



Food and Drug Administration
OFFICE OF CRIMINAL INVESTIGATIONS
REPORT OF INVESTIGATION

REPORTING OFFICE: San Francisco Resident Office
DOCUMENT NUMBER: 210517
CASE NUMBER: 2010-SFC-735-0280
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 Portland, OR
INVESTIGATION MADE BY: Special Agents (b) (7)(F)

REPORTING PERIOD: FROM: 08/21/2012 TO: 11/21/2012
STATUS OF CASE: Continued

SYNOPSIS: Search warrant issued and executed.

RESTRICTED INFORMATION

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REPORT SUBMITTED BY: (b) (7)(F), Special Agent, DATE: 12/07/2012

REPORT APPROVED BY: Lisa Malinowski, Special Agent in Charge, DATE: 12/12/2012

DISTRIBUTION: ORIG: SFC
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## 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 May 17, 2012 through August 20, 2012.

## 2. DETAILS OF INVESTIGATION:

On September 11, 2012 and October 29, 2012 FDA-OCI Special Agent (b) (7)(F) traveled to Portland, Oregon and conducted surveillance at 13331 NE Whitaker Way, Portland, Oregon, the business location of PRIMORDIAL PERFORMANCE.

On October 29, 2012 in the District of Oregon, Magistrate Judge Janice Stewart signed a search warrant and search warrant application for 13331 NE Whitaker Way, Portland, Oregon, the business location of PRIMORDIAL PERFORMANCE.

On October 30, 2012 at approximately 9:05AM FDA-OCI Special Agents (b) (7)(F)

executed the search warrant at 13331 NE Whitaker Way. The following employees were present at the location: (b) (6), (b) (7)(C)

and owner ERIC POTRATZ came to the location at approximately 9:30AM. Interviews of the employees and POTRATZ are memorialized in Memorandums of Interview. During the search, agents seized raw material, finished product, business records and financial documents. The evidence was inventoried on CIEs 185203 and 185205. All raw material and finished product, listed on CIE 185203, was moved by (b) (7) from PRIMORDIAL PERFORMANCE (b) (7)(E) Agent (b) (7)(F) (b) (7)(E)

Forensic images were taken of the PRIMORDIAL PERFORMANCE server by Agents (b) (7)(F) and (b) (7)(F). Their process was memorialized in a SCERS report.

On October 31, 2012 Agent (b) (7)(F) returned the search warrant and inventory to Honorable Stewart.

On October 31, 2012 POTRATZ contacted Agent (b) (7)(F) and stated the PRIMORDIAL PERFORMANCE product Sustain Alpha Liqua Vade was seized during the search warrant; however the Attachment B, Items to be Seized, to the search warrant listed Sustain Alpha topical gel.

On November 8, 2012 Agent (b) (7)(F) and Investigative Analyst (b) (7)(F) (b) (7)(E) Agent (b) (7)(F) removed all

Sustain Alpha Liqua Vade product (b) (7)(E) and returned it to POTRATZ. IA (b) (7)(F) witnessed the return of evidence. The Disposition of Evidence is included as Attachment 1.

On November 14, 2012 AUSA Matthew Parrella gave Agent (b) (7)(F) a target letter to deliver to POTRATZ. On November 15, 2012 Agent (b) (7)(F) contacted POTRATZ and read him the target letter. She also sent the target letter to POTRATZ at his residence.

POTRATZ requested copies of tax returns and purchase receipts taken during the search warrant. On November 15, 2012 Agent (b) (7)(F) sent POTRATZ a disc containing copies of tax returns and purchase receipts to his residence.

On November 16, 2012 POTRATZ called AUSA Parrella to discuss the November 14, 2012 target letter. Agent (b) (7)(F) was conferenced into the call. The phone call was memorialized in a Memorandum of Interview.

### **3. JUDICIAL ACTION:**

None this reporting period

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

Evidence seized during the October 30, 2012 search warrant at PRIMORDIAL PERFORMANCE was inventoried on CIEs 185203 and 185205.

### **5. STATUS OF INVESTIGATION:**

Continued.

### **6. SUSPECTS/DEFENDANTS/OTHER:**

PRIMORDIAL PERFORMANCE

ERIC POTRATZ

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

WWW.PRIMORDIALPERFORMANCE.COM

### **7. ATTACHMENTS:**

Attachment 1: Disposition of Evidence