

## Black Market Drugs in Colorado, 2010-2016

Since 2012, when the FDA discovered counterfeit Avastin in the United States' drug supply, it has warned 54 clinics in Colorado to stop buying black market drugs from unlicensed foreign distributors.

18 FDA warnings were for the purchase of non FDA-approved oncology drugs from Medical Device King, illegal Canadian distributor Gallant Pharmaceutical, or subsidiaries of online pharmacy giant Canada Drugs.com. The FDA identified counterfeit Avastin that contained water and mold, but no active ingredient, among the products that these companies sold to American medical practices. Betty Hunter, an American cancer patient who was treated with this counterfeit, had a reaction so severe that her nurse stopped her infusion. Hunter died in August 2011.<sup>1</sup>

34 of those warnings involved customers of TC Medical, a company that pleaded guilty in May 2015 to smuggling orthopedic injections, rheumatology infusions, cosmetic devices (including counterfeit Botox), ophthalmology products, and oncology drugs sourced from India, Turkey, France, Italy, and other countries.<sup>2</sup>

### Other Counterfeit Drug Incidents in Colorado

**October 2016:** Counterfeit or unapproved versions of Viagra, Ambien, Ativan, Valium, Xanax, and phentermine were sold by a Colorado based illegal internet pharmacy website to Americans without valid prescriptions. The supplier, Junaid Qadir, was sentenced in October 2016 in U.S. District Court in Denver to two years in a federal prison for the illegal importation and sale of these drugs. His company, JNS Impex, provided counterfeit or unapproved drugs to unlicensed

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<sup>1</sup> Jeanne Whalen, "Turkish Drug Exporter Ozay Draws U.S. Scrutiny," *The Wall Street Journal*, April 7, 2014, <http://www.wsj.com/news/articles/SB10001424052702303546204579435692215579758>.

<sup>2</sup> "FDA Issues Letters to Doctors Who May Have Purchased Counterfeit or Unapproved Prescription Drugs" US Food and Drug Administration, <http://www.fda.gov/Drugs/DrugSafety/DrugIntegrityandSupplyChainSecurity/ucm439169.htm>; "Canadian Companies Fined \$45 Million and Ordered to Forfeit an Additional \$30 Million for Smuggling Misbranded Pharmaceuticals into the United States," US Department of Justice, August 21, 2015, <https://www.justice.gov/usao-edva/pr/canadian-companies-fined-45-million-and-ordered-forfeit-additional-30-million-smuggling>.

internet pharmacy websites in Colorado, Indiana, Florida, Arizona, and Pennsylvania.<sup>3</sup>

**June 2011:** An emergency room doctor suffered a stroke after taking a counterfeit version of the weight loss drug Alli that was adulterated with sibutramine, a controlled substance that can cause high blood pressure, seizures, tachycardia, palpitations, heart attack and stroke. He was one of several consumers who reported bad effects after taking the product. Shengyang Zhou was sentenced in June 2011 to serve 7 years in federal prison and pay more than \$500,000 in restitution for trafficking the counterfeit Alli. Zhou manufactured the drug in China, then sold it through his own website and to internet businesses located in Colorado and Pennsylvania.<sup>4</sup>

**May 2011:** The FDA issued an alert to American consumers after hospital pediatricians in Austin, Texas cared for several children for infections after their parents had tried to treat them with fake antibiotics. The fake drugs, which were packaged to resemble antimicrobial drugs that are readily available in Mexico, had been distributed in Colorado, Delaware, Texas, Florida, California, and Georgia.<sup>5</sup>

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<sup>3</sup> "Pakistani Man Makes Appearance in U.S. District Court in Denver Following Indictment and Arrest for Sale and Distribution of New, Misbranded and Counterfeit Prescription Drugs," US Department of Justice, February 1, 2016, <https://www.justice.gov/usao-co/pr/pakistani-man-makes-appearance-us-district-court-denver-following-indictment-and-arrest>; Kirk Mitchell, "Pakistani man sentenced for smuggling counterfeit drugs into the U.S.," *Denver Post*, October 18, 2016, <http://www.denverpost.com/2016/10/18/pakistani-man-sentenced-smuggling-counterfeit-drugs-into-us/>, "Superceding Indictment," USA v Junaid Qadir and Shehzad Qadir, Case No. 12-cr-00374-CMA(s), US District Court for the District of Colorado, June 25, 2015, <http://www.safemedicines.org/wp-content/uploads/Junaid-Qadir-indictment.pdf>.

<sup>4</sup> Chinese National Sentences to Federal Prison for Trafficking Counterfeit Pharmaceutical Weight Loss Drug, US Department of Justice, June 3, 2011, <https://www.justice.gov/sites/default/files/criminal-ccips/legacy/2012/03/15/zhouSent.pdf>; USA v. Shengyang Zhou, No. 11-1261, United States Court of Appeals, Tenth Circuit, June 10, 2013, <http://caselaw.findlaw.com/us-10th-circuit/1634049.html>.

<sup>5</sup> "FDA: Don't buy drugs marketed as antimicrobial dietary supplements," US Food and Drug Administration, May 13, 2011, <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm255394.htm>.