Company Statement
Propofol's use by departments of correction in the United States
August 27, 2012

Propofol is an intravenously administered hypnotic agent, produced by several pharmaceutical companies including Fresenius Kabi. Due to its clinical and safety profile, it is one of the world's most widely used anesthetics, and contributes to saving the lives of millions of people every year. In the United States alone, Propofol is administered some 50 million times annually in thousands of hospitals, clinics and other health care facilities.

Fresenius Kabi objects to the use of its products in any manner that is not in full accordance with the medical indications for which they have been approved by health authorities. Consequently, the Company does not accept orders for Propofol from any departments of correction in the United States. Nor will it do so.

Propofol requires specialized manufacturing equipment to produce it, and all forms of Fresenius Kabi Propofol are manufactured in Europe where our company has state of the art facilities for such production. This is important because a European Union (EU) Council regulation prevents products that may reasonably be expected to be used in executions from being exported from the EU. Should Propofol begin to be used in executions in the U.S., inadequate access to Propofol in the U.S. is a likely consequence.

Yet because of its crucially important role in medical care, it is essential that Propofol remains quickly accessible to doctors and pharmacists throughout the country.

Fresenius Kabi's primary responsibility is to the best possible therapy for patients, and this includes ensuring that Propofol is always available when needed, especially in emergencies. For such a crucially important drug, one used tens of thousands of times daily, rapid delivery times across the United States can only be assured through the cooperation of drug wholesalers and distributors.

Beginning today, Fresenius Kabi has initiated requirements of wholesalers and distributors to more tightly control access to all forms of our APP branded Propofol (including Diprivan®) in the United States. We are taking these steps in order to effectively prevent Propofol from being used for purposes other than its approved medical indications and, thus, from being restricted for export to the U.S. These requirements are designed to not hinder the immediate access to Propofol needed by medical professionals across the country.

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