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Owner of Los Angeles-area pet products company pleads guilty to selling pet meds without prescriptions, some of which were not approved for US sale

LOS ANGELES – A Laguna Hills man pleaded guilty Monday to charges of selling misbranded veterinary medications without a prescription, some of which were not approved for use in the United States.

Sean Gerson, 49, the owner Vaccination Services, Inc. in Lake Forest, pleaded guilty in a scheme that netted him at least \$2.5 million over the past 15 years. The case against Gerson stems from a probe by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), the Food and Drug Administration's Office of Criminal Investigations, and the Environmental Protection Agency.

Gerson pleaded guilty to smuggling, introduction into interstate commerce misbranded animal prescription drugs with the intent to defraud and mislead the U.S. Food and Drug

Administration, and a misdemeanor charge of distribution and sale of an unregistered pesticide. Vaccination Services also pleaded guilty today to the same federal charges.

The misbranded drugs – meaning they were sold without a valid prescription from a veterinarian – were Comfortis, an anti-flea medication, and Ciprofloxacin, a powerful antibiotic commonly called “Cipro” that can be used in dogs and cats to treat skin, respiratory and urinary tract infections.

According to court documents, Gerson sold Comfortis that was designed for the South African market and was not approved for distribution in the United States. Federal law prohibits the importation and sale of veterinary medicines that have not been approved by the FDA and Environmental Protection Agency for use in this country.

Gerson used several websites – including fleastuff.com, mydoghasfleas.xyz and fleaandtckstuff.com – to market prescription animal products to buyers without valid prescriptions.

In a plea agreement filed in U.S. District Court, Gerson admitted that he “knowingly distributed, transported and sold the prescription animal drugs Comfortis and Ciprofloxacin in interstate commerce” to an undercover law enforcement officer in Missouri in August 2016. Gerson at the time knew that the drug had been smuggled into the United States “because the drugs were foreign-market branded and not approved by the U.S. FDA for entry into the United States.”

Gerson also admitted he sold foreign market pesticides – animal flea and tick products not approved for sale and distribution in the United States – to an undercover law enforcement officer in Washington in June 2012.

Gerson pleaded guilty Monday before U.S. District Judge R. Gary Klausner, who is scheduled to sentence Gerson and his company on Dec. 11.

In the plea agreement, prosecutors and Gerson have agreed that the appropriate sentence in this case is 30 months in federal prison and a fine of \$200,000. The final sentence will be determined by Judge Klausner, and if the judge decides to deviate from the agreed-upon sentence both parties have the right to withdraw from the plea agreement and proceed to trial.

In addition to the prison sentence and criminal fine, Gerson has agreed to the entry of a \$2.5 million forfeiture judgment which will require Gerson to forfeit the proceeds of his long-running scheme.

In its plea agreement, Vaccination Services has agreed to pay a \$300,000 fine and to be placed on probation for a period of five years. This stipulated sentence is also subject to the approval of Judge Klausner.

Gerson was previously convicted of charges related to the illegal sale of pet medications and products. According to documents previously filed in the federal case in Los Angeles,

Gerson pleaded guilty in Texas in 2014 to state charges of delivery of a dangerous drug, specifically a prescription drug called Clenbuterol.

In a related case, Judge Klausner in June ordered a South African veterinarian to pay a fine of \$5,000 and forfeit to the United States \$145,000 after pleading guilty to a charge of making false statements in relation to unapproved pet medications he shipped to Gerson. Craig Mostert sent the foreign-market drugs to Gerson, and significantly understated the value of the products in a series of shipments between 2008 and 2017.

This case is being prosecuted by Assistant United States Attorney Joseph O. Johns, Chief of the Environmental and Community Safety Crimes Section.
