



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

REPORTING OFFICE: San Francisco Resident Office

DOCUMENT NUMBER: 236881

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: Oakland, CA and San Jose, CA

INVESTIGATION MADE BY: Special Agent (b) (7)(F)

REPORTING PERIOD: **FROM:** 04/05/2015 **TO:** 04/30/2015

STATUS OF CASE: Continued

SYNOPSIS: Met with AUSA to discuss investigation, interviewed CDER expert, POTRATZ indicted.

RESTRICTED INFORMATION

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REPORT SUBMITTED BY: Electronically submitted by (b) (7)(F) _____ DATE: 04/30/2015
(b) (7)(F), SPECIAL AGENT

REPORT APPROVED BY: Electronically approved by LISA MALINOWSKI _____ DATE: 05/06/2015
LISA MALINOWSKI, SPECIAL 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 methyldrostanolone. Superdrol (aka methyldrostanolone, aka methasteron) is a designer anabolic steroid (b) (7)(E)

(b) (7)(E)

Reference is made to the Report of Investigation for the period January 6, 2015 through April 4, 2015.

2. DETAILS OF INVESTIGATION:

On April 16, 2015, SA (b) (7)(F) met with AUSA Matthew Parrella to discuss the investigation.

On April 17, 2015, SA (b) (7)(F) worked with OCC Attorney Jim Smith on drafting an indictment for ERIC POTRATZ.

On April 17, 2015, SA (b) (7)(F) submitted a request through SOM Cummins for assistance from CDER in determining if POTRATZ's product "Turinabol" would be considered a prescription drug.

On April 21, 2015, SA (b) (7)(F) spoke with Dr. Charles Lee, Senior Medical Advisor, the FDA Center for Drug Evaluation and Research regarding the product "Turinabol". Dr. Lee advised the product would be considered a prescription drug, lacked adequate directions for use, and has documented adverse effects.

On April 28, 2015, SA (b) (7)(F) met with AUSA Matthew Parrella to discuss the investigation.

On April 29, 2015, POTRATZ was indicted in the Northern District of California on six counts. Additional details can be found in the Judicial Action section of this report (Signed Indictment included as Attachment 1 of this report).

On April 30, 2015, HQ notification was sent. SHF, CIR, and JAF were updated as required.

3. JUDICIAL ACTION:

On April 29, 2015, ERIC POTRATZ was indicted on the following six counts:

21 USC 841(a)1- Distribution of a Controlled Substance- (Felony)

21 USC 331(a)- Introduction and delivery for introduction of misbranded drugs into interstate commerce (Felony)

21 USC 331(d)- Introduction and delivery for introduction of unapproved new drugs into interstate commerce (Felony)

21 USC 331(k)- Misbranding a drug while held for sale (Felony)

21 USC 331(p)- Failure to register drug establishment (Felony)

21 USC 331(a)- Introduction of a misbranded drug into interstate commerce (Misdemeanor)

On May 20, 2015, ERIC POTRATZ will appear before the Honorable Nathanael Cousins for his initial appearance.

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

None this reporting period.

5. STATUS OF INVESTIGATION:

Continued.

6. SUSPECTS/DEFENDANTS/OTHER:

PRIMORDIAL PERFORMANCE

ERIC POTRATZ

(b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

7. ATTACHMENTS:

Attachment 1- Signed Indictment