



Beware of fake remedies sold as “dietary supplements”

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It is illegal for a manufacturer, promoter, or seller of a dietary supplement to claim, even implicitly, that a dietary supplement will treat or cure illness or disease, or their symptoms; there are few exceptions to this rule. Only drugs approved by the Food and Drug Administration can make claims related to curing an illness or disease, or their symptoms.

Examples of fake cures

In a recent case, the defendants sold a “very special” calcium pill. They claimed the calcium pill would do the following (and more): (a) make children smarter and protect their brains, (b) increase the height of children, (c) give adults more energy and strength, (d) cure osteoporosis and injuries to connective tissue, (e) cure a wide variety of aches and pain, and (f) cure edema and herniated disks.

In another case, the defendants sold a seven-herb combination, claiming (among other things) to (a) cure or prevent cancer, (b) cure hepatitis and other liver ailments, (c) lower blood pressure, and (d) cure or prevent asthma.

In a third case, the defendants sold a pill made from various plant extracts and claimed that it would (among other things): (a) eliminate the plaque from Alzheimer’s, (b) repair neurons after a head injury or stroke, (c) reduce depression, (d) increase “brain energy,” and (e) improve memory, concentration, and other cognitive functions. All these claims are false. They are also dangerous and put the health and life of the purchaser at risk, because such individuals may delay obtaining proper medical treatment for their condition.

The important lesson to be learned: Some manufacturers, promoters, and sellers will promise a potential purchaser anything — relief from any disease or illness, or from the symptoms — to get their hands on money.

What patients can do to protect themselves

Patients must be informed of the need for skepticism about any claim made for a dietary supplement, particularly if it sounds fantastic or miraculous.

Also, each patient needs to be encouraged to check with medical professionals. Answers need to address the following: (a) whether there are double-blind studies showing the product is effective for any condition, (b) an explanation of how the supplement functions pharmacologically, (c) what

benefits, if any, the supplement may provide in terms of the patient’s specific condition, (d) potential side effects, and (e) how the supplement may interact with other supplements and with prescription drugs. As a reference source, consider using one of several excellent databases, such as the Natural Medicines Comprehensive Database (<http://www.naturaldatabase.com>), that provide current, accurate, and useful information on supplements.

If a patient has been the victim of false claims, you can suggest options:

1. Report the fraud to the Federal Food and Drug Administration and the Federal Trade Commission.
2. Report the fraud to the state health department.
3. Report the fraud to the local district attorney, county prosecutor, or state attorney general.

Unfortunately, the agencies listed above are often overwhelmed with other priorities. Thus, you may also wish to suggest the patient consider hiring an attorney to represent the patient’s interests in a civil lawsuit against the company that sold the product. Because the applicable law is very specialized, make sure you tell the patient to inquire about the attorney’s experience in addressing issues of this type.

Some attorneys will work on a contingency basis or seek fees only from the defendants. In some states, such as California, attorneys may be entitled to obtain their fees from the defendants if they prevail in a class-action case; such actions do not require patients to pay such fees. Patients should discuss fee options with any attorney up front.

If you have any questions, please feel free to contact us by e-mail. Remember, the life you save may be not only that of your patient, but also that of a relative, friend, or neighbor. **DT**

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