

Santa Cruz prosecutor finds no Hoodia in diet pill; company says 'so sue us ...

SANTA CRUZ - If you bought DEX L-10 thinking it contained the appetite suppressant Hoodia Gordonii from the Kalahari Desert, prosecutor Kelly Walker has news for you.

The Solano Superior Court has issued a preliminary injunction prohibiting Breakthrough Engineered Nutrition Inc. of Florida, from selling these dietary supplements in California on the grounds that their product does not contain Hoodia.

The supplements were sold at drugstore chains, including Walgreens, Longs (now CVS), Rite Aid and vitamin store GNC, Walker said, noting that Costco declined to stock it after testing showed no trace of Hoodia.

"We will be seeking civil penalties and restitution for consumers," said Walker, who is working with prosecutors in Napa, Alameda, Marin, Monterey, Orange, Santa Clara, Shasta, Solano and Sonoma counties.

U.S. consumers spend about \$30 billion per year trying to lose weight or prevent weight gain, according to the American Obesity Association.

Ads for Hoodia often describe it as an amazing diet breakthrough as seen on "60 Minutes," which reported in 2004 how African tribesmen suck on parts of the plant to suppress their appetite on long journeys.

Walker's interest was piqued when he saw an ad for Breakthrough's weight loss product in a Sunday magazine supplement making a variety of claims.

He sent a letter to Breakthrough asking for substantiation of the claims. When he got the name of the company that Abarex, he wrote that company, which told him they had not tested it.

He found Unilever had written Breakthrough, informing them tests of the product showed it did not contain Hoodia.

Unilever was the first company that tried to extract the liquid from the cactus featured on "60 Minutes" and put it into a pill, giving up in 2008 because of safety concerns.

Walker had 10 lots of the Breakthrough's DEX L-10 products tested at a University of Mississippi lab; none contained Hoodia.

The company's response was "so sue us, so that's what we did," Walker said.

AFFECTED PRODUCTS

Dietary supplements called DEX L-10, Hoodia Gordonii DEX L-10, DEX L-10 Complete and/or Hoodia Gordonii DEX L-10 Complete.

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