

WRITTEN STATEMENT OF DAVID SACKLER

Chairwoman Maloney, Ranking Member Comer, and Members of the Committee:

I appreciate the invitation to appear before you. I am here to give my views in response to the Committee's questions.

I want to express my family's deep sadness about the opioid crisis. OxyContin is a medicine that Purdue intended to help people, and it has helped—and continues to help—millions of Americans. This is a medicine that provides relief to people who are suffering from pain severe enough to require daily, around-the-clock, long-term opioid treatment and for which alternative treatment options are inadequate.

Far too many lives have been destroyed by addiction to, and abuse of, opioids, including OxyContin. As you know, there are many, many lawsuits that have blamed Purdue and my family for the opioid crisis. While we deny liability and are vigorously contesting these claims, we want to respond to the opioid crisis because a prescription medicine that our company manufactured and sold, which was never intended to harm anyone, ended up being part of a crisis that has harmed too many people. We are prepared to dedicate billions of dollars, and to relinquish our interest in Purdue, to fund a settlement that will bring help to those who need it.

We are currently engaged in a court-ordered, confidential mediation to forge a settlement that contemplates our contributing the entire company, along with billions of dollars, to abate and address opioid addiction and abuse.

I'd like to begin by introducing myself and my family. The business was built up by my grandfather, Raymond Sackler, and his brothers. They were the children of immigrants who, like so many others, came to America to build a new and better life in the early twentieth century. My family has long been committed to the idea that medical science can make the world a better place—and that's why my grandfather, his brothers and other members of our family became doctors. Through hard work, my grandfather and his brothers grew Purdue into a successful business, developing and selling a variety of medicines that would help people.

My family has been very fortunate. My grandfather was committed to providing for his children, and the business he and his brothers built made our family very wealthy. I know our family wealth is an issue. We've always been conscious of the importance of giving back by supporting educational and research institutions, the arts, and other important causes. The family's commitment to giving back began long before OxyContin was approved by the FDA in 1995 and has never wavered.

I joined the Purdue Board of Directors in 2012 and served as a director until 2018. I joined the Board because I was hopeful that Purdue's medicines could help people. Like the rest of Purdue's Board, I relied on Purdue's management to keep on top of the medical science and ensure that the company was complying with all laws and regulations. Some people seem to think that Purdue's Board of Directors included only members of the Sackler family. But the Board also included outside directors who were highly-credentialed and prominent professionals from beyond our family.

It was my family's intention, and I believe the whole Board's goal, to create products that helped patients. OxyContin is an FDA-approved medication, available only by prescription under the care of a licensed healthcare provider. It has great benefits for patients who suffer from severe, chronic pain, and over the years, it has been prescribed by doctors to relieve the suffering of millions of Americans. There is no question that, like all opioids, OxyContin has been abused. Abuse and addiction are risks that have always been disclosed on OxyContin's FDA approved label, and are on the labels for all prescription opioids. Over the years that OxyContin has been on the market, Purdue worked to reduce the risks of addiction and abuse in a number of ways. In the past twenty years, Purdue spent more than a billion dollars on anti-abuse and diversion initiatives. After Purdue learned about unanticipated widespread abuse and diversion of OxyContin, it took steps to revise the label to add additional warnings with the FDA's approval. In 2001, a very substantial and conspicuous black box warning was put on OxyContin's label to make extremely prominent the warning that OxyContin had the potential for addiction and abuse. The black box warning appears near the top of the label and is the most prominent warning that the FDA puts on a medicine.

Purdue also instituted what I understand was the first voluntary abuse and diversion detection program in 2002. This program was expanded and endorsed by various state governments, who later required Purdue to keep the program in place, and I understand it was used as a model for at least one other pharmaceutical company to follow. All the while I was on the Board, and for five years before that, the Board received regular reports from management—including from former DEA professionals and former federal prosecutors—confirming that Purdue's abuse and diversion detection program was functioning well and as intended. That was also the conclusion of an outside auditor approved by the New York State Attorney General.

Purdue also maintained a strict compliance program that was designed to ensure that Purdue, and its marketing, complied with all laws. The Board received regular, detailed, documented reports from management that Purdue was effectively implementing that compliance program and that the company was operating in compliance with the law.

Purdue also developed the first abuse-deterrent opioid—an OxyContin pill that could not be easily crushed, snorted, or dissolved into water and injected. At the time, that new technology was praised by the Drug Enforcement Agency, the FDA, and 42 attorneys general from around the country—they all endorsed abuse-deterrent opioids as a way to fight the opioid crisis.

It is my understanding that, upon the conclusion of the bankruptcy process, Purdue will cease to operate in its current form and will emerge as a public benefit company owned by a trust or similar entity designed for the benefit of the American public, to function in the public interest and without my family's involvement in any way. For those critics who say the current pharmaceutical industry's profit motives contributed to the opioid crisis, this is an alternative vision of what the industry can be. The family has committed to giving up its ownership of the company.

I believe that the opioid crisis is a much more complex problem than so many opinion pieces in the media would have us believe. As The Washington Post's reporting has observed, "Purdue is just one character on a crowded stage," and "[d]uring the height of the crisis, from 2006-2012, Purdue's sales represented only 3 percent of the market."

When thinking about the opioid crisis, I believe it is necessary to keep in mind two medical problems—on the one hand, many Americans suffer from terrible pain and need pain relief; on the other hand, medications like opioids that treat this pain have a potential for abuse and addiction. The FDA and the medical establishment have always had to balance these medical problems. Prescription opioids are used to successfully treat millions of Americans every year.

Some argue that the bankruptcy is an attempt by my family to hide from scrutiny. That is not true. In the bankruptcy process, we have opened ourselves up to extreme scrutiny. We have produced millions of pages of documents and disclosed in great detail all of the money we earned from the sale of OxyContin, including taxes paid, reinvestments and retained profits. Also, Purdue has committed to creating a public database of documents when the bankruptcy process is over. We fully support that. We want the American people to know what actually happened at Purdue. When all of the facts are analyzed in context, I believe people will realize that the story told by the media and the plaintiffs' lawyers about my family is not accurate and not fair. It is based on a misleading and distorted cherry-picking of snippets from documents.

Let me conclude by saying this: What you have heard from the press about the Sacklers is almost certainly wrong and highly distorted. We made a mistake in not correcting the record several years ago when the inaccurate news stories and lawsuits first started. We also fully acknowledge that there is an opioid crisis that has ruined too many lives, and that OxyContin addiction and abuse played a role in that. Whether or not OxyContin was involved in any individual's suffering, we are truly sorry to everyone who has lost a family member or suffered from the scourge of addiction.

Thank you for giving me the opportunity to make this statement. I am available to answer your questions.