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Walgreen Co. Resolves Allegations of Price Overcharges and Selling Expired Products

Pharmacy Pays \$6 Million to Settle Complaints

San Diego County District Attorney [Summer Stephan](#) announced today that Walgreen Co., which does business in California as Walgreens, has entered into a stipulated modification of a prior judgment in a consumer protection case brought by a team of California prosecutors. Walgreens will pay \$6 million to settle a civil law enforcement investigation that alleged the largest American pharmacy retailer engaged in false advertising and unfair competition in California.

The update to the prior 2018 modified judgment was filed in Santa Clara County Superior Court by a team of prosecutors from Northern and Southern California including the District Attorneys of San Diego, Alameda, Contra Costa, San Bernardino, San Joaquin, San Mateo, Santa Clara, Santa Cruz and Yolo counties. Walgreens operates approximately 580 stores in California, 18 of which are in San Diego County.

The investigation centered on allegations that the retailer unlawfully charged customers prices higher than their lowest advertised or posted price and sold expired over-the-counter medicines. The District Attorneys' investigators found that Walgreens sold expired over-the-counter medicines, such as aspirin, sunscreen and hand sanitizer. The effectiveness of some over-the-counter medicines may be reduced after the expiration date has passed.

“Our Consumer Protection Unit continues to fight for San Diegans,” DA Stephan said. “We need to be confident that retailers are not selling expired over-the-counter medications. This modified judgment requires Walgreens to take concrete steps that protect our community’s health.”

The updates to the modified judgment include an injunction that prohibits Walgreens from engaging in false or misleading advertising and additional measures to promote price accuracy and the removal of expired products from the store shelves. The measures include extensive store audits of all stores in California and a scanner price guarantee: “IF AN ITEM SCANS AT A

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HIGHER PRICE THAN THE ADVERTISED PRICE, AND THE ADVERTISED PRICE IS GREATER THAN SIX DOLLARS (\$6), [WALGREENS] WILL GIVE YOU A SIX DOLLAR (\$6) MERCHANDISE CARD. IF THE ADVERTISED PRICE IS SIX DOLLARS (\$6) OR LESS, YOU WILL RECEIVE THAT ITEM FOR FREE.” The price guarantee does not apply to some products such as alcohol. The judgment also requires the pharmacy to pay \$5.4 million in civil penalties and \$600,000 in costs to cover the weights and measures and expired products investigation.

The San Diego County Department of Agriculture/Weights and Measures is the agency that inspects Walgreens stores throughout San Diego County and is instrumental in monitoring retailers to make sure that consumers are charged the correct price. Consumers may report weight issues to Weights and Measures online by using the [General Consumer Complaint Form](#) or by calling 1-888-TRUE-SCAN (878-3722) (toll free) or e-mail wm.awm@sdcounty.ca.gov.

Deputy District Attorney Kathryn Turner was the prosecutor for the San Diego County District Attorney.

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About the San Diego County District Attorney’s Office

The San Diego County District Attorney’s Office serves nearly 3.3 million residents in San Diego County and is the region’s largest law enforcement agency responsible for prosecuting felony crimes. The office also protects the public through specialized units that address consumer protection, environmental crimes, human trafficking, elder abuse, and cybercrime. The District Attorney’s Office works every day to pursue justice, protect victims, and ensure that San Diego County remains a safe place to live, work, and raise a family.

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