

Bitter Pill

Families will never know if fake drugs killed loved ones Coroner's probe can't prove counterfeit Norvasc led to deaths

By Marissa Nelson
The Hamilton Spectator (Oct 7, 2005)

Four Hamilton families will never know if a fake heart drug led to the premature deaths of their loved ones, the coroner says.

"It's possible medication substitution contributed to or caused these four deaths but we haven't been able to prove that definitively," said Dr. David Eden, the regional coroner.

"It's possible, but not proven."

That means that unless a few last avenues of investigation turn up something new, Hamilton police won't lay criminal charges for the deaths.

"We can't show (Norvasc substitution) was a contributing factor one way or the other at this point," Hamilton police Detective Joe Stewart said. "There's no evidence thus far that these deaths were caused by a criminal act."

Eden has now examined 11 deaths of people in Hamilton who were taking Norvasc from King West Pharmacy.

The RCMP swooped down on the drugstore in June looking for evidence that fake Norvasc, a popular medicine for high blood pressure and angina, was dispensed. Pharmacist and owner Abadir Nasr faces five criminal charges, including fraud under \$5,000 and possession of property obtained by crime.

His lawyer Dean Paquette said he was pleased



King West Pharmacy when it was owned and operated by Nasr. It has since been sold and is under new management.



but not surprised by the conclusion.

"I don't think there was any capability, scientifically, to make the connection. People with bad health sometimes succumb to bad health," he said.

"It removes another impediment for my client to get on with his life."

Nasr, an Egyptian-trained pharmacist, believed he was dispensing grey market Norvasc, Paquette said.

Grey market pharmaceuticals are authentic pills but they are not approved for the countries where they are being sold.

Last month, Nasr got his passport back from the RCMP, after conditions on his freedom were changed in court.

Paquette wouldn't say where the 28-year-old father of two is or if he has gone to Egypt where his father owns at least one pharmacy.

Stewart, Hamilton police's lead investigator on the case, said the four families are disappointed.

"From their standpoint, there may never be closure," he said. "They believed their loved ones died of natural causes, then all of a sudden they faced the possibility that perhaps something accelerated their death."

Now they're being told they may never know.

"In the end, it may come down to the fact that we may not be able to determine the cause, and that leaves them with a lot of questions," Stewart said.

With the other seven deaths which Eden ruled out of the probe, there was "no logical way" counterfeit Norvasc could have played a role in the deaths. But that is not so with the remaining four cases, in which Norvasc substitution "could have played a role," he said.

One of the 11 deaths was only ruled out recently when new evidence came to light, Eden said.

He wouldn't say much about the four dead people



Hamilton Spectator File Photos

Dean Paquette, defence lawyer for Abadir Nasr.

or what he has concluded about their deaths because he wants to meet with the families first.

All four people were taking Norvasc from King West Pharmacy, all had pre-existing medical conditions and all died of either a stroke or a heart attack.

Eden knew from the start that this was going to be a tough case.

"We've not been surprised by the challenge of the investigation," he said.

It was complicated by the medication, which only stays in the body for a short period of time, by the pre-existing health problems and by the date of death, which was before the coroner's investigation began.

Without the hard facts of a post-mortem for these cases, police had to hit the streets, comb medical and hospital records and sift through information on computers and paper files the RCMP seized from the pharmacy. They had to interview dozens of people, including doctors, family and friends.

They also had to search medicine cabinets for leftover pills.

Eden praised the families involved, saying they had been incredibly co-operative. He hopes to meet with them as soon as possible to tell them what he's found and what he concludes from the evidence.

"The police and coroner have done a very thorough investigation," he said.

No further investigation is planned, and once the families have been contacted, details of the probe will be made public in about two weeks, Eden said.

This was the first case in Canada involving counterfeit medication, a legitimate pharmacy and a licenced pharmacist. The Ontario College of Pharmacists has referred Nasr to its disciplinary committee.

The pharmacy has been sold to new owners, who have no connection to the controversy, and the store has been re-stocked twice.

mnelson@thespec.com

905-526-2409



'Possible, not proven.'

DR.DAVID EDEN

With files from Canadian Press

Following the trail of grey-market Norvasc

May 16: The head office of Pfizer, the world's largest drug maker, gets information about a possible batch of fake Norvasc, a life-saving heart medication that it manufactures and sells in Canada. A pharmacist in Port Dover forwards the suspicious pills. One of his acquaintances, a woman who got her Norvasc at a Hamilton pharmacy, had brought the pills to his attention.

May 24: After doing its own testing, Pfizer brings the case to the attention of the Royal Canadian Mounted Police.

The drug maker used private investigators who visited the pharmacy and purchased Norvasc.

June 15: The RCMP raids King West Pharmacy, seizing what they say are counterfeit and unauthorized versions of Norvasc. The investigation that proceeds includes the coroner's office, Hamilton police, the Ontario Provincial Police, the Ontario College of Pharmacists and the Ontario Health Ministry.

June 23: The college of pharmacists goes to court, claiming "concern for public safety" if the pharmacy remains open. King West Pharmacy goes into the hands of a court-appointed receiver as operator day-to-day.

July 29: King West Pharmacy is sold and, under new ownership, becomes a Pharmasave drugstore. All drugs in the store are restocked.

Sept. 9: Abadir Nasr, 28, of Mississauga, is charged with one count of fraud under \$5,000, one count of having property obtained by crime and three counts of "passing off," a charge laid when police believe a product given to someone is said to be something it is not. Nasr had been the majority owner of King West Pharmacy, which he purchased jointly with his father in August 2004.

THE DEATHS

The coroner's office has been careful not to divulge details on any of the deaths it was investigating, to protect the families' privacy.

But some details are known:

- * They ranged in age from the late 40s to late 80s.
- * All were customers of King West Pharmacy and all had purchased their Norvasc from that drugstore.
- * All were from Hamilton.
- * All had pre-existing medical conditions and some were in hospital at the time of their deaths.
- * All died of heart attacks or strokes within the last year.
- * Most were already cremated or buried by the time of the RCMP raid on the pharmacy in June.

THE INVESTIGATIONS

The coroner has been investigating deaths in the Hamilton area which may be linked to fake Norvasc.

Hamilton police support the coroner's investigation into the deaths.

Ontario Provincial Police probed allegations that the Ontario Drug Benefit Program was defrauded by billings submitted for phony drugs.

The Ontario College of Pharmacists, the body that governs pharmacists, is conducting a professional misconduct investigation into the case.

The RCMP has laid five charges against Abadir Nasr, 28, former majority owner of King West, including fraud under \$5,000 and possessing property obtained by crime.

Pfizer Canada used its internal security and hired private investigators to support the police investigation. Pfizer, the world's largest drug company, regularly does its own counterfeit drug investigations and helps police and regulators around the world.

COUNTERFEIT DRUGS

* Criminals net \$36 billion a year worldwide from counterfeit drugs, an amount which is expected to explode to \$70 billion by 2010.

* The RCMP says virtually every organized crime group in Canada is involved in counterfeiting.

* For the third year in a row, Canada is on the U.S. Trade Representative's watch list alongside countries such as Bolivia, Colombia and Thailand.

* American authorities fear Canada is home to extensive trade in counterfeit products, including drugs.

* It is estimated that 10-20 per cent of all drugs sold worldwide are counterfeit. Most manufacturing takes place in southeast Asia.

* Fake drugs have killed thousands in Third World countries, including 2,500 in Niger from a phony meningitis vaccine and 89 people in Haiti after they used a cough syrup cut with a toxic chemical used in antifreeze.

* Pfizer, the maker of Norvasc, says fake versions of the high blood pressure medication have exploded in the last few years from less than 4,000 pills in 2002 to over 1.5 million in 2003.

* Until the RCMP's June raid on King West Pharmacy in Hamilton, there had never been a case in Canada in which a pharmacy was alleged to be involved in dispensing counterfeit drugs.

* Last month the RCMP allege a pharmacist in Richmond Hill dispensed counterfeit Viagra from his store and over the Internet.

Legal Notice: Contents copyright 1991-2005, The Hamilton Spectator. All rights reserved. Distribution, transmission or republication of any material from www.thespec.com is strictly prohibited without the prior written permission of **The Hamilton Spectator**. For directions on material reuse, website comments, questions or information send email to helliott@thespec.com.

