

Congress of the United States
Washington, DC 20515

December 15, 2011

Mr. Mark C. Snyder
Chief Executive Officer
Superior Medical Supply, Inc.
P.O. Box 270930
Superior, CO 80027

Dear Mr. Snyder:

We are writing jointly to request documents regarding your company's purchases and sales of the drug paclitaxel, which is used to treat breast cancer and ovarian cancer and is in critically short supply. Internal documents obtained by House Committee on Oversight and Government Reform Ranking Member Elijah Cummings indicate that your company offered to sell this drug for over \$500 per vial when a typical contract price is about \$65 per vial.¹

In order to determine why your company appears to be charging up to seven times more than a typical contract price for this drug, please produce, for the time period from January 1, 2010, to the present, all documents, including e-mails, purchase orders, inventory lists, and other documents, relating to:

1. The identity of all companies and individuals from which your company purchased paclitaxel, the date of each purchase, the quantity of each purchase, and the price paid for each purchase;
2. The identity of all companies and individuals to which your company sold paclitaxel, the date of each sale, the quantity of each sale, and the price paid in each sale;
3. The company's handling, storage, and recordkeeping procedures for this drug;
4. The company's gross revenues, net profits, and the compensation of company executives;
5. The company's costs for labor, equipment, and other costs for handling, storage, and delivery;
6. All documents prepared or produced in response to the Accusation against the company filed with the Board of Pharmacy in the California Department of Consumer Affairs by the California Attorney General's Office; and

¹ Letter from Ranking Member Elijah E. Cummings, House Committee on Oversight and Government Reform, to Mark C. Snyder, Chief Executive Officer, Superior Medical Supply, Inc. (Oct. 5, 2011) (online at http://democrats.oversight.house.gov/images/stories/20111005_Cummings_to_Superior_Medical_Supply.pdf).

Mr. Mark C. Snyder

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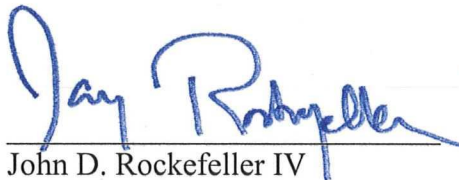
7. All documents and communications relating to any other disciplinary or enforcement actions brought against your company by any local, state, or federal authority.

We have additionally been informed of new allegations relating to your company's practices. Officials from Hospira, a global manufacturer of pharmaceuticals including paclitaxel, has informed staff that they have determined that your company was actively purchasing drugs in critically short supply from Hospira in order to sell the drugs to hospitals at highly inflated prices. As a result, Hospira officials reported that they ended any further relationship with you and no longer sell drugs to your company.

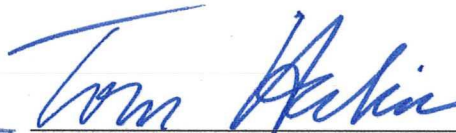
As the Chairmen and Ranking Member of Committees with the responsibility for protecting consumers and ensuring the safety and security of the drug supply chain, we hereby request that you produce the documents requested above no later than January 5, 2012.

Please contact John Williams at (202) 224-1300, Beth Stein at (202) 224-2931, and Chris Knauer at (202) 225-5051 to arrange for the production of the requested documents.

Sincerely,



John D. Rockefeller IV
Chairman
Senate Committee on Commerce,
Science, and Transportation



Tom Harkin
Chairman
Senate Committee on Health,
Education, Labor, and Pensions



Elijah E. Cummings
Ranking Member
House Committee on Oversight
and Government Reform

cc: The Honorable Kay Bailey Hutchison, Ranking Member
Senate Committee on Commerce, Science, and Transportation

The Honorable Michael B. Enzi, Ranking Member
Senate Committee on Health, Education, Labor, and Pensions

The Honorable Darrell E. Issa, Chairman
House Committee on Oversight and Government Reform