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MEMORANDUM OF SUPPORT

“An Act protecting children from harmful diet pills and muscle-building supplements”

H.2530 (Sabadosa) / S.1620 (Rush)

The Center for Science in the Public Interest (CSPI) strongly supports H.2530/S.1620, legislation that would prohibit the sale of over-the-counter diet pills and weight-loss or muscle-building dietary supplements (WL/MB supplements) to minors.^{1,2} These products are widely available and heavily marketed to youth, often with deceptive claims, despite limited evidence of effectiveness. They are also poorly regulated and frequently contaminated with dangerous, undisclosed ingredients. National pediatric experts warn against their use, citing serious health risks including liver damage, hospitalization, and even death. This bill represents a common-sense, urgently needed step to protect young people in Massachusetts.

Currently, minors can purchase over-the-counter diet pills and WL/MB supplements in Massachusetts both in stores and online. These products are widely marketed, often on social media platforms like TikTok, with false promises and deceptive claims—despite limited evidence of effectiveness.^{3,4,5} The American Academy of Pediatrics (AAP) considers the use of diet pills a high-risk eating behavior among children and discourages their use.⁶ AAP also discourages teen use of “performance-enhancing substances,” which include muscle-building supplements, as they can do more harm than good.⁷

WL/MB supplements are frequently contaminated with dangerous, undisclosed ingredients. Between 2007 and 2016, **the FDA identified 776 dietary supplements adulterated with active pharmaceutical ingredients**, over half of which were marketed for weight loss (40.9%) or muscle-building (11.9%).⁸ These adulterants included illegal stimulants, steroids, and prescription drugs that can pose serious health risks. WL/MB supplements are also among the leading causes of liver injury linked to herbal and dietary supplement use, and the FDA has specifically warned that weight loss products can cause severe health problems.^{9,10} One analysis of adverse events reported to the FDA found that among youth aged 12-17, supplements sold for weight loss and muscle-building were associated with a two- to three-fold increased risk of severe medical outcomes—including hospitalization, disability, and death—compared to vitamins.¹¹ Despite these well-documented risks, dietary supplements are not subject to FDA safety review or approval before they reach the market, leaving it up to manufacturers to ensure their own products are safe and properly labeled – a system that has repeatedly failed to prevent serious harm.^{12,13}

To address these risks, H.2530/S.1620 would prohibit sales of WL/MB supplements to those under 18, mandate age verification for in-store and online purchases and require that products be kept out of direct access by customers, such as behind a retail counter or in a locked case. The bill would also give the Attorney General authority to enforce the law and define covered products based on ingredients and marketing.

This type of legislation has precedent: it is modeled after New York's law enacted in 2024 (§ 391-OO), which prohibits the sale of WL/MB supplements to youth and gives the Attorney General authority to enforce the law.¹⁴ Since then, major retailers like Amazon have implemented stronger compliance protocols and third-party testing requirements for these dangerous supplement categories.

Massachusetts can lead the way, creating strong, evidence-based protections to keep kids safe from diet pills and supplements that are ineffective and unsafe. H.2530/S.1620 is a critical step toward protecting public health. We urge lawmakers to support this important legislation.

References

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