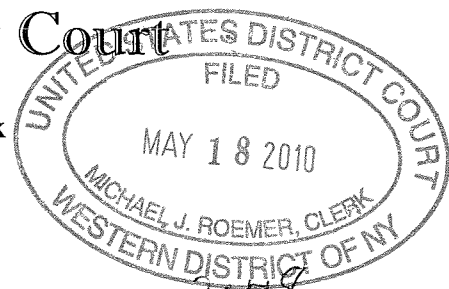


# United States District Court

for the  
Western District of New York



United States of America

v.

ANTHONY GALEA

Case No. 10 -M - 2078

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

In or about September, 2009, in the county of Erie in the Western District of New York and elsewhere, the above-named defendant:

- a) did knowingly import and bring into the United States merchandise contrary to law, in violation of Title 18, United States Code, Section 545 and Section 2;
- b) did knowingly and willfully, in a matter within the jurisdiction of the United States Department of Homeland Security, an agency within the executive branch of the Government of the United States, make materially false statements, in violation of Title 18, United States Code, Section 1001(a)(2) and Section 2;
- c) did knowingly and with intent to defraud introduce and deliver into interstate commerce a new drug, actovegin, for which there had been no approval of an application filed pursuant to subsection (b) or (j) of Title 21 United States Code, Section 355, in violation of Title 21, United States Code, Sections 331(d) and 333(a)(2) and Title 18, United States Code, Section 2.

It is further alleged that:

On or about August 27, 2009, in the county of Erie in the Western District of New York, and elsewhere, the above-named defendant did knowingly possess with intent to distribute human growth hormone for any use in humans other than the treatment of a disease or other recognized medical condition where such use had been authorized by the Secretary of Health and Human Services and pursuant to the order of a physician, in violation of Title 21, United States Code, Section 331(e) and Title 18, United States Code, Section 2.

It is further alleged that:

Beginning not later than July 2007 and continuing until in or about September 2009, in the Western District of New York and elsewhere, the above named defendant did knowingly combine, conspire and agree with others:

- a) to knowingly import and bring into the United States merchandise contrary to law, in violation of Title 18, United States Code, Section 545;
- b) to knowingly and willfully make false statements in a matter within the jurisdiction of the United States Department of Homeland Security, an agency within the executive branch of the Government of the United States, in violation of Title 18, United States Code, Section 1001(a)(2);

c) to knowingly and with intent to defraud introduce and deliver into interstate commerce a new drug, actovegin, for which there had been no approval of an application filed pursuant to subsection (b) or (j) of Title 21 United States Code, Section 355, in violation of Title 21, United States Code, Sections 331(d) and 333(a)(2);

d) to knowingly possess with intent to distribute human growth hormone for any use in humans other than the treatment of a disease or other recognized medical condition where such use had been authorized by the Secretary of Health and Human Services and pursuant to the order of a physician, in violation of Title 21, United States Code, Section 333(e);

and did commit overt acts to effect the object of the conspiracy, in violation of Title 18, United States Code, Section 371.

It is further alleged that:

Beginning not later than July 2007 and continuing until in or about September 2009, in the Western District of New York and elsewhere, the above named defendant did knowingly combine, conspire and agree with others to defraud the United States and agencies of the United States, including the Department of Homeland Security, and did commit overt acts to effect the object of the conspiracy, in violation of Title 18, United States Code, Section 371.

This criminal complaint is based on these facts:

X Continued on the attached sheet.



*Complainant's signature*

Justin Burnham, Special Agent, ICE

*Printed name and title*

Sworn to before me and signed in my presence.

Date: May 18, 2010



*Judge's signature*

City and State: Buffalo, New York

HUGH B. SCOTT, U.S. Magistrate Judge

*Printed name and title*