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Norgine acts against improper pharmaceutical product marketing

- **Hamburg court orders halt to marketing and distribution of unlicensed pharmaceutical product**
- **Norgine aims to ensure patient safety and protect prescribing physicians**

Marburg, May 2006 Norgine, a leading European specialty pharmaceutical company with particular expertise in the field of gastroenterology, has successfully taken legal action to halt the marketing and distribution of an unlicensed pharmaceutical product used as a bowel preparation for medical examinations or surgery. In response to the action taken by Norgine, the State Court in Hamburg has ruled that the accused, has clearly infringed the law on pharmaceuticals (“Arzneimittelgesetz”) by marketing and distributing its trademarked “Golly Telly” bowel preparation product without a license. The court ordered an immediate halt to such activity subject to fine and imprisonment in the event of non-compliance with the court order.

The court held in its written opinion that Golly Telly is a Medicinal Product requiring a Product License. The court further excluded the possibility that “Golly Telly” might be considered a medical device, which is not subject to licensing under the pharmaceuticals law. Rather, the court held that “Golly Telly” was clearly a pharmaceutical product within the scope of the law.

“We are obviously pleased that the court has handed down such a clear decision in this matter,” said Morten Brandt, Vice President, Norgine Germany. “The principles at stake have not merely local, but also national and European implications. The legislator in Germany has provided clear guidelines for the licensing and regulation of pharmaceutical products in the interests of patient safety and the medical profession. It is not acceptable that individual market participants, whether small or large, should

seek to circumvent governing law and regulations in the pursuit of their narrow commercial interests. We at Norgine believe that we have an obligation to the patients and prescribing physicians who count on us. For our part, we will therefore continue to act vigorously against any infringement of law and regulation affecting the product areas in which we are active.”

ENDS

Notes to editor

Norgine is an independent, successful European specialty pharmaceutical company that has been established for 100 years and has a presence in all the major European markets. In 2005 Norgine’s sales were €171 million, the 19th consecutive year of double-digit growth. The company employs over 900 people, of which 350 are in sales and marketing.

Norgine’s current focus is pharmaceutical products that address significant unmet clinical need in areas such as gastroenterology, hepatology and pain management. The company currently markets a range of products in its key therapeutic areas e.g. Movicol® for the treatment of chronic constipation and faecal impaction, Klean-Prep® for bowel preparation prior to colonoscopy, and Oramorph® for the treatment of moderate to severe pain associated with cancer.

Norgine has an active Research and Development effort and currently has products at various stages of clinical development. Norgine has two manufacturing sites; Hengoed in the UK and Dreux, France.

Norgine’s website is www.norgine.com

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