



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

**REPORTING OFFICE:** San Francisco Resident Office

**DOCUMENT NUMBER:** 269254

**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:** Portland, OR

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

**REPORTING PERIOD:** **FROM:** 08/30/2018 **TO:** 11/26/2018

**STATUS OF CASE:** Continued

**SYNOPSIS:** Case closing process.

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**RESTRICTED INFORMATION**  
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**REPORT SUBMITTED BY:** Electronically submitted by (b) (7)(F) \_\_\_\_\_ DATE: 11/27/2018  
(b) (7)(F) \_\_\_\_\_, SPECIAL AGENT

**REPORT APPROVED BY:** Electronically approved by LISA MALINOWSKI \_\_\_\_\_ DATE: 12/07/2018  
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 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 April 1, 2018 through August 29, 2018.

## 2. DETAILS OF INVESTIGATION:

There was no investigative activity during this reporting period.

## 3. JUDICIAL ACTION:

None.

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

On August 30, 2018 FDA Office of Chief Counsel Senior Counsel James Smith contacted defense counsel, Graham Archer, to determine if Archer represented ERIC POTRATZ in his claim for the return of evidence in this case and listed on CIE 185203. On the same date Archer responded that he represented POTRATZ and would consult with POTRATZ on the claim for return of the evidence.

On September 17, 2018 Special Agent (b) (7)(F) conducted the annual certification of evidence (b) (7)(E) listed on CIE 185203, (b) (7)(E) certification was sent to Investigations Analyst (b) (7)(F)

On September 27, 2018 OCC Counsel Smith contacted Archer for an update on POTRATZ' claim for the return of evidence listed on CIE 185203 and asked if SA (b) (7)(F) and he could contact POTRATZ directly regarding the evidence. On the same date Archer responded that POTRATZ could speak with SA (b) (7)(F) and OCC Counsel Smith.

On September 28, 2018 OCC Counsel Smith contacted POTRATZ via email and explained that the evidence, raw material, are misbranded and adulterated drugs under the meaning of law and therefore could not be returned to POTRATZ. Any claims for the evidence would need to be litigated in US District Court. OCC Counsel Smith also told POTRATZ that if he agreed to allow the government to destroy the evidence, it would be at no cost to POTRATZ.

On October 1, 2018 POTRATZ contacted OCC Counsel Smith and SA (b) (7)(F) and stated he released all claims for the evidence listed on CIE 185203. POTRATZ' email will be maintained in the agent's case file.

On October 10, 2018 SA (b) (7)(F) completed a Request for Final Disposition for all items of evidence listed on CIE 185203 and forwarded it to Investigative Assistant (b) (7)(F). On October 12, 2018 IA (b) (7)(F) forwarded the request to Program Analyst (b) (7)(F).

On October 18, 2018 a (b) (7)(E) representative contacted SA (b) (7)(F) and requested photographs of the evidence listed on CIE 185203 to assist in obtaining a disposal service. On the same date, SA (b) (7)(F) forwarded photographs of the evidence.

On November 2, 2018 SA (b) (7)(F) sent a request to PA (b) (7)(F) for the status of the final disposition of the evidence listed on CIE 185203. On November 5, 2018 PA (b) (7)(F) responded that he forwarded the request to (b) (7)(E). On November 6, 2018 PA (b) (7)(F) responded to SA (b) (7)(F) and stated (b) (7)(E).

On November 26, 2018 SA (b) (7)(F) sent a request to PA (b) (7)(F) for the status of the final disposition of the evidence listed on CIE 185203. On the same date PA (b) (7)(F) responded and stated he would check with (b) (7)(E) on November 27, 2018.

#### 5. STATUS OF INVESTIGATION:

Continued.

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

PRIMORDIAL PERFORMANCE

ERIC POTRATZ

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

WWW.PRIMORDIALPERFORMANCE.COM

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

#### 7. ATTACHMENTS:

None.