UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	**CRIMINAL NO. 19-161**
v.	*	**SECTION: "I"**
NATALIE BARTON	*	

* * *

FACTUAL BASIS

The above-named defendant, **NATALIE BARTON** has agreed to plead guilty to Count 1 of the Superseding Bill of Information in which she is charged with misbranding of prescription drugs. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts, among others, to support the allegations of Count 1 against defendant **NATALIE BARTON ("BARTON"):**

Background

BARTON and her now-deceased husband, E.B., (collectively, the "**BARTONS**") owned and operated a number of Louisiana corporations, including Puresol Labs LLC. These corporations were registered to either **BARTON**, E.B. or **BARTON**'s mother, although the **BARTONS** were the true owners and operators of these corporations. Through these corporations, the **BARTONS** operated websites, including http://www.purityresearchsolutions.com ("purityresearch-solutions.com"). As described below, the products that the **BARTONS** sold on these websites included prescription drugs. The **BARTONS** received shipments of prescription drugs from corporations based in Asia, including GL Biochem and Great Dragon Biochemicals. For example, during a trash pull, agents discovered a note from a biochemical company based in Hong Kong reading "Attn: Natalie Barton," and indicating that the shipment included tadalafil.

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Agents also reviewed emails sent from an email address utilized by **BARTON** to companies based in Asia in which she placed orders for sildenafil and other prescription drugs. Therefore, the investigation revealed that all of the prescription drugs sold by the **BARTONS** had traveled through interstate or foreign commerce before they were held for sale to their customers.

*Websites & Store Operated by the **BARTONS***

Task Force Officers ("TFO's) from the Drug Enforcement Administration ("DEA") have visited the websites operated by the **BARTONS** on numerous occasions. Agents also observed that the following products were offered for sale on websites operated by the **BARTONS**: (1) Albuterol; (2) Anastrozole; (3) Clomiphene Citrate; (4) Dutasteride; (5) Exemestane; (6) Finasteride; (7) Letrozole; (8) Liothyronine Sodium; (9) Pramipexole; (10) Sildenafil Citrate; (11) Tadalafil; (12) Tamoxifen Citrate; (13) Toremifene Citrate; and (14) Vardenafil. These substances are active pharmaceutical ingredients in prescription drug products approved by the Food and Drug Administration ("FDA") for distribution within the United States. However, Special Agents from the Food and Drug Administration ("FDA") determined that neither **BARTON** nor E.B. were practitioners licensed by law to administer prescription drugs, and these products were sold and dispensed without prescriptions. These products were also sold without labels that included the symbol "Rx Only," were sold without adequate directions for use by a layperson, and lacked adequate warnings against use as necessary for the protection of users. These products were also generally sold with provisos indicating that they were not for human consumption, although these provisos were false because the products were in fact sold for human consumption.

Expert Witness Testimony

If this matter had proceeded to trial, the government would have called expert witnesses, including Dr. Matthew Fedoruk, from the United States Anti-Doping Agency ("USADA"). Dr.

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Fedoruk, the Chief Science Officer for USADA, would testify that there are almost no instances where the aforementioned prescription drugs would be applied in "not for human consumption" uses, such as for "research purposes" or "hobbyist purposes." Based on this information, as well as other information obtained during this investigation, FDA agents concluded that provisos included on prescription drugs sold by the BARTONS that they were "not for human consumption" were false.

Undercover Purchase of Prescription Drugs in February 2017

On February 8, 2017, DEA TFO's visited purityresearchsolutions.com and ordered one bottle of tadalafil and one bottle of sildenafil citrate, providing information for an undercover credit card. Afterwards, the DEA TFO received an email from puritysolutionscs@gmail.com instructing the TFO to make a donation to a specific campaign on GoFundMe because the website could not accept credit card payments. The DEA TFO, as instructed, made a donation to the GoFundMe campaign in the amount of the purchase price. The TFO subsequently received an email asking him not to mention the order number in the GoFundMe donation. DEA later received a package containing sildenafil and tadalafil at a Post Office box located in Metairie, Louisiana. The package had been shipped via the United States Postal Service from "Puresol," located at an address in Mandeville, Louisiana. DEA sent both substances to the Sports Medicine Research and Testing Laboratory for testing, which confirmed the presence of tadalafil and sildenafil. At no point during the transaction did the undercover officer provide a valid prescription for tadalafil or sildenafil. The label for the tadalafil included the false statement "NOT FOR HUMAN CONSUMPTION," did not include the symbol "Rx only," did not include instructions for use, and did not have warnings against use in those pathological conditions or by children where its use may be

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dangerous to health, or against unsafe dosage or methods or duration of administration or application, as are necessary for the protection of users.

This proffer of evidence is not intended to constitute a complete statement of all facts known by **BARTON**, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal and factual basis for **BARTON's** plea of guilty to these crimes.

READ AND APPROVED:

11/17/20

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