

Another win in legal battle against gas stations selling Viagra-laced pills

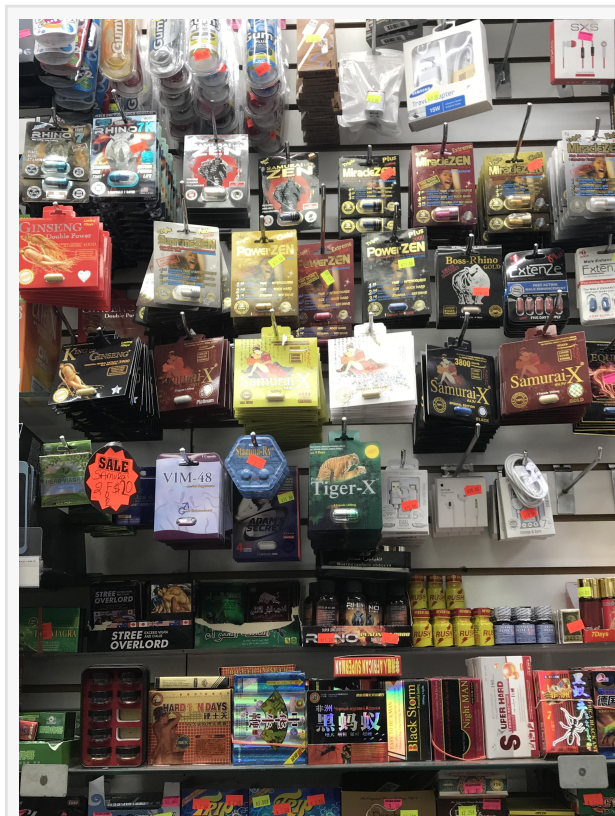
For the second time in a week, a judge allows lawsuits against Rhino retailers to proceed

LOS ANGELES, CALIFORNIA, USA, October 18, 2018 /EINPresswire.com/ -- Gas station owners who claim they are doing nothing illegal by selling Viagra-laced pills lost another attempt at getting a court to dismiss the lawsuits against them.

A Los Angeles superior court judge on Tuesday said lawsuits should proceed against the gas stations for selling Rhino brand pills, including unlawful sales of prescription drugs, false and misleading advertising, and risks to customers health and safety. The ruling comes after an Oct. 10 ruling by a superior court judge in Santa Monica, who also said lawsuits could proceed against retailers in that city selling Rhino pills.

The lawsuits accuse the defendants of engaging in unfair competition and false advertising by selling falsely-labeled "all natural" and "safe" male enhancement pills that in reality contain the prescription drug sildenafil – the active ingredient in Viagra.

In the latest motion to dismiss, MV Petroleum Corp. and Overland Mobil Mart argued that selling Rhino pills is legal, that they didn't participate in any false advertising, and that federal laws against false advertising didn't apply because their stores do not engage in interstate commerce.



These pills, falsely sold as "all natural," do not disclose that they contain Viagra. Viagra and similar prescription drugs can cause death or serious injury if taken without a doctor's supervision.

Superior Court Judge Michael Linfield disagreed, writing that, first of all, selling undisclosed prescription drugs and representing that the pills require no prescription "is unlawful." As for the allegations of engaging in false and misleading advertising, he wrote, it is sufficient "that the products are mislabeled at the point of purchase. Consumers are likely to be misled by representations that the products do not contain chemicals or require a prescription."

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*Los Angeles Superior Court
Judge Michael Linfield*

As to violating the federal law against unfair competition and false advertising, Linfield ruled that the defendants raised no objections to the lawsuit's accusation of their

being part of a conspiracy with Rhino distributors and manufacturers who operate nationally.

"Defendants may be seen as operating on the same level as plaintiffs," he wrote.

"These rulings make it crystal clear to retailers selling adulterated supplements that they should put an end to their unlawful practices," said Robert Tauler, a principal at [Tauler Smith LLP](#), in Los Angeles and a nationally-recognized expert in adulterated health supplements and false advertising law. The lawsuit alleges that distributors often assure retailers they are not doing anything illegal and even provide counterfeit FDA documents to convince them. "The law states that if you are disseminating false statements on these products by selling them in your store, you are liable," Tauler said.

Using Viagra without a doctor's supervision can result in serious penile injuries (blood clots and amputation, for instance), heart attacks, stroke and vision problems. Men have died after taking Viagra-laced "all natural" erectile dysfunction pills like those identified in the suit.

Tauler represents Houston-based Outlaw Laboratory LP, which makes competing natural products sold in all 50-states that meet strict FDA dietary supplement regulations. Federal law allows competitors to sue retailers for false advertising if products are adulterated. The products named in the lawsuit do not disclose the presence of hidden drugs such as sildenafil, tadalafil and dapoxetine on their labels.

About Tauler Smith LLP

Tauler Smith LLP specializes in high-stakes commercial litigation representing both plaintiffs and defendants in a variety of areas, including business disputes, false advertising, the foreign corrupt practices act, and unfair competition

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Rhino-brand pills are dangerous

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