



COUNTY OF YOLO  
OFFICE OF THE DISTRICT ATTORNEY  
JEFF W. REISIG, DISTRICT ATTORNEY

**FOR IMMEDIATE RELEASE**

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**CVS Ordered by CA Judge to Stop Offering to Sell  
Expired Products at California Stores**

**CVS modified existing programs to ensure their products are not expired or out-of-date**

**Woodland, CA – May 10, 2023** – On May 10, 2023, the Yolo County District Attorney’s Office, along with other California’s District Attorney’s offices, settled a civil law enforcement action against CVS Pharmacy and their affiliated California stores. CVS operates three stores in Yolo County.

CVS owns and operates over 800 retail stores in California which sell general merchandise including over-the-counter drugs, food, infant formula, and baby food. Retailers in California are prohibited from selling or offering for sale after the expiration date an over-the-counter drug. Similarly, food retailers are prohibited from selling or offering for sale after the “use by” date, any infant formula or baby food that is required by the federal Food, Drug, and Cosmetic Act to have a “use by” date on its packaging. The civil complaint, filed in Santa Cruz County Superior Court, alleged that CVS offered for sale and sold during the last four years, expired over-the-counter drug products as well as infant formula and baby food after their “use by” date.

Once put on notice of the violations found during the investigation, CVS was cooperative and conducted internal checks for expired over-the-counter drugs and infant formula and baby food which were past the “use by” date at all their California retail locations. CVS further invested time and resources to prioritize the verification of expiration dates and re-train store personnel. There was no evidence discovered during the investigation that the sale of any expired or past the “use by” date products resulted in harm to consumers.

“California’s District Attorney’s Offices Consumer Protection Divisions are dedicated to protecting all Californians. Today is another example of those prosecutors working together to make real change. The public should be able to trust what they are buying at any California store will not be expired before they bring it home,” said District Attorney Jeff W. Reisig.

Without admitting or denying liability, CVS agreed to be bound by a court order which prohibits any additional violations of California law relating to the sale or offer for sale of expired over-the-counter drugs or infant formula and baby food past their “use by” date. As part of the judgment, CVS was ordered to pay \$6,500,000.00 in civil penalties and investigative costs as well as an additional \$1,000,000.00 in restitution which shall be contributed to several charitable organizations serving California citizens throughout a wide swath of the State.

The settlement was developed, investigated, and negotiated in conjunction with the Contra Costa County, Fresno County, Marin County, Placer County, Riverside County, Sacramento County, San Bernardino County, San Joaquin County, Santa Cruz County, Shasta County, and the Solano County District Attorneys’ offices.

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