



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Office of the Secretary

May 31, 2001

J. Andrew Langan, Esquire
Kirkland & Ellis
Counsel for Abbott Laboratories
200 East Randolph Drive
Chicago, IL 60601

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Langan:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Abbott Laboratories, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

By direction of the Commission, Chairman Pitofsky recused and Commissioner Leary not participating.

Donald S. Clark
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May 31, 2001

Kenneth R. Logan, Esquire
Simpson Thacher & Bartlett
Counsel for American Home Products Corp.
425 Lexington Avenue
New York, New York 10017-3954

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Logan:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, American Home Products Corp., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Douglas L. Rogers, Esquire
Vorys, Sater, Seymour & Pease
Counsel for Boehringer Ingelheim Pharmaceuticals, Inc.
P.O. Box 1008
Columbus, Ohio 43216

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Rogers:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Boehringer Ingelheim Pharmaceuticals, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Stephen S. Madsen, Esquire
Cravath, Swaine & Moore
Counsel for Bristol-Myers Squibb Company
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019-7475

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Madsen:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Bristol-Myers Squibb Company, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

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May 31, 2001

Robert A. Milne, Esquire
Dewey Ballantine
Counsel for Ciba-Geigy Corporation and
Sandoz Pharmaceuticals Corporation
1301 Avenue of the Americas
New York, NY 10019-6092

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Milne:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your clients, Ciba-Geigy Corporation and Sandoz Pharmaceuticals Corporation (now collectively Novartis Pharmaceutical Corporation), or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Robert K. Stanley, Esquire
Baker & Daniels
Counsel for Eli Lilly and Company
300 North Meridian St.
Suite 2700
Indianapolis, Indiana 46204

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Stanley:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Eli Lilly and Company, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

John W. Treece, Esquire
Counsel for G.D. Searle & Co.
Sidley & Austin
One First National Plaza
Chicago, IL 60603

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Treece:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, G.D. Searle & Co., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Jerome I. Chapman, Esquire
Arnold & Porter
Counsel for Glaxo-Wellcome, Inc.
555 Twelfth Street, NW
Washington, DC 20004

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Chapman:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Glaxo-Wellcome, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

David E. Everson, Esquire
Stinson, Mag & Fizell
Counsel for Hoechst Marion Roussel, Inc.
1201 Walnut Street
Kansas City, Missouri 64106-2150

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Everson:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Hoechst Marion Roussel, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

James C. Egan, Esquire
Clifford Chance Rogers and Wells
Counsel for Hoffman-La Roche, Inc.
2001 K Street, N.W., First Floor
Washington, D.C. 20006

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Egan:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Hoffman-La Roche, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Roosevelt N. Nesmith, Esquire
Patterson, Belknap, Webb & Tyler
Counsel for Johnson & Johnson
1133 Avenue of the Americas
New York, NY 10036-6710

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Nesmith:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Johnson & Johnson, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

James P. Tallon, Esquire
Sherman & Sterling
Counsel for Merck & Co., Inc.
599 Lexington Avenue
New York, NY 10022-4000

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Tallon:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Merck & Co., Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

David S. Copeland, Esquire
Kaye, Scholer, Fierman, Hays & Handler, L.L.P.
Counsel for Pfizer, Inc.
425 Park Avenue
New York, NY 10022-3598

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Copeland:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Pfizer, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Karen M. Hassevoort, Esquire
Miller, Canfield, Paddock & Stone, P.L.C.
Counsel for Pharmacia and Upjohn Company
444 West Michigan Avenue
Kalamazoo, Michigan 49007-3751

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Ms. Hassevoort:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Pharmacia and Upjohn Company, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Kenneth P. Ewing, Esquire
Counsel for Pharmaceutical Research
and Manufacturers of America
Steptoe & Johnson LLP
1330 Connecticut Ave., N.W.
Washington, D.C. 20036-1795

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Ewing:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers or others, including your client, Pharmaceutical Research and Manufacturers of America, have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Jeffrey S. Ross, Esquire
Pillsbury Madison & Sutro LLP
Counsel for Rhone-Poulenc Rorer, Inc.
235 Montgomery Street
P.O. Box 7880
San Francisco, CA 94120-7880

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Ross:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Rhone-Poulenc Rorer, Inc., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

Upon further review of this matter, it now appears that no further action is warranted by the Commission at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

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May 31, 2001

John G. Calender, Esquire
Howrey & Simon
Counsel for Schering-Plough Corporation
1299 Pennsylvania Ave., N.W.
Washington, D.C. 20004-2402

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Calender:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers including your client, Schering-Plough Corporation, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

Leslie E. John, Esquire
Ballard Spahr Andrews & Ingersoll
Counsel for SmithKline Beecham
1735 Market Street, 51st Floor
Philadelphia, PA 19103-7599

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Ms. John:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, SmithKline Beecham, or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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May 31, 2001

David L. Meyer, Esquire
Covington & Burling
Counsel for Warner-Lambert Co.
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20044-7566

Re: *Pharmaceutical Pricing Investigation, File No. 961 0031*

Dear Mr. Meyer:

The Federal Trade Commission has been conducting an investigation to determine whether various pharmaceutical manufacturers, including your client, Warner-Lambert Co., or others have engaged in or are engaging in unfair methods of competition in or affecting commerce in violation of Section 5 of the Federal Trade Commission Act, by engaging in unlawful concerted activities to raise, fix, maintain, or stabilize the prices of pharmaceutical products in the United States.

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