



December 20, 2017

## **MADIGAN ANNOUNCES \$13.5 MILLION MULTISTATE SETTLEMENT WITH PHARMACEUTICAL COMPANY FOR DECEPTIVE MARKETING**

**Chicago** — Attorney General Lisa Madigan, along with 50 other attorneys general, today announced a \$13.5 million multistate settlement with Boehringer Ingelheim Pharmaceuticals, Inc. (BIPI) that resolves allegations that the company misled consumers about four of its prescription drugs.

Madigan and the attorneys general sued BIPI, alleging the company made misrepresentations when marketing four of its prescription drugs. According to Madigan's complaint, BIPI's off-label marketing practices for Micardis, Aggrenox, Atrovent and Combivent misrepresented facts about the drugs, including that the drugs had received federal approvals, had certain ingredients, could be used for certain conditions and would result in certain benefits. Madigan's complaint alleged BIPI falsely claimed that its antiplatelet drug, Aggrenox, could be used for conditions such as heart attacks and congestive heart failure, and that it was superior to similar competitors' drugs even though the company had no evidence to substantiate that claim. BIPI also falsely advertised that taking Micardis would protect patients from early morning strokes and heart attacks, and would treat metabolic syndrome. The company falsely claimed that Combivent could be used as a first-line treatment for symptoms of chronic obstructive pulmonary disease (COPD). And BIPI falsely stated that Atrovent and Combivent were essential for treating COPD and could be used at doses exceeding the maximum dosage recommendation on the label.

"Deceptively marketing prescription drugs is not just irresponsible, it can be dangerous," Madigan said. "This settlement will ensure that BIPI no longer misleads the public about what these four drugs can do and the conditions they can be used to treat."

The settlement requires BIPI to ensure that its marketing and promotional practices do not unlawfully promote these prescription drugs. Specifically, the settlement requires that BIPI:

- Limit product sampling to healthcare providers whose clinical practices are consistent with the product labeling;
- Refrain from offering financial incentives for sales that may indicate off-label use of any of the four drugs;
- Ensure clinically-relevant information – separate from promotional materials – is provided in an unbiased manner; and
- Refer all requests for off-label information to BIPI's Medical Division.

Joining Madigan in announcing the settlement were the attorneys general of the 49 other states and the District of Columbia. Under the settlement, Illinois will receive more than \$535,000. The judgment is subject to court approval.

Assistant Attorney General E. Paige Boggs handled the case for Madigan's Consumer Fraud Bureau.

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