



April 30, 2008

Linda Snyder  
Bachus & Schanker, LLC  
1400 16<sup>th</sup> Street  
Suite 450  
Denver, CO 80202

Dear Ms. Snyder,

We are writing to notify you that your post on [www.injuryboard.com](http://www.injuryboard.com), entitled "Herbal Supplements May Promote Prostate Cancer," is based on misinformation. For this reason, we request you immediately remove your post and publish a statement informing readers of the reasons for its prompt removal.

This posting, like the *Clinical Cancer Research* article it recaps, misidentifies an illegal drug product as a dietary supplement. The American Herbal Product Association has notified the authors of this study and the University of Texas Medical Center of the erroneous statements in the *Clinical Cancer Research* article.

The "substance" at issue, if the authors' analysis of the subject product was accurate, is actually two substances: testosterone and estradiol. Shariat et al. state that hormone analysis of the subject product "revealed that [it] contained testosterone and estradiol." Both of these ingredients are drugs that are not – and never have been – allowed to be included in dietary supplements. In addition, the regulations for labeling of dietary supplements require – and have since they were first established – that all ingredients in a supplement be declared.

Thus it is absolutely clear that a product that contains or contained undeclared testosterone and estradiol, whether or not declared, at any time since the passage of the Dietary Supplement Health and Education Act in 1994, is not and was not at any time a legally-labeled or legally-sold dietary supplement.

The correct description of the unidentified product, trusting that the researchers' analysis was accurate, is that it is an illegal drug that was misrepresented as a dietary supplement.

Companies that market illegal drugs – either as prescription drug counterfeits or as dietary supplements – do not observe the law. The American Herbal Products Association decries the presence of such products in the marketplace and applauds any and all efforts by government regulators, the medical community and consumers to see that they are promptly removed and that marketers of such unlawful drugs are dealt with severely.

We request that you correct this situation by removing your post and providing a statement clearly stating the study cited in the post was misinformed and the products in question were illegal drugs and not dietary supplements. Thank you in advance for your rectification of this misinformation.

Sincerely,

A handwritten signature in black ink, appearing to read "McGuffin".

Michael McGuffin  
President  
American Herbal Products Association  
8484 Georgia Avenue, Suite 370  
Silver Spring, MD 20910

Cc:  
Kyle Bachus, Partner, Bachus & Schanker  
Darin Schanker, Partner, Bachus & Schanker