



GEORGE JEPSEN
ATTORNEY GENERAL

STATE OF CONNECTICUT
OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF CONSUMER PROTECTION



WILLIAM M. RUBENSTEIN
COMMISSIONER

**SETTLEMENT REACHED WITH CVS PHARMACY LLC PROHIBITS
SALE OF EXPIRED PRODUCTS IN CONNECTICUT**

For immediate release

THURSDAY MAY 5, 2011

HARTFORD – Attorney General George Jepsen and Consumer Protection Commissioner William Rubenstein announced a settlement with Connecticut CVS Pharmacy LLC that prohibits its retail stores from selling or offering to sell products after their expiration or “sell by” date. CVS also must pay Connecticut \$105,000.

More importantly, for at least three years, CVS will offer consumers a \$2 discount coupon toward any purchase, for each expired over-the-counter drug, baby food or formula, egg or dairy product a consumer finds on store shelves and turns in to cashiers. Consumers do not have to make a purchase to receive the coupon and there is no limit on the number of coupons a consumer can receive for finding expired products in the stores.

The settlement stemmed from a 2009 lawsuit filed after an investigation by the Attorney General’s Office showed the company selling expired food and over-the-counter medications at more than 20 of its retail stores in Connecticut. CVS denied the state’s allegations, but cooperated with the State and agreed to the settlement to avoid unnecessary expense, inconvenience and uncertainty. The settlement, approved in state court last week, applies only to Connecticut.

“This settlement represents a fair solution that not only prohibits the sale of expired products, but provides incentives to CVS and its customers to clear its store shelves of overlooked expired products,” Jepsen said.

“We appreciate that CVS has taken these concerns seriously and has worked with us to protect their customers,” Consumer Protection Commissioner William M. Rubenstein said. “Through this settlement, not only is CVS taking proactive steps to assure that expired products are removed from shelves, but its protocols will help to alert and to educate consumers about the importance of checking expiration dates of food and medicines.”

The settlement also requires the company to review and revise its expired products policy within 60 days, post its new policy in all stores, send it to all employees and train employees about it at least annually. CVS must begin and maintain a program of regular inspections of covered products and review and revise its delivery policies with third-party suppliers to make sure no expired dairy products and eggs are available for sale on store shelves.

Assistant Attorneys General Matthew Fitzsimmons and José René Martínez handled this case for Jepsen.

View the entire [Stipulated Judgment with CVS Pharmacy](#) – (PDF-604KB)