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## **Sacramento Man Indicted For Using Craigslist To Traffic In Counterfeit Viagra From China**

SACRAMENTO, Calif. — United States Attorney Benjamin B. Wagner announced that Steven Navarro, 29, of Sacramento, was arrested this morning for trafficking in counterfeit Viagra and cultivating marijuana. On June 16, 2011, a federal grand jury returned a nine-count indictment for those charges, and the indictment was unsealed today.

According to court documents, Navarro trafficked in counterfeit Viagra, a pharmaceutical drug used to treat erectile dysfunction. Pfizer Inc. manufactures Viagra and owns several trademarks, such as the words “Viagra” and “Pfizer” and the blue diamond-shaped appearance of the tablets.

In May 2010, Navarro advertised what he represented to be Viagra on the Internet. In July 2010, he sold 16 tablets of to a confidential informant working for the FBI. Subsequent laboratory testing by the Food and Drug Administration confirmed that although the tablets did contain some sildenafil citrate, the active ingredient of Viagra, they were not authentic. The tablets and their packaging looked legitimate and could easily be confused for genuine Viagra.

In September and October 2010, agents armed with search warrants intercepted two packages in the mail from China addressed to Navarro. The packages both contained more counterfeit Viagra. On November 18, 2010, police found more Viagra tablets and approximately 400 marijuana plants in Navarro’s residence.

United States Attorney Benjamin B. Wagner said: “The defendant in this case advertised his pills as ‘100% real’ at ‘the cheapest price around’. The pills looked real, but in fact they were manufactured somewhere in China by an unknown entity. This case is a reminder to consumers that they should only obtain prescription pharmaceutical drugs by prescription. Otherwise, they may be putting themselves at risk.”

This case is the product of an investigation by the Federal Bureau of Investigation, the Sacramento Cyber Crime Task Force, Sacramento Valley Hi-Tech Crimes Task Force, and the United States Postal Inspection Service. Assistant United States Attorney Daniel S. McConkie is prosecuting the case.

For more information about safely purchasing pharmaceutical drugs over the Internet and from overseas, please see the Food and Drug Administration website at <http://www.fda.gov/Drugs/DrugSafety/default.htm>. According to the Food and Drug Administration website, “The U.S. Food and Drug Administration continues to warn the American public about the dangers of buying medications over the Internet. ... New data collected by the FDA show that consumers who are trying to save money on prescription drugs don’t need to take chances by buying prescription drugs from foreign Internet sites, because low-cost generic versions are available in the United States. This finding also may be an indication that some consumers are likely buying foreign drugs this way to avoid getting a prescription from their doctor or health care professional, since many Web sites do not require a prescription. ... The use of prescription drugs without a prescription is an intrinsically unsafe practice. FDA urges consumers to have a prescription from their doctor or other health care professional before using prescription drugs.”

If convicted, Navarro faces the maximum statutory penalty for trafficking in counterfeit trademarks of 10 years in prison and a \$2 million fine. The maximum statutory penalty for selling or holding a counterfeit drug for sale is three years in prison and a fine of \$10,000. The actual sentence, however, will be determined at the discretion of the court after consideration of any applicable statutory factors and the Federal Sentencing Guidelines, which take into account a number of variables.

The charges are only allegations and the defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.