

Fact Sheet

S5823/A5610: Relates to establishing restrictions on the sale of over-the-counter diet pills and dietary supplements for weight loss or muscle building

Sponsored by: New York Senator Shelley B. Mayer & Assemblymember Nily Rozic

1. In 2019, American households spent over \$2.5 billion on weight-loss supplements, and the sector is estimated to increase to \$4 billion in annual revenue by 2027.¹ Although supplements sold for weight loss are not recommended by doctors, they are widely used in the United States, with **one in five women and one in 10 men reporting ever using these products.**² Use of muscle-building supplements in adolescents are also prevalent, with one study finding nearly 11% of adolescent boys and 6% of adolescent girls reporting use of these products.³
 - Dietary supplements can easily be purchased by people of all ages at pharmacies, grocery stores, health food stores, and other retailers. These **products are underregulated by the U.S. Food and Drug Administration (FDA)** and are **not screened by the FDA for safety or efficacy** before they are released on to the market.⁴
2. Research shows that dietary supplements sold for weight loss and muscle-building are too often **laced with prescription drugs and dangerous chemicals** and are **associated with serious health risks**, including stroke, testicular cancer, and severe liver injury, sometimes requiring transplants or even leading to death.⁵⁻⁹
 - The rate of liver failure caused by dietary supplements has risen 185% in the past decade¹⁰, and 16% of cases of serious drug-induced liver injury in the United States are attributed to dietary supplements, the vast majority being those sold for weight loss and muscle-building.¹¹
3. There are many types of diet pills on the market. One over-the-counter drug for weight loss—a form of the medication orlistat—has been approved by the FDA; however, this drug was not approved for people under the age of 18 years.¹² Despite this, there are currently no measures in place to prevent minors from purchasing this drug or other over-the-counter weight loss products.
4. These products serve as a **gateway to eating disorders among girls and anabolic steroid abuse among boys.** In fact, young men who take creatine and other similar substances are **three times more likely** to start using anabolic steroids in just a few years.¹³ Adolescent and young adult women who use diet pills have **six times the risk** of being diagnosed with an eating disorder within the next three years compared to non-users.¹⁴ Banning the sale of diet pills to minors could help prevent misuse and abuse of this drug by youth in New York who are struggling with eating disorders.
5. Weight-loss supplements **exacerbate gender and racial/ethnic health inequities.** Girls and women are two times more likely to use weight-loss supplements in their lifetimes than are boys and men, and Black and Latino communities have a higher lifetime use of weight-loss supplements than white communities.¹⁵ One study revealed Latino teens had **nearly 40% higher risk** of using over-the-counter diet pills in the past month than their white non-Latino peers and these disparities are just getting worse over time, with 1 in 10 Latina girls reporting over-the-counter diet-pill use in the past month.¹⁶
6. The **American Academy of Pediatrics has strongly cautioned against** teens using weight-loss supplements or muscle-building supplements.¹⁷⁻¹⁹ **New York has a responsibility to protect its youth from potentially dangerous products sold for weight loss and muscle building.**
 - Senator Shelley B. Mayer and Assemblymember Nily Rozic have introduced a bill that, if passed, would regulate the sale of diet pills and muscle-building supplements. This bill would ban the sale of these products to New York minors younger than 18 years old.

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