



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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***Business Pleads Guilty to Selling Misbranded Dietary Supplements
Joint Investigation by San Diego City Attorney's Office and U.S. FDA-OCI***

San Diego, CA: Ultimate Fitness Nutrition Inc. [UFNI], a San Diego business conducting retail internet and telephone sales of dietary physical enhancement supplements, pleaded guilty today to four misdemeanor charges, including selling dietary supplements containing an illegal steroid and undisclosed caffeine, selling steroids to a minor and misleading advertising. UFNI conducted a voluntary recall of the misbranded and illegal products and was ordered to pay a fine of \$5,500. UFNI was also ordered to pay restitution to a 15 year-old boy allegedly persuaded by a former UFNI employee to buy a product which claimed to boost testosterone.

The Consumer and Environmental Protection Unit [CEPU] of the San Diego City Attorney's Office initially received an anonymous complaint alleging the sale of mislabeled and misbranded products, and possible illegal anabolic steroids, via www.getanabolics.com, one of UFNI's multiple websites. UFNI claimed the products burned fat, increased strength and built muscle. UFNI has now discontinued a number of those products.

The undercover operation was a joint investigation between the San Diego City Attorney's Office and the U.S. Food and Drug Administration Office of Criminal Investigations [U.S. FDA-OCI]. "We appreciate the cooperation and assistance provided by the Food and Drug Administration's Office of Criminal Investigations during this investigation," stated City Attorney Jan Goldsmith. "The FDA and this office share the same desire to protect consumers' right to know the truth about what is contained in the products they purchase."

"Today's guilty plea demonstrates the continued commitment of FDA's Office of Criminal Investigations and its law enforcement partners to pursue criminal activities," said Special Agent in Charge Lisa L. Malinowski. "We will aggressively investigate those who place profits over public health by marketing purported dietary supplements that contain drug substances such as synthetic anabolic steroids."

The products tested containing undisclosed caffeine were Aspartalone, Androxybol and Mesobolin. Caffeine was not included as an ingredient listed on the label or in the list of ingredients. This omission by UFNI gave rise to the criminal allegations of misbranded and adulterated supplements under California law. The Aspartalone product also contained the illegal designer steroid Methasterone (also known as Superdol). Methasterone has been a federally controlled substance since August 2012.

(MORE)

For more information about caffeine and steroids please refer to the U.S. Food and Drug Administration's website at www.fda.gov or call 1-888-INFO-FDA (1-888-463-6332).

The Consumer and Environmental Protection Unit has a Consumer Help Line at (619) 533-5600. For more consumer tips and information on growing concerns about caffeine use in consumable products, check out the Consumer News on the City Attorney's webpage, [Newsletters | Office of the City Attorney](#)

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