



STATEMENT REGARDING
COMPLIANCE WITH CALIFORNIA HEALTH & SAFETY CODE § 119402

California Health & Safety Code, Sections 119400 – 119402 requires pharmaceutical companies to adopt (i) a compliance program in accordance with the April 2003 publication “Compliance Program Guidance for Pharmaceutical Manufacturers” (“OIG Compliance Guidance”) developed by the United States Department of Health and Human Services Office of Inspector General and (ii) policies for compliance with the Pharmaceutical Research and Manufacturers of America “Code on Interactions with Health Care Professionals” (“PhRMA Code”) within six months of any update or revision of the PhRMA Code. Revisions to the July 1, 2002 PhRMA Code were effective January 2009.

MannKind has established, and represents that it is compliance with, a Comprehensive Compliance Program in accordance with the OIG Compliance Guidance and has policies in place to foster compliance with the PhRMA Code. The CCP includes an annual dollar limit of \$2,000 for certain spending on individual medical or healthcare professionals licensed in California. MannKind includes in this dollar limit the value of educational items and meals provided to healthcare professionals in connection with business and educational discussions with those individuals. This dollar limit does not include prescription product samples intended for free distribution to patients, medical education or sponsorship grants, research grants, or fair market value payments for legitimate professional services. This dollar limit represents a spending maximum and not an average or goal. MannKind reserves the right to change this limit at any time.

MannKind declares that, based upon current tracking and monitoring systems, it is, in all material respects, in compliance with its Comprehensive Compliance Program and with the respective established annual spending limits for current reporting period.

For additional information or to obtain a copy of MannKind’s Comprehensive Compliance Program, please call (833) 623 – 4843.