



FOR IMMEDIATE RELEASE
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District of Arizona*

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PHARMACY AND EMPLOYEE INDICTED FOR CONSPIRACY TO ILLEGALLY DISTRIBUTE HUMAN GROWTH HORMONE (HGH)

PHOENIX – A federal grand jury in Phoenix returned an indictment on Wednesday against the Compounding Center, Inc., a pharmacy located in Phoenix, and Sean Shaffer, 29, of Phoenix, for Conspiracy in relation to the Prohibited Distribution of Human Growth Hormone. Shaffer was also indicted for two additional counts of Prohibited Distribution of Human Growth Hormone.

The indictment alleges, among other things, that the Compounding Center, Inc. advertised through its website, among other means, offering its services as a supplier of “anti-aging products”. The website specifically touted the impermissible use of HGH as being effective to reverse a wide range of signs and symptoms associated with aging. The Food and Drug Administration (FDA) has only approved the use of HGH for a defined and limited number of diseases. HGH has not been approved for use in any anti-aging, body-building, or weight loss treatments. HGH has also not been shown to be safe and effective for the enhancement of athletic performance.

The indictment further alleges the Compounding Center operated a wholesale department, run by Shaffer, that sold Saizen, a brand of HGH, directly to doctors and other licensed buyers without the receipt of a prescription. Through their advertisements and solicitations, the Compounding Center was able to attract the attention of certain doctors whose practices primarily centered on the purported treatment of anti-aging, performance enhancement and life extension. From on or about November 2001 through on or about March 2006, the Compounding Center and Shaffer sold between approximately \$1.2 million to \$8.2 million worth of Saizen to these doctors despite there being no indication that these doctors engaged in the treatment of a disease or other recognized medical condition approved by the FDA in relation to the use of this drug. These sales accounted for approximately 38% of the wholesale business conducted by the Compounding Center during the period relevant to the indictment. During the course of the conspiracy, Shaffer, in his capacity as the manager of the wholesale department of the Compounding Center, also sold a number of HGH kits to two undercover operatives who specifically told Shaffer that the purchases were for bodybuilders and athletes.

A conviction for each count alleged carries a maximum penalty of five years imprisonment, a \$250,000 fine (\$500,000 for the corporation) or both. In determining an actual sentence, the assigned will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

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The investigation preceding the indictment was conducted by the Drug Enforcement Administration. The prosecution is being handled by Howard D. Sukenic and Marnie Hodahkwen, Assistant U.S. Attorneys, District of Arizona, Phoenix.

CASE NUMBER: CR-09-717-PHX-ROS
RELEASE NUMBER: 2009-200(Compounding Center/Shaffer)

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