

Merz Pharmaceuticals, LLC Comprehensive Compliance Program Pursuant to California Health and Safety Code §§ 119400 -- 119402

The California Health and Safety Code §§ 119400 – 119402 (the “California Law”) requires that “pharmaceutical companies” (including entities engaged in distribution of prescription drugs and certain medical devices) adopt a Comprehensive Compliance Program that (i) is in accordance with the Office of Inspector General’s 2003 Compliance Program Guidance for Pharmaceutical Manufacturers (the “OIG Guidance”); (ii) includes policies for compliance with the “Code on Interactions with Healthcare Professionals” published by the Pharmaceutical Research and Manufacturers of America (the “PhRMA Code”); and (iii) establishes limitations on spending on gifts, entertainment, promotional materials or other incentives given to “medical or health professionals” in accordance with the OIG Guidance and the PhRMA Code. “Medical or health professionals” is defined by the California Law to include anyone who: 1) is licensed by State law to prescribe drugs for human patients; 2) is a medical student; or 3) is a member of any drug formulary committee.

Declaration: Merz Pharmaceuticals, LLC (“Merz”) hereby declares in good faith that to the best of its knowledge it is in substantial compliance with its Comprehensive Compliance Program and the provisions of California Health and Safety Code §§ 119400-119402 as of July 1, 2008.