



DEPARTMENT OF THE ARMY
U. S. ARMY CRIMINAL INVESTIGATION COMMAND
27130 TELEGRAPH ROAD
QUANTICO, VA 22134

CIOP-IN

03 July 2019

CRIMINAL ALERT NOTICE 00086-2019-CID101

MEMORANDUM FOR See Distribution

SUBJECT: Criminal Alert Notice (0086-2019-CID101-4E4A/9H) DoD Prohibited Substances Found in Performance-Enhancing Supplements

1. The following information was received via Air Force Office of Special Investigations (AFOSI) Bulletin 31534, dated 22 May 2019, "Supplements Sold at AAFES Exchanges May Contain Steroids;" HQDA, G-1, SR2 Deterrence Program; Armed Forces Medical Examiner System (AFMES) Division of Forensic Toxicology; and Open Source Intelligence, which are considered reliable sources.

2. Subject(s): Unknown

3. AFOSI was notified by the U.S. Food and Drug Administration (FDA), Office of Criminal Investigations (FDA/OCI) that nutrition supplements sold by 5 Star Nutrition (aka Total Nutrition and Brick & Mortar Distributing, LLC) may contain illegal Schedule III ingredients including anabolic steroids. Following a December 2018 Health and Wellness inspection at Moody Air Force Base (AFB), suspected illicit drugs (or) narcotics were seized and submitted for testing. At least two independent crime laboratory tests confirmed the presence of androsterone and androstenediol in 5 Star Nutrition products, such as "Alpha Shredded" and "Trenatestin."¹



¹ *Supplements Sold at AAFES Exchanges May Contain Steroids* (pp. 1-2, Rep. No. Product ID: 31534). (May 22, 2019). AFOSI Bulletin.

SUBJECT: Criminal Alert Notice (0086-2019-CID101/4E4A) DoD Prohibited Substances Found in Performance-Enhancing Supplements

4. The AFOSI Bulletin cited two laboratory tests confirming the presence of steroids in the above-named products. This office coordinated with AFOSI to inquire which labs performed the tests. AFOSI provided this office a copy of one laboratory report dated December 28, 2018. The Valdosta-Lowndes Regional Crime Laboratory located in Valdosta, Georgia performed tests on one bottle each of Alpha Shredded and Trenatestin. The tests confirmed one product contained diosgenin and the other contained androsterone (as to which product contained which substance is unclear). Diosgenin is a steroidal sapogenin which occurs abundantly in specific plants and is the important starting material for the preparation of several steroidal drugs in the pharmaceutical industry.² Androsterone is a steroid metabolite derived from sex hormones, which displays weak androgenic properties.³ Androstenediol is a direct metabolite of dehydroepiandrosterone (DHEA) and a precursor for testosterone with immunostimulatory activity and minimal androgenic activity.⁴ The AFOSI bulletin also cited laboratory results from the U. S. Food and Drug Administration (FDA); a copy is not currently available to AFOSI and USACIDC.

5. The FDA regulates dietary supplements for exercise and athletic performance differently from prescription or over-the-counter drugs. As with other dietary supplements, the FDA does not test or approve performance supplements before they are sold. Manufacturers are responsible for making sure that their supplements are safe and that the claims on the product labels are truthful and not misleading.

The FDA warns that some products marketed as dietary supplements to improve exercise and athletic performance might contain inappropriate, unlabeled, or unlawful stimulants, steroids, hormone-like ingredients, controlled substances, prescription medications, or unapproved drugs. Using these tainted products can cause health problems and disqualify athletes from competitions. The FDA prohibits certain ingredients that some performance dietary supplements contain. These prohibited ingredients include androstenedione, dimethylamylamine (DMAA), and ephedra.⁵

6. This office coordinated with the HQDA, G-1, SR2 Deterrence Program and Armed Forces Medical Examiner System (AFMES) Division of Forensic Toxicology. An AFMES forensic toxicologist confirmed the presence of androsterone and androstenediol in a specimen would result in a positive urinalysis. These substances

² Jesus, M., Martins, A. P., Gallardo, E., & Silvestre, S. (2016, December 28). Diosgenin: Recent Highlights on Pharmacology and Analytical Methodology. Retrieved June 11, 2019, from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5225340/>

³ Androsterone. (n.d.). Retrieved June 3, 2019, from <https://pubchem.ncbi.nlm.nih.gov/compound/Androsterone>

⁴ Androstenediol. (n.d.). Retrieved June 3, 2019, from <https://pubchem.ncbi.nlm.nih.gov/compound/10634>

⁵ Office of Dietary Supplements - Dietary Supplements for Exercise and Athletic Performance. (n.d.). Retrieved June 3, 2019, from <https://ods.od.nih.gov/factsheets/ExerciseAndAthleticPerformance-Consumer/>

SUBJECT: Criminal Alert Notice (0086-2019-CID101/4E4A) DoD Prohibited Substances Found in Performance-Enhancing Supplements

are considered exogenous anabolic steroids (AAS), part of the S1 group of the Jan 2019 WADA Prohibited List (https://www.wada-ama.org/sites/default/files/wada_2019_english_prohibited_list.pdf). Additionally, the AFMES forensic toxicologist stated:

Many, many, many compounds in a specimen could result in a positive urinalysis report. The DoD contract is to identify all compounds listed in the following classes of prohibited substances: S1, S2, S4, and S5. Note the verbiage that expands the compounds, if detected, will be reported: "The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited." Steroids are much more complicated than the drugs of abuse (DOA) and prescription testing the forensic toxicology drug testing laboratories (FTDTLs) perform routinely.

CIOC Analyst Comment: Soldiers may find a false sense of security when purchasing performance-enhancing supplements from a legitimate and reputable business, even a business located at an AAFES Exchange. It is important to understand the FDA does not regulate the ingredients or labeling of supplements, and products purchased over-the-counter may contain ingredients that may test positive for steroids. The Department of Defense (DoD) has provided a tool on the DoD Human Performance Resource Center website to check for dietary supplements or ingredients which may be prohibited by DoD. Soldiers can check the website for a list of DoD prohibited supplements/ingredients or they can use the "Check your Supplement" page and use a barcode scanner feature to scan a product for additional information: <https://www.opss.org/>.

7. A legal opine was obtained from COL Nancy J. Alouise, HQUSACIDC Staff Judge Advocate. According to COL Alouise, the use of dietary supplements banned by the FDA violates Army Regulation 600-85, Army Substance Abuse Program. Thus, a positive urinalysis for anabolic steroids should be processed the same as any other positive urinalysis, even when the result is based on over-the-counter supplement use. In the event of a positive urinalysis, a medical review officer (MRO) should review the results to determine if the positive result is linked to the legitimate use of the substance. If they MRO finds that the positive urinalysis is not due to legitimate use, CID should be notified to investigate the offense(s). CID should conduct the investigation and coordinate with the Soldier's unit supporting trial counsel to obtain a probable cause opine. A probable cause (PC) opine means there is probable cause to believe the Soldier committed the offense of Wrongful Use of a Controlled Substance. A No PC opine means there is no probable cause to believe the Soldier committed the offense. If a probable cause opine is issued, the final investigation would be distributed to the Soldier's commander, at a minimum, for action.

SUBJECT: Criminal Alert Notice (0086-2019-CID101/4E4A) DoD Prohibited Substances Found in Performance-Enhancing Supplements

8. This message is intended for direct release to organizations external to CID and is intended to educate the Army community of the potential risk of using over-the-counter performance-enhancing supplements.

9. Point of contact for this CAN is Ms. Nancy L. Parker, Investigative Analyst, at telephone (571) 305-4314, email: nancy.l.parker14.civ@mail.mil, or the undersigned.

Report Prepared By:

Report Approved By:

NANCY L. PARKER
Investigative Analyst

CANDACE V. BULLOCK
Deputy Chief, Intelligence Division

Warning Statement: This document is intended for organizations external to CID. Further dissemination of this report should be limited to a minimum, consistent with the purpose for which the record has been furnished, i.e., effective enforcement of civil and criminal law. Additional release requires prior approval from CG, CID, Attn: CIRC-ZA, Quantico, VA 22134.

Distribution:

1-HQUSACIDC ATTN: CIOP-IN
1-3rd MP Group (CID)
1-6th MP Group (CID)
1-701st MP Group (CID)
1-MEDCOM PMO
1-IMCOM PMO
1-FORSCOM PMO
1-ARTIC
1-File