

**United States House of Representatives
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
“The Fungal Meningitis Outbreak: Could It Have Been Prevented?”
November 14, 2012 10:00 AM
Rayburn House Office Building Room 2123**

Exhibit List

1. MASS. DEP'T OF PUB. HEALTH, NEW ENGLAND COMPOUNDING CENTER (NECC) PRELIMINARY INVESTIGATION FINDINGS: BD. OF REGISTRATION IN PHARMACY REPORT (Oct. 23, 2012).

2. U.S. FOOD & DRUG ADMIN., NEW ENGLAND COMPOUNDING CENTER FORM FDA 483 (Oct. 26, 2012).

3. Advisory Letter from James T. Devita, President, Mass. Bd. of Registration in Pharmacy, to Barry Cadden, Manager of Record, New England Compounding Ctr. (Sept. 30, 2004) (Docket Nos. DS-03-060, PH-03-070 – Texas).

Advisory Letter from James T. Devita, President, Mass. Bd. of Registration in Pharmacy, to Barry Cadden, Manager of Record, New England Compounding Ctr. (Sept. 30, 2004) (Docket Nos. DS-04-062, PH-04-161 – Iowa and Wisconsin).

Advisory Letter from James T. Devita, President, Mass. Bd. of Registration in Pharmacy, to Barry Cadden, Manager of Record, New England Compounding Ctr. (Sept. 30, 2004) (Docket Nos. DS-03-036, PH-03-042 – South Dakota).

4. U.S. FOOD & DRUG ADMIN., NEW ENGLAND COMPOUNDING PHARMACY, INC. FORM FDA 483 (Apr. 16, 2002).

U.S. FOOD & DRUG ADMIN., FDA INSPECTION REPORT OF NEW ENGLAND COMPOUNDING PHARMACY, INC. (Apr. 16, 2002).

5. MASS. DEP'T OF PUB. HEALTH, INVESTIGATION REPORT OF NEW ENGLAND COMPOUNDING CENTER & BARRY CADDEN (Mar. 4, 2004).

6. U.S. FOOD & DRUG ADMIN., NEW ENGLAND COMPOUNDING CENTER FORM FDA 483 (Feb. 10, 2003).

U.S. FOOD & DRUG ADMIN., FDA ESTABLISHMENT INSPECTION REPORT OF NEW ENGLAND COMPOUNDING CENTER (Feb. 10, 2003).

U.S. FOOD & DRUG ADMIN., FDA INSPECTION REPORT OF NEW ENGLAND COMPOUNDING CENTER (Feb. 10, 2003).

7. Memorandum from Consumer Safety Officer, New England Dist. Office, FDA & Compliance Officer, New England Dist. Office, FDA, to Central File, *February 5, 2003 Meeting with Massachusetts Board of Pharmacy/Division of Professional Licensure (239 Causeway Street, Boston, MA 02114)* (Feb. 24, 2003).
8. Letter from Charles R. Young, Executive Dir., Mass. Bd. of Registration in Pharmacy, to Barry J. Cadden, Manager of Record, New England Compounding Ctr. (Oct. 4, 2004).

Proposed Consent Agreement, *In the Matter of New England Compounding Center Registration No. 2848 Barry J. Cadden, R.Ph. License No. 21239, Docket Nos. DS-03-055, PH-03-066* (Mass. Bd. of Registration in Pharmacy, Oct. 4, 2004).
9. Letter from Paul R. Cirel, Counsel to Barry Cadden & New England Compounding Ctr., to Susan Manning, Counsel to Mass. Bd. of Registration in Pharmacy (Nov. 11, 2004).
10. Memorandum from Investigator, New England Dist. Office, FDA, to Acting Team Leader, Div. of New Drugs & Labeling Compliance, FDA, *Inspection/Investigation of New England Compounding Center 697 Waverly Street Framingham, MA 01702* (Jan. 26, 2005).
11. MASS. DEP'T OF PUB. HEALTH, INVESTIGATION REPORT OF BARRY CADDEN (Nov. 23, 2004).
12. Consent Agreement, *In the Matter of New England Compounding Center Registration No. 2848 Barry J. Cadden, R.Ph. License No. 21239, Docket Nos. DS-03-055, PH-03-066, DS-05-040* (Mass. Bd. of Registration in Pharmacy, Jan. 10, 2006).
13. Warning Letter (NEW-06-07W) from Gail T. Costello, Dist. Dir., New England Dist. Office, FDA, to Barry J. Cadden, Dir. of Pharmacy, New England Compounding Center (Dec. 4, 2006).
14. Letter from Barry J. Cadden, Dir. of Pharmacy, New England Compounding Center, to Compliance Officer, New England Dist. Office, FDA et al. (Jan. 5, 2007).
15. Letter from Compliance Officer, New England Dist. Office, FDA, to Barry J. Cadden, Dir. of Pharmacy, New England Compounding Center (Oct. 31, 2008).
16. Cease and Desist Order, *In the Matter of the Unauthorized and Unlawful Distribution of Prescription Drugs and/or Compounded Prescription Drugs in Colorado by New England Compounding Center, Inc.*, Case No. 2011-3973 (Colo. State Bd. of Pharmacy, Apr. 15, 2011).
17. E-mail from Pharmacy Inspector, Colo. State Bd. of Pharmacy, to James D. Coffey, Dir., Mass. Bd. of Registration in Pharmacy (July 26, 2012, 3:06 PM).

E-mail from James D. Coffey, Dir., Mass. Bd. of Registration in Pharmacy, to Pharmacy Inspector, Colo. State Bd. of Pharmacy (July 27, 2012, 7:33 AM).

E-mail from James D. Coffey, Dir., Mass. Bd. of Registration in Pharmacy, to Susan Manning, Counsel to Mass. Bd. of Registration in Pharmacy et al. (July 27, 2012, 7:34 AM).

18. E-mail from Senior Case Review Expert, Denver Dist. Office, FDA, to Supervising Consumer Safety Officer, New England Dist. Office, FDA et al. (May 10, 2011, 4:19 PM).
19. Press Release, Mass. Dep't of Pub. Health, Statement of Interim Commissioner Dr. Lauren Smith on NECC Investigation (Nov. 7, 2012).
20. E-mail from Charles R. Young, Executive Dir., Mass. Bd. of Registration in Pharmacy, to Jean Pontikas, Dir., Div. of Health Professions Licensure et al. (Nov. 15, 2004, 1:07 PM).
21. E-mail from Prosecuting Counsel, Office of Gen. Counsel, Mass. Dep't of Pub. Health, to Charles R. Young, Executive Dir., Mass. Bd. of Registration in Pharmacy (Oct. 27, 2005, 9:04 AM).
22. E-mail from Charles R. Young, Executive Dir., Mass. Bd. of Registration in Pharmacy, to Prosecuting Counsel, Office of Gen. Counsel, Mass. Dep't of Pub. Health et al. (Nov. 18, 2005, 9:41 AM).
23. E-mail from Prosecuting Counsel, Office of Gen. Counsel, Mass. Dep't of Pub. Health, to Charles R. Young, Executive Dir., Mass. Bd. of Registration in Pharmacy et al. (Dec. 2, 2005).
24. E-mail from Charles R. Young, Executive Dir., Mass. Bd. of Registration in Pharmacy, to Risk Manager, Brigham & Women's Hosp. et al. (Sept. 16, 2005, 8:23 AM).
25. E-mail from Susan Manning, Counsel to the Mass. Bd. of Registration in Pharmacy, to Jean Pontikas, Dir., Div. of Health Professions Licensure et al. (Apr. 24, 2006).