

**Analysis of FDA Compliance Check Data
2010-2012 By Year through 9/30/12**

Year	Total Compliance Checks	Number of "NO Violations"	Number of Warning Letters*	Number of Civil Money Penalties	Violation Rate
2010	507	483	24	0	4.73%
2011	35,462	33,720	1,734	8	4.91%
<u>2012</u>	<u>75,868</u>	<u>72,121</u>	<u>3,370</u>	<u>377</u>	<u>4.94%</u>
	111,837	106,324	5,128	385	4.93%

Data: Based upon calculations of FDA inspection data posted online at fda.gov. Inspections Data 2010-Sept. 2012, accessed 10/11/12.

This analysis was completed by The We Card Program, Inc. using publically available data posted online at fda.gov. Calculations of Total Compliance Checks and Violation Rate were computed by The We Card Program.

Analysis of Civil Money Penalties (CMP)

Of the 385 CMPs reflected in the publically available FDA data through 9/30/12, 385 CMPs were posted online as of 10/11/12. CMP amounts (fines) are not part of the FDA data, but included within each CMP document posted online as an individual PDF file. Each individual CMP was viewed to calculate the total amount of CMPs by State. Below shows a summary of these CMPs.

State	# of CMPs	Total CMP \$	Avg. CMP \$
AL	6	\$ 2,000.00	\$ 333.33
AR	10	\$ 3,750.00	\$ 375.00
AZ	18	\$ 14,250.00	\$ 791.67
CO	35	\$ 60,750.00	\$ 1,735.71
CT	1	\$ 500.00	\$ 500.00
IL	32	\$ 14,500.00	\$ 453.13
KS	3	\$ 1,250.00	\$ 416.67
MA	28	\$ 21,750.00	\$ 776.79
MD	23	\$ 8,500.00	\$ 369.57
MO	113	\$ 61,750.00	\$ 546.46
MS	52	\$ 32,000.00	\$ 615.38
PA	38	\$ 18,000.00	\$ 473.68
TN	9	\$ 4,000.00	\$ 444.44
WA	<u>17</u>	<u>\$ 5,750.00</u>	<u>\$ 338.24</u>
	385	\$ 248,750.00	\$ 646.10

**Analysis of FDA Compliance Check Data
2010-2012 By State through 9/30/12**

State	Total Compliance Checks	Number of "NO Violations"	Number of Warning Letters*	Civil Money Penalties	Violation Rate
1 AL	6,421	6,219	196	6	3.15%
2 AR	3,131	2,914	207	10	6.93%
3 AZ	2,123	1,910	195	18	10.03%
4 CA	3,095	3,052	43	0	1.39%
5 CO	3,615	3,273	307	35	9.46%
6 CT	2,321	2,088	232	1	10.04%
7 DC	393	354	39	0	9.92%
8 DE	784	767	17	0	2.17%
9 GA	854	821	33	0	3.86%
10 HI	5	5	0	0	0.00%
11 IA	2,084	2,069	15	0	0.72%
12 ID	338	323	15	0	4.44%
13 IL	2,643	2,316	295	32	12.37%
14 IN	6,043	5,918	125	0	2.07%
15 KS	4,089	3,999	87	3	2.20%
16 KY	2,965	2,902	63	0	2.12%
17 LA	5,371	5,138	233	0	4.34%
18 MA	7,586	7,308	250	28	3.66%
19 MD	3,587	3,445	119	23	3.96%
20 ME	6,570	6,511	59	0	0.90%
21 MI	1,605	1,545	60	0	3.74%
22 MN	1,444	1,392	52	0	3.60%
23 MO	4,141	3,421	607	113	17.39%
24 MS	8,606	8,091	463	52	5.98%
25 NC	1,414	1,376	38	0	2.69%
26 NH	310	300	10	0	3.23%
27 NJ	3,816	3,572	244	0	6.39%
28 NV	1	0	1	0	100.00%
29 OH	249	249	0	0	0.00%
30 OK	1,551	1,500	51	0	3.29%
31 PA	9,528	9,181	309	38	3.64%
32 RI	2,184	2,142	42	0	1.92%
33 TN	2,882	2,765	108	9	4.06%
34 TX	3,454	3,220	234	0	6.77%
35 UT	1,426	1,374	52	0	3.65%
36 VA	30	30	0	0	0.00%
37 WA	5,036	4,692	327	17	6.83%
38 WI	142	142	0	0	0.00%
	111,837	106,324	5,128	385	4.93%

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