



**Food and Drug Administration  
OFFICE OF CRIMINAL INVESTIGATIONS  
REPORT OF INVESTIGATION**

**REPORTING OFFICE:** San Francisco Resident Office

**DOCUMENT NUMBER:** 254663

**CASE NUMBER:** 2010-SFC-735-0280-J

**RELATED CASE NUMBER:** (b) (7)(E)

**TYPE OF CASE:** 735.100, DIETARY SUPPLEMENTS - CDER

**CASE TITLE:** PRIMORDIAL PERFORMANCE

**CASE AGENT:** (b) (7)(F)

**INVESTIGATION MADE AT:** San Jose, CA and Portland, OR

**INVESTIGATION MADE BY:** SA (b) (7)(F)

**REPORTING PERIOD:** **FROM:** 01/13/2017 **TO:** 04/12/2017

**STATUS OF CASE:** Continued

**SYNOPSIS:** Status hearings; correspondence with (b) (4) evidence disposition.

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**RESTRICTED INFORMATION**  
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**REPORT SUBMITTED BY:** Electronically submitted by (b) (7)(F) DATE: 04/12/2017  
 (b) (7)(F), SPECIAL AGENT

**REPORT APPROVED BY:** Electronically approved by STEPHEN JACKSON DATE: 04/14/2017  
 STEPHEN JACKSON, RESIDENT AGENT IN CHARGE

**DISTRIBUTION:** ORIG: SFC

## 1. INTRODUCTION:

This case originated after the February 8, 2010, receipt of information from the United States Anti-Doping Agency (USADA) about an email solicitation from PRIMORDIAL PERFORMANCE on the sale of a new product called Superdrone. The email indicates that PRIMORDIAL PERFORMANCE's Superdrone is a "Superdrol-clone" and contains the designer anabolic steroid methyltestosterone. Superdrol (aka methyltestosterone, aka methasteron) is a designer anabolic steroid (b) (7)(E)

(b) (7)(E)

Reference is made to the Report of Investigation for the period October 15, 2016 through January 12, 2017.

## 2. DETAILS OF INVESTIGATION:

On January 18, 2017 Special Agent (b) (7)(F) traveled to San Jose, CA to attend a pretrial hearing for ERIC POTRATZ.

On January 26, 2017 Honorably Lucy Koh issued an Order to POTRATZ and defense counsel to answer questions about outstanding chemical testing. The Order is included as Attachment 1.

On February 3, 2017 SA (b) (7)(F) received information from Senior Operations Manager Daniel Burke (b) (7)(E) found evidence POTRATZ was advertising dietary supplements through the website (b) (4). On the same date, SA (b) (7)(F) forwarded the information to SOM Jonathan Lewis and requested an expert from the Center for Food Safety and Applied Nutrition review the website. (b) (5), (b) (7)(E) (b) (4)

On February 16, 2017 the expert assignment was assigned to Robert Durkin, Deputy Director, CFSAN.

On March 2, 2017 defense counsel for POTRATZ filed a status update to the Court indicating they were waiting on testing by (b) (4). The Order is included as Attachment 2.

On March 8, 2017 SA (b) (7)(F) forwarded the preserved website, (b) (4), to Dr. Durkin for his review.

On March 15, 2017 defense counsel for POTRATZ filed a status update to the Court indicating they were waiting on testing by (b) (4). The Order is included as Attachment 3.

On March 28, 2017, after SA (b) (7)(F) learned Dr. Charles Lee had retired and was no longer able to serve as an expert witness, SA (b) (7)(F) requested an expert from the Center for Drug Evaluation and Research through SOM Michael Cummins. Later the same date SA received an email from Dr. Arthur Simone indicating he would serve as the expert in Dr. Lee's place.

On March 28, 2017 SA (b) (7)(F) contacted former FDA-OCI SA (b) (7)(F) to notify him of trial dates.

On March 29, 2017 SA <sup>(b) (7)(F)</sup> spoke with Dr. Simone regarding the PRIMORDIAL PERFORMANCE product Turinabol.

On March 30, 2017 SA <sup>(b) (7)(F)</sup> received an email from Assistant United States Attorney Matthew Parella indicating he was notified by defense counsel that <sup>(b) (4)</sup> began testing. The status update is included as Attachment 4.

### 3. JUDICIAL ACTION:

On December 14, 2016 POTRATZ had a status hearing in front of Honorable Lucy H. Koh, who ordered status reports from defense counsel regarding the testing of the aliquot on December 21, 2016, January 11, 2017, and January 17, 2017. Judge Koh set trial for August 11, 2017 through September 1, 2017. Judge Koh also required POTRATZ to appear in person for all further court proceedings.

On December 22, 2016 a status report was filed by defense counsel for POTRATZ. The report was forwarded to IA <sup>(b) (7)(F)</sup> for inclusion in the Official Case File.

On January 5, 2017 a status report was filed by defense counsel for POTRATZ. The report was forwarded to IA <sup>(b) (7)(F)</sup> for inclusion in the Official Case File.

### 4. DISPOSITION OF EVIDENCE, CONTRABAND, AND PERSONAL PROPERTY:

None.

### 5. STATUS OF INVESTIGATION:

Continued.

### 6. SUSPECTS/DEFENDANTS/OTHER:

PRIMORDIAL PERFORMANCE

ERIC POTRATZ

<sup>(b) (6), (b) (7)(C)</sup>

WWW.PRIMORDIALPERFORMANCE.COM

<sup>(b) (6), (b) (7)(C)</sup>

### 7. ATTACHMENTS:

Attachment 1: Order from Honorable Koh

Attachment 2: March 2, 2017 Status update from defense counsel

Attachment 3: March 15, 2017 Status update from defense counsel

Attachment 4: March 30, 2017 Status update from defense counsel