Press Release
View printer-friendly version

<< Back

# Akorn Adopts Comprehensive Policy to Support the Use of Its Products to Promote Human Health

***- Akorn Will Not Ship Directly to Prisons -***

***- Programs to Be Put In Place to Limit Potential Product Diversion for Executions -***

LAKE FOREST, Ill., March 4, 2015 (GLOBE NEWSWIRE) -- Akorn, Inc. (Nasdaq:AKRX), today announced the company has adopted a comprehensive policy that endorses the use of its products to promote human health and wellness and condemns the use of its products - particularly midazolam and hydromorphone hydrochloride - in execution protocols.

Akorn's policy statement regarding the appropriate use of its products is as follows:

> *The employees of Akorn are committed to furthering human health and wellness through our vast portfolio of products. In the interest of promoting these values, Akorn strongly objects to the use of its products to conduct or support capital punishment through lethal injection or other means. To prevent the use of our products in capital punishment, Akorn will not sell any product directly to any prison or other correctional institution and we will restrict the sale of known components of lethal injection protocols to a select group of wholesalers who agree to use their best efforts to keep these products out of correctional institutions.*

**Direct Sales to Prisons Prohibited**

Earlier this year, Akorn adopted a policy not to accept direct orders from prison systems. Departments of Correction in the United States who wish to purchase Akorn products for a legitimate medical need may purchase from our approved list of wholesalers. However, prison purchases of hydromorphone hydrochloride injection, USP, and midazolam injection, USP, through these wholesalers will not be allowed.

**Wholesalers Engaged to Help Control Distribution of Midazolam and Hydromorphone**

Building upon Akorn's prohibition of direct sales into prisons, the company is working to ensure that its distributors and wholesalers agree to not resell midazolam and hydromorphone to departments of correction and secondary wholesalers. In addition, Akorn plans to work with wholesalers and distributors to ensure that best efforts are used in other sales channels to prevent the sale of both products to prison systems.

**Akorn Seeking the Return of Midazolam and Hydromorphone from Prison Systems**

Akorn has dispatched a letter to the attorneys general and heads of departments of correction of the states that currently execute inmates or have prisoners on death row along with the United States Attorney General, the United States Secretary of Defense, the Director of the Federal Bureau of Prisons and the Chairman of the Department of Defense Corrections Council reiterating the company's policy on the appropriate use of its products. In addition, Akorn is seeking the return of any the company's products that may have been inappropriately purchased to aid in the execution process.

**About Akorn**

Akorn, Inc. is a specialty pharmaceutical company engaged in the development, manufacture and marketing of multisource and branded pharmaceuticals. Akorn has manufacturing facilities located in Decatur, Illinois; Somerset, New Jersey; Amityville, New York; Hettlingen, Switzerland and Paonta Sahib, India where the company manufactures ophthalmic, injectable and specialty non-sterile pharmaceuticals. Additional information is available on the company's website at www.akorn.com.

**Forward Looking Statements**

This press release includes statements that may constitute "forward-looking statements", including projections of certain measures of Akorn's results of operations, projections of sales, projections of certain charges and expenses, projections related to the number and potential market size of ANDAs, projections with respect to timing and impact of pending acquisitions, and other statements regarding Akorn's goals, regulatory approvals and strategy. Akorn cautions that these forward-looking statements are subject to risks and uncertainties that may cause actual results to differ materially from those indicated in the forward-looking statements. These statements are made pursuant to the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. Because such statements inherently involve risks and uncertainties, actual future results may differ materially from those expressed or implied by such forward-looking statements. You can identify these statements by the fact that they do not relate strictly to historical or current facts. They use words such as "anticipate," "estimate," "expect," "project," "intend," "plan," "believe," and other words and terms of similar meaning in connection with a discussion of future operating or financial performance. Factors that could cause or contribute to such differences include, but are not limited to: statements relating to future steps we may take, prospective products, prospective acquisitions, future performance or results of current and anticipated products and acquired assets, sales efforts, expenses, the outcome of contingencies such as legal proceedings, and financial results. These cautionary statements should be considered in connection with any subsequent written or oral forward-looking statements that may be made by the Company or by persons acting on its behalf and in conjunction with its periodic SEC filings. You are advised, however, to consult any further disclosures we make on related subjects in our reports filed with the SEC. In particular, you should read the

discussion in the section entitled "Cautionary Statement Regarding Forward-Looking Statements" in our most recent Annual Report on Form 10-K, as it may be updated in subsequent reports filed with the SEC. That discussion covers certain risks, uncertainties and possibly inaccurate assumptions that could cause our actual results to differ materially from expected and historical results. Other factors besides those listed there could also adversely affect our results.

CONTACT: Investors/Media:
Dewey Steadman
Executive Director, Investor Relations
(847) 582-6923
investor.relations@akorn.com

Akorn, Inc.