

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

FILED
JAMES J. VILT JR,
CLERK
2/17/2021
U.S. DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY

UNITED STATES OF AMERICA

INFORMATION

v.

NO. 3:21-mj-73
18 U.S.C. § 371

LONNIE RHEA DOUGLAS

The Acting United States Attorney Charges:

COUNT 1

(Conspiracy to Introduce Unapproved Human Growth Hormone into Interstate Commerce)

At times material to this Information:

1. The United States Food and Drug Administration (“FDA”) was the agency of the United States responsible for enforcing the federal Food, Drug, and Cosmetic Act (the “FDCA”), Title 21, United States Code, Section 301, et. seq. The FDA’s responsibilities included regulating the manufacture, labeling, and distribution of prescription drugs shipped or received in interstate commerce.

2. The FDCA prohibited the knowing distribution of, or possession with intent to distribute, human growth hormone (“hGH”) for any use in humans other than the treatment of a disease or other recognized medical condition that had been authorized by the Secretary of the United States Department of Health and Human Services (“HHS”) and that was pursuant to the order of a physician. 21 U.S.C. § 333(e).

3. The term hGH means somatrem, somatropin, or an analogue of either somatrem or somatropin. 21 U.S.C. § 333(e)(4). Hygetropin branded hGH was an analogue of somatropin.

4. The only uses of FDA-approved hGH drugs that had been authorized by the Secretary of HHS were limited to specific diseases in children and adults, and did not include general anti-aging and body-building concerns or activities.

5. The FDA did not approve the use of any hGH drugs imported from China for any purpose, regardless of use authorization by the Secretary of HHS.

THE CONSPIRACY

6. Beginning in or before January 2016, and continuing until on or about March 29, 2019, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, the defendant, **LONNIE RHEA DOUGLAS**, and others known and unknown to the grand jury, knowingly and willfully combined, conspired, confederated, and agreed together to commit an offense against the United States, specifically, to knowingly introduce a new drug, unapproved human growth hormone ("hGH"), into interstate commerce, in violation of Title 21, United States Code, Section 331(d), 355(a), 381(a)(3), and 333(a)(1).

THE OBJECT OF THE CONSPIRACY

7. The object of the conspiracy was for the conspirators to sell or obtain for use hGH for anti-aging, body building, and other unapproved purposes that had not been approved for use in the United States and with no order of a physician.

MANNER AND MEANS OF THE CONSPIRACY

8. To accomplish this objective, the defendant, **LONNIE RHEA DOUGLAS**, and others known and unknown, employed various manner and means including the following:

a. The defendant used the internet to communicate with, order, and provide funds to co-conspirators for the purchase of Hygetropin branded hGH from manufacturers based in China.

b. The Chinese-based manufacturers caused vials of hGH to be delivered from China to various addresses controlled by the defendant in the Western District of Kentucky and elsewhere, using both alias names for the defendant and false descriptions for the goods on the packages that were being shipped to the defendant.

OVERT ACTS

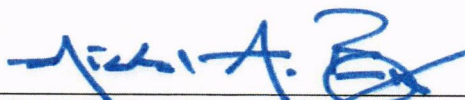
9. In furtherance of the conspiracy and to effect the object thereof, the defendant, **LONNIE RHEA DOUGLAS**, and others, performed or caused to be performed the following overt acts, among others, in the Western District of Kentucky and elsewhere:

a. Beginning no later than January 2016, the defendant, **LONNIE RHEA DOUGLAS**, initiated communications with a Chinese supplier of hGH via the internet regarding hGH purchases and in or about January 2016 submitted an order in an attempt to procure a quantity of Hygetropin branded hGH to be shipped to an address in Gulf Breeze, Florida.

b. The defendant, **LONNIE RHEA DOUGLAS**, continued to submit periodic orders of hGH from Chinese suppliers via the internet.

c. In or about January 2019, the defendant, **LONNIE RHEA DOUGLAS**, ordered and attempted to receive from a Chinese supplier of hGH a shipment of Hygetropin branded hGH. The defendant attempted to receive this shipment under an alias name and, in an effort to evade United States law, the Chinese supplier of hGH falsely declared the "Nature of Goods" contained in the parcel to be minoxidil (a hair loss product) when in truth and in fact the parcel contained Hygetropin branded hGH.

In violation of Title 18, United States Code, Section 371.


MICHAEL A. BENNETT
Acting United States Attorney

MAB:SMZ

UNITED STATES OF AMERICA v. LONNIE RHEA DOUGLAS

PENALTIES

Count 1: NM 1 yr./\$100,000/both/NM yr. 1 Supervised Release

NOTICE

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

FINES

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. INTEREST and PENALTIES as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No INTEREST will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a LIEN shall have the same force and effect as a tax lien.
3. Continuous GARNISHMENT may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE:	Clerk, U.S. District Court 106 Gene Snyder U.S. Courthouse 601 West Broadway Louisville, KY 40202 502/625-3500
BOWLING GREEN:	Clerk, U.S. District Court 120 Federal Building 241 East Main Street Bowling Green, KY 42101 270/393-2500
OWENSBORO:	Clerk, U.S. District Court 126 Federal Building 423 Frederica Owensboro, KY 42301 270/689-4400
PADUCAH:	Clerk, U.S. District Court 127 Federal Building 501 Broadway Paducah, KY 42001 270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.