Appendix D: FDA Press Announcements (2004-2010)[1]

Year	Total releases[2]	(1) Identify private party or product?[3]	(2) Negative or adverse?[4]	(3) Preliminary or pending action?[5]	Percent of total that were (1), (2) *and* (3)
2004	160	73 / 160 (46%)	54 / 73 (74%)	40 / 54 (74%)	40 / 160 (25%)
2005	144	80 / 144 (56%)	50 / 80 (63%)	45 / 50 (90%)	45 / 144 (31%)
2006	254	161 / 254 (63%)	82 / 161 (51%)	71 / 82 (87%)	71 / 254 (28%)
2007	229	157 / 229 (69%)	89 / 157 (57%)	70 / 89 (79%)	70 / 229 (31%)
2008	174	121 / 174 (70%)	65 / 121 (54%)	52 / 65 (80%)	52 / 174 (30%)
2009	282	198 / 282 (70%)	130 / 198 (66%)	80 / 130 (62%)	80 / 282 (28%)
2010	299	219 / 299 (73%)	152 / 219 (69%)	105 / 152 (69%)	105 / 299 (35%)
Total	**1542**	**1009 / 1542 (65%)**	**622 / 1009 (62%)**	**463 / 622 (74%)**	**463 / 1542 (30%)**

[1] This chart is reproduced from Nathan Cortez, *Adverse Publicity by Administrative Agencies in the Internet Era*, 2011 BYU L. REV. 1371, 1413 (2011).

[2] These numbers exclude duplicate press releases published in foreign languages.

[3] Column (1) counts the number of press releases that identify a specific product, company, and/or individual in the title or body. Note that some press releases refer to types or categories of products without identifying specific products or manufacturers by name. I did not include these press releases in Column (1).

[4] Column (2) refers to press releases that include negative or adverse information about a specific company, product, or individual. For example, FDA announcements that the agency has recalled a product or issued a Warning Letter are negative actions. The vast majority of positive announcements involve the FDA approving or clearing new products to market.

[5] Column (3) refers to press releases that announce some sort of preliminary determination or pending agency action that has not reached a final, determinative conclusion. I counted recalls, seizures, Warning Letters, and import alerts as preliminary or pending actions because they are often based on preliminary information and have not been subject to agency adjudication or other final determination, even if a company initiated the recall voluntarily. Companies often initiate voluntary recalls in cooperation with, or with pressure from, the FDA.