UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION	)	MDL No. 2804
	)	Case No. 17-md-2804
This document applies to All Cases.	)	Judge Dan Aaron Polster

NOTICE OF ARCOS DISCLOSURE

COME NOW, the Plaintiffs, by and through Co-Leads and the Plaintiffs' Executive Committee, and pursuant to the *Protective Order Re: DEA's ARCOS/DADS Database* (Doc. #167) and the *Order Regarding Plaintiffs' Motion for Modification of CMO-1* (Doc. #739) give notice of the intention to share with all MDL Plaintiffs' counsel a website link (www.slcg.com/data-analytics/opioid-analytics) that contains reports derived from the ARCOS data that list, for every county, all manufacturers, distributors, and pharmacies that contributed directly to the presence of opioids in that county. The reports listed on the website are more fully described below:

Distributor list:
This list includes name and address for all ARCOS registrants and reporters[i] that distributed[ii] any of the 8 Opioid drug families within the county according to 2006-2014 DEA's ARCOS data. The 8 drug families include Buprenorphine, Fentanyl, Hydrocodone, Hydromorphone, Morphine, Oxycodone, Oxymorphone, and Tapentadol.

Pharmacy list:
The list includes name and address for all DEA registrants identified as a Chain Pharmacy or Retail Pharmacy located within the county that purchased any of the 8 Opioid drug families from a distributor[iii] according to 2006-2014 DEA's ARCOS data. The 8 drug families include Buprenorphine, Fentanyl, Hydrocodone, Hydromorphone, Morphine, Oxycodone, Oxymorphone, and Tapentadol.

Manufacturer List:
This list includes names of all identified labelers[iv], based on the Food and Drug Administration's National Drug Code (NDC), of any of the 8 Opioid drug families that were distributed[v] within the county according to 2006-2014 DEA's ARCOS data. The 8 drug families include Buprenorphine, Fentanyl, Hydrocodone, Hydromorphone, Morphine, Oxycodone, Oxymorphone, and Tapentadol.

Respectfully submitted,

/s/ Peter J. Mougey

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[i] DEA issues a ***separate*** registration to manufacturers and distributors of controlled substances for ***each*** location in which controlled substance activity occurs. Therefore, manufacturers and distributors may hold multiple registrations ***simultaneously***. Each individual registration is identified by a unique registration number. An ARCOS registrant is a manufacturer or distributor required to report controlled substance inventories and transactions to DEA (ARCOS). An ARCOS reporter is an entity that files controlled substance transaction and inventory reports with DEA (ARCOS). An ARCOS registrant reporting ***only its own*** controlled substance transactions and inventories to DEA (ARCOS) is a single reporter. A registered central reporter ***has*** a DEA registration as a manufacturer or distributor and reports controlled substance transactions and inventories for ***itself and other*** ARCOS registrants within its corporate structure. ARCOS Registrant Handbook at 1-5; 2-2 – 2-3 available at https://www.deadiversion.usdoj.gov/arcos/handbook/full.pdf#search=arcos%20handbook. The ARCOS Reporters with a listed business activity of "Distributor" was used to create this list.

[ii] The distributor list includes any ARCOS Reporter with a "Reporter Business Activity" of "Distributor" who reported a Transaction code S (Sale, Disposition, or Transfer). *Transaction code S* is used when a controlled substance is physically transferred to another DEA registrant. ARCOS Registrant Handbook at 5-14. This list includes only Transaction code S sale transactions to buyers with any of the following buyer business activity designations: PRACTITIONER; RETAIL PHARMACY; PRACTITIONER-DW/100; CHAIN PHARMACY; HOSPITAL/CLINIC; HOSP/CLINIC-VA; CENTRAL FILL PHARMACY; HOSP/CLINIC- MIL; HOSP/CLINIC FED; MLP-AMBULANCE SERVICE; PRACTITIONER-DW/275; MLP-NURSE PRACTITIONER; MLP-PHYSICIAN ASSISTANT; AUTOMATED DISPENSING SYSTEM; MLP-PHYSICIAN ASSISTANT-DW/30; PHARMACY- MIL; PRACTITIONER-MILITARY; MLP-OPTOMETRIST; MLP-NATUROPATHIC PHYSICIAN; MLP-PHYSICIAN ASSISTANT-DW/100; PHARMACY – FED; CHAIN HOSP/CLINIC; MLP-REGISTERED PHARMACIST; MLP-NURSING HOME; MLP-NURSE PRACTITIONER-DW/100; MLP-DEPT OF STATE; MLP-MILITARY;

[iii] Distributor here includes any ARCOS reporter with a "Reporter Business Activity" of "Distributor".

[iv] The labeler information was derived using the National Drug Code Number assigned to the product under the National Drug Code System of the Food and Drug Administration code for each drug and cross referencing against the Food and Drug Administration, National Drug Code Directory and list of NDC/NHRIC Labeler Codes. List of NDC/NHRIC Labeler Codes available at https://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/ucm191017.htm. Food and Drug Administration, *National Drug Code Directory* available at: https://www.deadiversion.usdoj.gov/arcos/ndc/ndcfile.txt https://www.deadiversion.usdoj.gov/arcos/ndc/readme.txt Additionally, the ARCOS Registrant Handbook provides the following definitions relating to labeler: A packer/repacker is a registrant that packs a product into a container (i.e., packer) or repacks a product into different size containers, such as changing a package of 50 capsules to 5 packages of 10 capsules each. A labeler/relabeler is a registrant that affixes the original label to a product (i.e., labeler) or changes in any way the labeling on a product without affecting the product or its container (i.e, relabeler). The "relabel" term implies that the package size remains unchanged with changes being made only in brand name, NDC number, distributor, etc. ARCOS Registrant Handbook at 6-2, available at https://www.deadiversion.usdoj.gov/arcos/handbook/full.pdf#search=arcos%20handbook.

[v] The Manufacturer list includes any labeler identified on any NDC code which was distributed within the county and reported with a Transaction code S (Sale, Disposition, or Transfer). Transaction code S is used when a controlled substance is physically transferred to another DEA registrant. ARCOS Registrant Handbook at 5-14. This list includes only Transaction code S sale transactions to buyers with any of the following buyer business activity designations: PRACTITIONER; RETAIL PHARMACY; PRACTITIONER-DW/100; CHAIN PHARMACY; HOSPITAL/CLINIC; HOSP/CLINIC-VA; CENTRAL FILL PHARMACY; HOSP/CLINIC- MIL; HOSP/CLINIC FED; MLP-AMBULANCE SERVICE; PRACTITIONER-DW/275; MLP-NURSE PRACTITIONER; MLP-PHYSICIAN ASSISTANT; AUTOMATED DISPENSING SYSTEM; MLP-PHYSICIAN ASSISTANT-DW/30; PHARMACY- MIL; PRACTITIONER-MILITARY; MLP-OPTOMETRIST; MLP-NATUROPATHIC PHYSICIAN; MLP-PHYSICIAN ASSISTANT-DW/100; PHARMACY – FED; CHAIN HOSP/CLINIC; MLP-REGISTERED PHARMACIST; MLP-NURSING HOME; MLP-NURSE PRACTITIONER-DW/100; MLP-DEPT OF STATE; MLP-MILITARY;

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of July 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

/s/ Peter J. Mougey
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Plaintiffs Executive Committee Member