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To: Joseline A. Pena-Melnyk, Chair  
House Health and Government Operations Committee

From: Heather Forsyth, Deputy Director, Health Education and Advocacy Unit

RE: HB 1230 Public Health – Tianeptine Consumer Protection Act (**Support**)

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The Health Education and Advocacy Unit (HEAU) writes on behalf of the Office of the Attorney General's Consumer Protection Division in support of HB 1230. This bill, along with HB 1229, helps protect consumers from non-FDA approved substances that raise significant consumer health concerns.

HB 1230 provides some consumer protections regarding Tianeptine, an anti-depressant with highly addictive properties often sold in or as a dietary supplement, and known with the street name, "gas station heroin." Although it is available by prescription in other countries to treat anxiety and depression, it has not been approved by the U.S. FDA for any medical use, nor recognized as a dietary ingredient or food additive. The FDA has issued consumer warnings against its use, sent warning letters to companies illegally marketing products containing tianeptine, and has issued border alerts to stop shipments into the country, yet it continues to be available in gas stations, convenience stores, and on the internet. (See <https://www.fda.gov/consumers/consumer-updates/tianeptine-products-linked-serious-harm-overdoses-death>.) Unfortunately, as the FDA points out, people often equate drugs that are easily available with safety, with potentially disastrous results. Nine states have banned the sale of Tianeptine including Alabama, Florida, Georgia, Indiana, Kentucky, Michigan, Mississippi, Ohio, and Tennessee. Federal legislation to ban its sale has also been recently introduced. (See <https://panetta.house.gov/media/press-releases/rep-panetta-authors-and-introduces-bipartisan-legislation-help-prevent-abuse>.)

The HEAU and Consumer Protection Division of the OAG support HB 1230 as minimum protections against this very dangerous product.