

Tainted Dietary Supplements and Foods:

Responsibilities of Retailers and Distributors

Be proactive — Products with the following characteristics warrant further investigation ...

1. **Product Categories:**
 - Sexual Enhancement • Weight Loss • Bodybuilding • Diabetes
2. **Labeling claims like:**
 - “Alternative to [approved drug product]” or “legal alternative to [anabolic steroid]”
 - Sexual enhancement products claiming immediate effects
 - Directions and warnings that resemble FDA approved drug products
 - “May cause positive result in performance enhancing drug test”
3. **Labels primarily in a foreign language**
4. **Beware of mass solicitations (particularly emails) from suppliers and wholesalers offering products in the above categories.**



What are Tainted Supplements/Foods?

In recent years, FDA has identified hundreds of products marketed as dietary supplements or conventional foods with hidden drugs and chemicals. The products are typically promoted for sexual enhancement, weight loss, bodybuilding, and diabetes. FDA lab analyses have found products that have been laced with a wide variety of potentially dangerous ingredients that include:

- Approved prescription drug ingredients and their analogues
- Drugs banned by FDA for safety reasons
- Controlled substances such as anabolic steroids and stimulant diet drugs
- New active drug ingredients that are untested and unstudied

Health Risks

Tainted products place consumers at risk of injury and death, especially those consumers with underlying health conditions. These products can also interact in life threatening ways with other medications a consumer may be taking.

Know What's in Your Products

FDA is becoming more active in pursuing criminal convictions for sellers of tainted supplements. For example, in 2010, VMG Global was convicted of a felony and fined for selling supplements laced with anabolic steroids; in recent months, FDA has brought misdemeanor charges against several persons for selling sexual enhancement supplements with hidden active pharmaceutical ingredients.

Requirements Under the Law

Firms that sell dietary supplement products play an integral role in preventing tainted supplements from harming consumers and have a legal responsibility to ensure that the products they sell are not tainted.

Anyone who sells or distributes these illegal products may be subject to:

- Criminal liability – misdemeanors and felonies
- Seizure of your products
- Injunction of the responsible party or company
- Disgorgement of profits and restitution. [FDA](#)