	12.7%
GlaxoSmithKline	9	\$7,413	21.3%
Novartis	9	\$1,150	3.3%
Bristol-Myers Squibb	8	\$747	2.1%
Teva	7	\$1,770	5.1%
Merck	7	\$1,662	4.8%
Johnson & Johnson	6	\$2,246	6.5%
AstraZeneca	6	\$936	2.7%
Schering-Plough	5	\$1,308	3.8%
Abbott	4	\$1,687	4.9%
Mylan	4	\$1,012	2.9%
Sanofi	4	\$328	0.9%
Novo Nordisk	4	\$95	0.3%
Eli Lilly	3	\$1,480	4.3%
Amgen	3	\$802	2.3%
Daiichi Sankyo	3	\$539	1.6%
Bayer	3	\$291	0.8%
Endo	3	\$232	0.7%
Mallinckrodt	3	\$139	0.4%
Hoffman-La Roche	3	\$20	0.1%
Others****	34 (17 different companies)	\$1,586	4.6%
Total	142	\$29,858	85.9%

Company	Total Penalty (\$ millions)	Year	Violation(s)*	Major Drug Products Involved (if applicable and known)**	Laws Violated (if known)***	Qui tam†
GlaxoSmithKline	\$3,400	2006	Financial violations			
GlaxoSmithKline	\$3,000	2012	Unlawful promotion; Kickbacks; Concealing data; Overcharging govt. health programs	Paxil; Wellbutrin; Advair; Lamictal; Zofran; Imitrex; Lotronex; Flovent; Valtrex; Avandia	FCA; FDCA	Y
Pfizer	\$2,300	2009	Unlawful promotion ; Kickbacks	Bextra; Geodon; Zyvox; Lyrica	FCA; FDCA	Y
Johnson & Johnson	\$2,006	2013	Unlawful promotion; Kickbacks; Concealing data	Risperdal; Invega; Natrecor	FCA; FDCA	Y
Abbott	\$1,500	2012	Unlawful promotion; Kickbacks; Concealing data	Depakote	FCA; FDCA; Anti-Kickback Statute	Y
Eli Lilly	\$1,415	2009	Unlawful promotion	Zyprexa	FCA; FDCA	Y
Teva	\$1,200	2015	Monopoly practices		Federal Trade Commission Act	
Merck	\$950	2011	Unlawful promotion	Vioxx	FCA; FDCA	
TAP	\$875	2001	Overcharging govt. health programs; Kickbacks	Lupron	FCA; Anti-Kickback Statute; Prescription Drug Marketing Act	Y
Pfizer (Wyeth)	\$785	2016	Overcharging govt. health programs	Protonix	False Claims Act	Y
Amgen	\$762	2012	Unlawful promotion; Kickbacks; Overcharging govt. health programs	Aranesp; Enbrel; Neulasta	FCA; FDCA	Y
GlaxoSmithKline	\$750	2010	Poor manufacturing practices	Kytril; Bactroban; Paxil CR; Avandamet	FCA; FDCA	Y
Serono	\$704	2005	Unlawful promotion; Kickbacks; Monopoly practices	Serostim	FCA	Y
Merck	\$650	2008	Overcharging govt. health programs; Kickbacks	Zocor; Vioxx; Pepcid	FCA; Medicaid Rebate Statute	Y
Purdue	\$600	2007	Unlawful promotion	Oxycontin	FCA	
Allergan	\$600	2010	Unlawful promotion	Botox	FCA; FDCA	Y
AstraZeneca	\$520	2010	Unlawful promotion; Kickbacks	Seroquel	FCA; Anti-Kickback Statute	Y
Bristol-Myers Squibb	\$515	2007	Kickbacks; Unlawful promotion; Overcharging govt. health programs	Abilify; Serzone	FCA; FDCA	Y (Ven-a-Care)
Schering Plough	\$500	2002	Poor manufacturing practices		FDA Current Good Manufacturing Practices	
Daiichi Sankyo	\$500	2013	Poor manufacturing practices; Concealing data	Cefaclor; Cefadroxil; Amoxicillin; Amoxicillin/Clavulanate; Sotret; Gabapentin; Ciprofloxacin	FCA; FDCA	Y

Type of Violation	Description
Overcharging Government Health Programs	Inflating the average wholesale price (AWP) of products, failing to give the lowest market price to government health programs, or failing to pay required rebates to any government health program
Unlawful Promotion	Off-label promotion of drug products or other deceptive marketing practices (e.g., downplaying health risks of a product)
Monopoly Practices	Unlawfully attempting to keep monopoly patent pricing privileges on products, or collusion with other companies undertaken with the purpose of increasing the market share of a particular product
Kickbacks	Kickbacks (e.g., monetary payments) to providers, hospitals, or other parties to influence prescribing patterns in favor of the company
Concealing Data	Concealing results of company-sponsored studies, or other data, from the federal or state governments or the general public, or falsifying data submitted to the federal government
Poor Manufacturing Practices	Selling drug products that fail to meet FDA standards or specifications (e.g., contaminated or adulterated products, or products that fail to meet size or dosage specifications)
Environmental Violations	Clean Air Act and Clean Water Act violations, or failing to meet federal emissions standards
Financial Violations*	Accounting, tax, or investor fraud, or insider trading
Illegal Distribution**	Distributing an unapproved pharmaceutical product or illegally distributing an approved pharmaceutical product (such as failing to