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CASE OF INTEREST

DATE: December 13, 2012

CASE: Walgreen Co.

PROSECUTOR: Deputy District Attorney Doug Whaley, Consumer/Environmental Protection Unit

District Attorney Jan Scully, together with 42 other California district attorneys and two city attorneys, announced today that a judge in Alameda Superior Court has ordered the Illinois-based Walgreen Co. to pay \$16.57 million as part of a settlement of a civil environmental prosecution.

In June 2012, a civil enforcement lawsuit was filed in Alameda claiming that more than 600 Walgreens stores in California unlawfully handled and disposed of hazardous wastes and materials, including pesticides, bleach, paint, aerosols, automotive products and solvents, pharmaceutical, and bio hazardous wastes. The settlement also resolves allegations that customer records were unlawfully disposed of without preserving confidential medical information.

In 2011, inspectors from the Alameda County District Attorney's Office Environmental Protection Division, along with district attorney investigators and environmental regulators throughout the state, conducted a series of waste inspections of dumpsters belonging to Walgreens stores. The inspections revealed that the stores were routinely and systematically sending hazardous wastes to local landfills, and failed to take measures to protect the privacy of their pharmacy customers' confidential medical information. During the statewide inspections, 34 out of 37 Walgreens stores were found to be in violation of state law.

Under the final judgment, Walgreen Co. must pay \$16.57 million in civil penalties and costs, which also funds supplemental environmental projects furthering consumer protection and environmental enforcement in California. Stores are required to retain their hazardous waste in segregated, labeled containers to minimize the risk of exposure to employees and customers. Walgreens is also required to take proper steps to preserve the confidentiality of their pharmacy customers' medical information. Hazardous waste produced by California Walgreens stores is now being collected by state registered haulers for proper disposal and documentation. The retailer will be bound under the terms of a permanent injunction prohibiting similar future alleged violations of law.

The Sacramento County District Attorney's Office will receive \$40,000 in civil penalties and cost recovery.