

State of Louisiana  
Office of Alcohol and Tobacco Control

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GOVERNOR



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ERNEST P. LEGIER, JR.  
ATC COMMISSIONER

June 3, 2024

**ADVISORY: WARNING**  
**Tainted Dietary Supplements and Foods May Be Prohibited**

Louisiana Office of Alcohol and Tobacco Control (ATC) has found a significant number of sexual enhancement products and tainted dietary substances containing the active prescription ingredients of sildenafil, tadalafil, vardenafil, testosterone and/or avanafil. Any license retailer who sells, offers for sale, or possesses products containing these hidden ingredients may be subject to violations for selling, offering for sale, and/or possessing controlled dangerous substances or illegal products, and therefore may be subject to ATC enforcement action that may result in significant fines, suspension or revocation of permit(s).

Since 2010, United States Food and Drug Administration (FDA) has warned that there are significant amounts of products in the market that are illegal and tainted with these hidden drugs. FDA advised that these products that may contain these hidden ingredient “may pose a significant health risk” and that “these products may cause potentially serious side effects and may interact with medications or dietary supplements a consumer is taking.” For this reason the FDA is urging that “consumers...use caution when considering purchasing these types of products.”

Permit holders should consider the risks associated with selling any products that are potentially tainted with these hidden substances. The FDA maintains an exhaustive list of more than 3,000 products that have tested positive for containing an ingredient that is either classified as legend drugs or controlled dangerous substances. This list can be found at on FDA’s website by visiting <https://www.fda.gov/drugs/medication-health-fraud/taintedsexual-enhancement-products>. We urge all permittees to review the products listed on the website and recommend removal of any potentially tainted products. NOTE: the FDA list may be subject to changes or updates. Any retailer that chooses to continue to sell or offer for sale these products which have tested positive will be issued administrative violations for selling, offering for sale, or possessing a controlled dangerous substance or illegal substance. Pursuant to Louisiana Controlled Substances Act, products containing sildenafil, tadalafil, vardenafil, testosterone and/or avanafil are classified as legend drugs and therefore can only be purchased with a valid prescription from a licensed pharmacy.

ATC remains committed to supporting businesses in the tobacco, alcohol and consumable hemp industries by providing relevant information to permittees who can ensure that their businesses have the requisite knowledge of products they may offer for sale and adhere to all applicable laws, rules and regulations. ATC is also committed to ensuring the public health and safety of consumers. Businesses and individuals who have questions or concerns may contact the agency for guidance by emailing [ATC-Attorneys@atc.la.gov](mailto:ATC-Attorneys@atc.la.gov).

With Regards,

Ernest P. Legier, Commissioner  
Office of Alcohol and Tobacco Control

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