

## Ontario Public Drug Programs

Further to the Enforcement Actions announced on Monday April 27, 2009, additional enforcement actions have been taken as of [May 8, 2009](#). See the "As of May 8" additional bullets in the information below.

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### Rebate Penalty Orders

- 12 Rebate Penalty Orders\* issued; these orders are penalties for paying or receiving excessive professional allowances (i.e. rebates)

7 Generic drug manufacturers	Taro Pharmaceuticals Inc.	Brampton, ON	\$22,512.68
	Cobalt Pharmaceuticals Inc.	Mississauga, ON	\$31,851.51
	Genpharm Inc.	Etobicoke, ON	\$1,791,957.71
	Novopharm Limited	Toronto, ON	\$1,201,958.88
	Pharmascience Inc.	Montreal, QC	\$101,490.28
	Sandoz Canada Inc.	Boucherville, QC	\$96,306.83
	Ratiopharm Inc.	Mississauga, ON	\$295,063.42
4 Wholesalers	Amerisource Bergen Corporation Canada	Montreal, QC	\$5,797,422.00
	Kohl & Frisch Limited	Concord, ON	\$4,537,729.00
	A.O.C. Company Ltd	Toronto, ON	\$6,831,904.00
	Pharma Stop		\$8,737,398.00
1 Pharmacy	Kohler's Drug Store Ltd	Hamilton, ON	\$4,406,642.75

**\$33,852,237.06**

\* Each Order recipient may respond by making a written submission, following which the Executive Officer will decide whether to affirm, rescind, or vary the Order.

### Provincial Offence Charges Laid

- As of April 27 there were 20 provincial offence charges laid for providing false or incomplete information, and/or refusing to provide information and/or obstructing an inspector - against a generic manufacturer, 1 wholesaler, a pharmacy, and 3 individuals

1 generic manufacturer	Ratiopharm Inc.	2 charges
1 wholesaler	A.O.C. Company Ltd	2 charges
1 pharmacy	Kohler's Drug Store Ltd	4 charges
3 individuals	Names not disclosed	12 charges

- As of May 8, two charges have been laid against an additional wholesaler and two charges have been laid against an additional individual. This brings the total number of provincial offence charges laid to 24.

1 wholesaler	Kohl & Frisch Limited	2 charges
1 individual	Names not disclosed	2 charges

### **Subscription Agreements on Notice to be Suspended**

- As of April 27, three pharmacies had been put on notice that their Pharmacy Subscription Agreements may be terminated and Suspension Orders issued. The agreements in effect provide a license for pharmacies to work within the OPDP structure
  - Markland Wood Pharmacy Limited, 4335 Bloor Street West, Toronto
  - A.O.C. Company Ltd, operating as Best Drug Mart, 2150 Bloor Street West, Toronto
  - 1391478 Ontario Inc., operating as Symington Drugs, 333 Symington Avenue, Toronto
- As of May 8, another pharmacy has been put on notice, bringing the total number of pharmacies to four.
  - Kohler’s Drug Store Ltd, 14 James Street North, Hamilton

### **Additional audits to be conducted at selected generic manufacturers, wholesalers and pharmacies**

#### **Complaint with Ontario College of Pharmacists Filed**

- Complaints have been filed with the Ontario College of Pharmacists against 1 pharmacist, 1 wholesaling business, and 3 pharmacies so that the College may investigate their conduct
  - A.O.C. Company Ltd
    - Best Drug Mart
    - Markland Wood Pharmacy Limited
    - Symington Drugs

#### **Complaints with Health Canada Filed**

- Complaints have been filed with Health Canada against 5 wholesalers regarding suspected violations against the *Food and Drug Act* as it relates to public safety issues
  - A.O.C. Company Ltd

- Kohl & Frisch Limited
- Amerisource Bergen Canada Corporation
- Pharma Stop
- RxSource

**Orders to Provide Information**

- As of April 27, demand letters had been issued requiring 51 pharmacies, 1 generic manufacturer and 1 wholesaler to provide information on professional allowances; these may be followed by full-scale audits. Names not disclosed at this point
- As of May 8, three pharmacy groups have also been issued demand letters. As above, these may be followed by full-scale audits and names are not disclosed at this point.