



FEDERATION OF AMERICAN CONSUMERS AND TRAVELERS - NEWS RELEASE -

FOR IMMEDIATE RELEASE

FDA Warns Web Sites Against Marketing Fraudulent H1N1 Flu Virus Claims

EDWARDSVILLE, IL, August 28, 2009 -The U.S. Food and Drug Administration (FDA) is strictly enforcing laws that protect consumers from illegal products marketed through the Internet that claim to diagnose, prevent, mitigate, treat or cure the 2009 H1N1 flu virus.

The agency advised operators of offending Web sites that they must take immediate action to ensure that they are not marketing products intended to diagnose, mitigate, prevent, treat, or cure the 2009 H1N1 flu virus that have not been authorized by the FDA.

Since then, the FDA has issued more than 50 warning letters to offending Web sites; as a result, more than 66 percent of these Web sites have reportedly removed the offending claims and/or products.

Examples of unapproved, uncleared, or unauthorized products targeted by the FDA include:

- A shampoo that claimed to protect against the H1N1 flu virus;
- A dietary supplement that claimed to protect infants and young children from contracting the H1N1 flu virus;
- A “new” supplement that claimed to cure H1N1 flu infection within four to eight hours;
- A spray that claimed to leave a layer of ionic silver on one’s hands that killed the virus;
- Several tests that have not been approved to detect the H1N1 flu virus; and
- An electronic instrument costing thousands of dollars that claimed to utilize “photobiotic energy” and “deeply penetrating mega-frequency life-force energy waves” to strengthen the immune system and prevent symptoms associated with H1N1 viral infection.

Warning letters were the result of daily Internet surfs conducted by the FDA’s Office of Enforcement, Office of Criminal Investigations, staff from the Center for Devices and Radiological Health, the Center for Drug Evaluation and Research, and the Center for Food Safety and Applied Nutrition. The warning letters were issued by e-mail; the FDA requested a response within 48 hours.

The FDA has listed offending Web sites and products on the agency’s Web site. The FDA will consider enforcement action against those Web sites that fail to resolve the violations cited in warning letters. Actions could include seizure, injunction, and criminal prosecution.

FACT was formed under the not-for-profit corporation laws of the District of Columbia in 1984, and currently serves more than 1 million consumers nationwide. Additional information on FACT may be found in the *Encyclopedia of Associations*, and by visiting the association's Web site (www.usafact.org). Informative, unbiased news bulletins are regularly disseminated by FACT to help its members remain current on matters which might seriously impact their lives. In addition to publishing consumer-related reports, the association provides more than 30 benefits for its members, ranging from [medical insurance](#) and [dental discounts](#) to [prescription drug savings](#), [scholarships](#) and [consumer information](#). FACT’s administrative office is located at 318 Hillsboro Avenue, Edwardsville, IL 62025.