

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

April 16, 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: sec
DEPUTY

UNITED STATES OF AMERICA

v

BRETT SANDY
Defendant

INFORMATION

[Vio: Ct. 1: 18 U.S.C. § 371, 21 U.S.C. §§
321(g), 331(a), 333(a)(2), and 352 –
Conspiracy to Violate the Food, Drug, and
Cosmetic Act; Ct. 2: 18 U.S.C. § 371, 15
U.S.C. §§ 2052(a)(6), 2057, 2057b,
2068(a)(1), and 2070 – Conspiracy to
Violate the Consumer Product Safety Act]

*Notice of Government's Demand for
Forfeiture*

1:26-CR-00207-RP

THE UNITED STATES ATTORNEY CHARGES THAT:

COUNT ONE

Conspiracy to Violate the Food, Drug, and Cosmetic Act
[18 U.S.C. § 371, 21 U.S.C. §§ 321(g), 331(a), 333(a)(2), and 352]

Between in or around January 2019, and in or around February 2025, in the Western
District of Texas, and elsewhere, Defendant,

BRETT SANDY

Knowingly and willfully conspired with others, known and unknown to the United States, to,
with the intent to defraud and mislead, introduce and deliver for introduction, and cause the
introduction and delivery for introduction, into interstate commerce, volatile alkyl nitrite, a drug,
as defined by Title 21, United States Code, Section 321(g) that was misbranded, as defined by
Title 21, United States Code, Section 352, and, in furtherance of the conspiracy, and in order to
effect the objects thereof, **BRETT SANDY**, and others known and unknown to the United

States, in various combinations, directly and indirectly, within the Western District of Texas and elsewhere, committed overt acts, including, but not limited to, the following:

a. Between in or around January 2019 and in or around December 31, 2024, **BRETT SANDY** was employed by COMPANY-1, a corporation based in the Western District of Texas that was engaged in the manufacture, sale, and distribution of volatile alkyl nitrites intended to be used for human consumption. COMPANY-1 was owned by CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

b. In or around February 2024, **BRETT SANDY** facilitated the sale and distribution of 24 bottles of volatile alkyl nitrites from the Western District of Texas to the District of Utah on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

c. Between in or around April 2024 and in or around May 2024, **BRETT SANDY** facilitated the sale and distribution of 64 bottles of volatile alkyl nitrites from the Western District of Texas to the District of Utah on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

d. In or around May 2024, **BRETT SANDY** facilitated the sale and distribution of 32 bottles of volatile alkyl nitrites from the Western District of Texas to the District of Utah on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

e. In or around October 2024, **BRETT SANDY** facilitated the sale and distribution of 32 bottles of volatile alkyl nitrites from the Western District of Texas to the Eastern District of Washington, District of Montana, and the Eastern District of California on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

All in violation of 18 U.S.C. § 371 and 21 U.S.C. §§ 321(g), 331(a), 333(a)(2), and 352.

COUNT TWO

**Conspiracy to Violate the Consumer Product Safety Act
[18 U.S.C. § 371, 15 U.S.C. §§ 2052(a)(6), 2057, 2057b, 2068(a)(1), and 2070]**

Between in or around January 2019, and in or around February 2025, in the Western District of Texas, and elsewhere, Defendant,

BRETT SANDY

knowingly and willfully conspired with others, known and unknown to the United States, to knowingly and willfully manufacture for sale, offer for sale, distribute in commerce, and import into the United States, in violation of Title 15, United States Code, Sections 2052(a)(6), 2068(a)(1), and 2070, volatile alkyl nitrite, a banned hazardous product as defined in Title 15, United States Code, Sections 2057 and 2057b, with the unlawful commercial purpose of producing consumer products containing volatile alkyl nitrites that may be used for inhaling and otherwise introducing volatile alkyl nitrite into the human body for euphoric and physical effects, and, in furtherance of the conspiracy, and in order to effect the objects thereof, **BRETT SANDY**, and others known and unknown to the United States, in various combinations, directly and indirectly, within the Western District of Texas and elsewhere, committed overt acts, including, but not limited to, the following:

a. In or around February 2024, **BRETT SANDY** facilitated the sale and distribution of 24 bottles of volatile alkyl nitrites from the Western District of Texas to the District of Utah on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

b. Between in or around April 2024 and in or around May 2024, **BRETT SANDY** facilitated the sale and distribution of 64 bottles of volatile alkyl nitrites from the Western District of Texas to the District of Utah on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2.

c. In or around May 2024, **BRETT SANDY** facilitated the sale and distribution of 32 bottles of volatile alkyl nitrites from the Western District of Texas to the District of Utah on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2

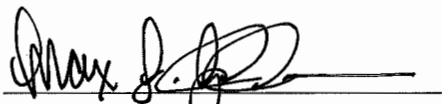
d. In or around October 2024, **BRETT SANDY** facilitated the sale and distribution of 32 bottles of volatile alkyl nitrites from the Western District of Texas to the Eastern District of Washington, District of Montana, and the Eastern District of California on behalf of COMPANY-1, and its owners, CO-CONSPIRATOR-1, and CO-CONSPIRATOR-2

All in violation of 18 U.S.C. § 371 and 15 U.S.C. §§ 2052(a)(6), 2057, 2057b, 2068(a)(1), and 2070.

Respectfully submitted,

JUSTIN R. SIMMONS
UNITED STATES ATTORNEY

LORINDA LARYEA,
CHIEF, FRAUD SECTION,
CRIMINAL DIVISION
U.S. DEPARTMENT OF JUSTICE

A handwritten signature in black ink, appearing to read "Max J. Goldman", is written over a horizontal line.

MAX J. GOLDMAN
TRIAL ATTORNEY