



Department of Justice

UNITED STATES ATTORNEY'S OFFICE
EASTERN DISTRICT OF MISSOURI

October 28, 2014
For Immediate Release

TURKISH MAN SENTENCED FOR SMUGGLING COUNTERFEIT CANCER DRUGS

St. Louis, MO – Ozkan Semizoglu, the “Foreign Trade Director” of a Turkish drug wholesaler, was sentenced to 27 months in prison for smuggling counterfeit, misbranded, and adulterated cancer treatment drugs into the United States, including multiple shipments of Altuzan® (the Turkish version of Avastin®) that he sent from Turkey to Chesterfield, Missouri.

According to Semizoglu’s plea agreement, Semizoglu used shipping labels that concealed the illegal nature of the prescription drug shipments, including customs declarations falsely describing the contents as “gifts” or “documents” or “product sample” with no or low declared monetary values. Semizoglu also ensured that large drug shipments were broken into several smaller packages to reduce the likelihood of seizures by U.S. Customs authorities and the corresponding loss of expensive drug shipments. Additionally, Semizoglu shipped some prescription cancer treatment drugs that needed constant cold temperatures to maintain their stability and effectiveness in shipping boxes without insulation or any temperature protection whatsoever. Given the length of time required to ship products from Turkey to Missouri, Semizoglu admitted he was aware that the packages would frequently arrive in the United States at temperatures outside the constant cold temperature range discussed on the drugs’ labeling.

Further, Semizoglu admitted in his plea agreement to selling Altuzan® to Richard Taylor, a United Kingdom drug wholesaler. The U.S. Food and Drug Administration’s (“FDA”) Office of Criminal Investigations (“FDA-OCI”) previously seized Altuzan® from various U.S. physicians and customers of Taylor in 2012, and ultimately determined that this Altuzan® received from Taylor and Semizoglu was counterfeit, with no active drug ingredient in the drug vials. FDA issued several public safety alerts about these events. FDA-OCI’s ongoing investigation has led to a number of related prosecutions in this District, including Dr. Abid Nisar, Sandra Behe, James Newcomb, Richard Taylor, Dr. Erick Falconer, Greg Martin, Kamaldeep Sandhu, and Navdeep Sandhu, as well as prosecutions in the Southern District of California, and the District of Maryland.

"Today's sentencing marks a public recognition that we will continue to pursue and bring to justice those who violate the law and jeopardize public safety," said Philip J. Walsky, acting director, FDA Office of Criminal Investigations. "National borders can no longer keep out criminal activity. As we did in this case, we will work with our international partners to protect U.S. public health."

This case was investigated by FDA's Office of Criminal Investigations, with assistance from the United States Marshal's Service, the United States Attorney's Office for the District of Puerto Rico, the Office of Inspector General for the U.S. Department of Health and Human Services, the Johnson County, Kansas Sherriff's Office Criminalistics Laboratory, Europol, the Bonn prosecutor in Germany (Staatsanwaltschaft); the Federal Criminal Police of Germany (Bundeskriminalamt, BKA); the Dusseldorf Police, the German State Criminal Police (Landeskriminalamt, LKA), the U.S. Department of State's Diplomatic Security Service, the U.S. Consulate General's Overseas Criminal Investigations Branch in Istanbul, Turkey, and the Drug Enforcement Administration.

The case was prosecuted by the Health Care Fraud Unit of the U.S. Attorney's Office for the Eastern District of Missouri.

###