



Herbert H. Slatery III Attorney General & Reporter

FOR IMMEDIATE RELEASE
June 10, 2020
#20-26

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AG SLATERY JOINS LATEST COMPLAINT AGAINST PRICE FIXING IN THE GENERIC DRUG INDUSTRY

*Ongoing investigation reveals conspiracy to fix prices and allocate markets for at least 80
Generic Topical Dermatological Drugs*

(Nashville) – Attorney General Herbert H. Slatery III joined a coalition of 50 states and the District of Columbia filing the third lawsuit stemming from an antitrust investigation into a widespread conspiracy by generic drug manufacturers to artificially inflate and manipulate prices, reduce competition, and unreasonably restrain trade for generic drugs sold across the United States. This new Complaint, filed in the U.S. District Court for the District of Connecticut, focuses on 80 topical generic drugs that account for billions of dollars of sales in the United States. The Complaint names 26 corporate Defendants and 10 individual Defendants. The lawsuit seeks damages, civil penalties, and actions by the court to restore competition to the generic drug market.

The topical drugs at the center of the Complaint include creams, gels, lotions, ointments, shampoos, and solutions used to treat a variety of skin conditions, pain, and allergies.

“As the complaint lays out, this is a massive price fixing operation from dozens of corporations and individuals who harmed those who rely on generic drugs every day for a range of chronic health problems,” said General Slatery.

Between 2007 and 2014, three generic drug manufacturers, Taro, Perrigo, and Fougera (now Sandoz) sold nearly two-thirds of all generic topical products dispensed in the United States. The multistate investigation has uncovered comprehensive, direct evidence of unlawful agreements to minimize competition and raise prices on dozens of topical products. The Complaint alleges longstanding agreements among manufacturers to ensure a “fair share” of the market for each competitor, and to prevent “price erosion” due to competition.

To read the complaint, click here:

<https://www.tn.gov/content/dam/tn/attorneygeneral/documents/pr/2020/pr20-26-complaint.PDF>

Attorney General Slatery joined the attorneys general of Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Territory of Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Northern





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Mariana Islands, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Utah, U.S. Virgin Islands, Vermont, Virginia, Washington, West Virginia and Wisconsin in filing the complaint.

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