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Johnson & Johnson gets subpoenas on three drugs

By: Lisa Rapaport Bloomberg News

Johnson & Johnson said yesterday that it had received subpoenas from U.S. attorneys in Philadelphia, Boston and San Francisco over allegations the company marketed three drugs for unapproved uses.

The subpoenas - demands for information - concern promotion of the schizophrenia drug **Risperdal**, the seizure medication Topamax and the heart-failure treatment Natrecor, the company said. Each of the drugs is marketed by a different J&J subsidiary. All three subsidiaries already had received subpoenas in the investigation.

"The subpoenas request information regarding Johnson & Johnson's corporate supervision and oversight of these three subsidiaries, including their sales and marketing of these drugs," J&J said. The company previously had disclosed the investigations in filings with U.S. securities regulators.

J&J is based in New Brunswick, N.J., and has several Philadelphia-area subsidiaries. Those units are not involved in the federal probe.

Risperdal was J&J's top-selling drug in the fourth quarter of 2006, producing \$1.06 billion in revenue. Rep. Henry Waxman (D., Calif.) is leading a House investigation into whether pharmaceutical companies are promoting anti-psychotic drugs for uses not cleared by regulators.

Shares of J&J fell 35 cents, or 0.56 percent, to \$61.79 in New York Stock Exchange trading.

J&J's Janssen unit received a subpoena from the U.S. Attorney's Office in Philadelphia in November 2005 seeking information about marketing and adverse side effects of **Risperdal**, according to an October 2006 regulatory filing.

In January 2004, the Office of the Inspector General for the U.S. Office of Personnel Management asked J&J for documents related to payments made to doctors in connection with sales, marketing and clinical trials for **Risperdal**. The company also received a request for information on marketing of **Risperdal** from the Texas **attorney general** in January 2006.

Ortho-McNeil, another J&J unit, received a subpoena in December 2003 from the U.S. attorney in Boston seeking documents related to marketing of its epilepsy and migraine drug Topamax for unapproved uses, according to the regulatory filing. The company received an additional subpoena in June 2006.

Scios, a third J&J subsidiary, in July 2005 received a subpoena from the U.S. attorney in Boston related to marketing of its heart-failure drug Natrecor, the company said in a regulatory filing. The next month, the U.S. attorney in San Francisco took over that investigation.