



Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

February 19, 2025

The Honorable Joseline A. Peña-Melnyk  
Chair, House Health and Government Operations Committee  
Room 241, House Office Building  
Annapolis, Maryland 21401

**RE: House Bill (HB) 884 – Public Health – Sale of Diet Pills to Minors – Prohibition – Letter of Information**

Dear Chair Peña-Melnyk and Committee members:

The Maryland Department of Health (the Department) respectfully submits this letter of information for House Bill (HB) 884 – Public Health – Sale of Diet Pills to Minors – Prohibition. HB 884 would prohibit the sale of diet pills to minors, except in cases of guardian consent or prescription. The bill addresses both sales made in person and by delivery. HB 884 would restrict diet pills to behind the counter for in-person sales, and require verification of the purchaser's age. HB 884 also requires delivered diet pills to be affixed with labels identifying parcel contents and prompting couriers to confirm recipient's age and identification in order to complete delivery.

The Department acknowledges that there is some scientific evidence that supplements marketed for weight loss or muscle gain are associated with an increased risk of adverse health events, including severe outcomes potentially resulting in disability and/or death.<sup>1</sup>

However, as written, HB 884 could be difficult to implement and potentially lead to confusion in the marketplace. HB 884 defines “diet pill” based largely on the labelling of the product via references to federal definitions for “dietary supplement” and “drug.” These federal definitions referenced are very broad. In particular, the “dietary supplement” definition under 21 U.S.C. 321 includes vitamins, minerals, herbs and/or other botanicals, amino acids, dietary substances used to increase a total dietary intake, or a concentrate, metabolite, constituent, extract, or combination of ingredients in any of these categories. The complex definition requires retailers, consumers, and the Department to evaluate the ingredients of each product to determine whether they meet the criteria and whether the sale or purchase of the product complies with the law.

While the bill, as currently drafted, includes civil and criminal penalties for violations, it is not clear how consumers or residents could report violations and which agency would be responsible for administering these complaints.

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<sup>1</sup> Or F, Kim Y, Simms J, Austin SB. Taking Stock of Dietary Supplements' Harmful Effects on Children, Adolescents, and Young Adults. *J Adolesc Health*. 2019 Oct;65(4):455-461. doi: 10.1016/j.jadohealth.2019.03.005. Epub 2019 Jun 5. PMID: 31176525.

If you would like to discuss this further, please do not hesitate to contact Sarah Case-Herron, Director of Governmental Affairs at [sarah.case-herron@maryland.gov](mailto:sarah.case-herron@maryland.gov).

Sincerely,



Laura Herrera Scott, M.D., M.P.H.  
Secretary