



CB in Brief



The Competition Bureau's Month in Review

August 2010

News

Update: Counterfeit Drug Seller Sentenced to 33 Months in Prison

Further to an [investigation](#) led by the Alberta Partnership Against Cross-Border Fraud, of which the Competition Bureau is a member, an Edmonton man was sentenced on August 25 in U.S. court to 33 months in prison for selling counterfeit cancer drugs over the Internet.

Hazim Gaber (22) was also ordered to pay a US\$75,000 fine, an additional US\$53,724 in restitution, and to serve three years on supervised release following his prison term.

Gaber, who pleaded guilty to five counts of wire fraud, admitted to selling what he falsely claimed was the experimental cancer drug sodium dichloroacetate, also known as DCA, to at least 65 victims in Canada, the United States, the United Kingdom, Belgium and the Netherlands between October and November 2007. DCA is a highly sought-after, experimental cancer drug that cannot be prescribed by a doctor in Canada or the United States, as it is neither approved for use in patients with cancer, nor available in pharmacies.

Paint Products Company Agrees to End Alleged Misleading Environmental and Made in Canada Claims

The Competition Bureau has reached an agreement with a U.S. paint products company that will put a stop to its allegedly misleading claims. The company included environmental and implicit "Made in Canada" claims on its painting kit, which raised concerns under the false or misleading representations and deceptive marketing practices provisions of the *Competition Act* and the *Consumer Packaging and Labelling Act*.

The company claimed its product was made of biodegradable material, noting that this biodegradability may be affected depending on conditions of use or disposal. Under the Bureau's enforcement guidelines entitled "[Environmental Claims: A Guide for Industry and Advertisers](#)", claims of biodegradability should not be made if a product releases any substances in concentrations harmful to the environment during disposal or the degradation process.

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- > The Competition Bureau is an independent law enforcement agency that contributes to the prosperity of Canadians by protecting and promoting competitive markets and enabling informed consumer choice.



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In addition, the company prominently displayed maple leaves on the product's label, conveying the impression that it was made in Canada when, in fact, only one of the four pieces in the paint kit was made in Canada.

In response to the Bureau's concerns, the company has instructed its Canadian retailer to remove the product from store shelves, replacing it with a new kit that does not make the allegedly misleading environmental or implicit "Made in Canada" claims. The company will also remove all environmental claims from products sold in Canada that could raise concerns under the false or misleading representations provisions of the *Competition Act* and the *Consumer Packaging and Labelling Act*.

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Recent Announcements

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[Competition Bureau Clears Shaw's Acquisition of Canwest](#)
 - **August 9, 2010**
[Competition Bureau Secures Divestitures in Novartis' Acquisition of Alcon](#)
- > For enquiries or information, please contact:
[Phil Norris](#) - Communications.