

Testimony for the House Health and Government Operations Committee Hearing on the Public Health – Phenibut Consumer Protection Act

Chairman Pena-Melnyk and distinguished members of the committee,

I present testimony in support of the Public Health – Phenibut Consumer Protection Act. This bill is vital in addressing the public health risks associated with the unregulated sale and use of phenibut, a substance that has emerged on the market with little oversight. Phenibut, a synthetic derivative of GABA, is often marketed as a supplement purported to improve sleep, reduce anxiety, and enhance cognitive performance. However, despite its widespread availability, there are growing concerns regarding its safety, particularly when misused or in conjunction with other substances.

Phenibut has been linked to numerous health risks, including dependence, withdrawal symptoms, and overdose. Its addictive potential, especially in high doses, is a serious concern. Furthermore, its lack of regulation allows for inconsistent and sometimes misleading labeling practices, making it difficult for consumers to fully understand the risks they are taking. This bill takes necessary steps to address these issues by regulating the preparation, distribution, and sale of phenibut products.

Key provisions of this bill include:

1. **Mandatory Disclosure of Factual Basis for Claims:** Retailers of phenibut products will be required to disclose on the product label the factual basis for any claims made about the product's effectiveness or benefits. This measure ensures transparency and protects consumers from misleading or unsubstantiated claims. Consumers have the right to know what they are buying, how it has been evaluated, and the scientific evidence, or lack thereof, supporting its use.
2. **Prevention of Adulteration and Contamination:** The bill specifically prohibits the sale of phenibut products that are adulterated with dangerous substances or contaminated with harmful ingredients. Adulteration not only compromises the quality of the product but can also introduce hazardous substances that could jeopardize a consumer's health. Additionally, any product that does not include the amount of phenibut on the label will also be prohibited. This provision addresses the serious risks of consuming products with unknown quantities or unsafe substances.
3. **Age Restriction:** Recognizing that minors are particularly vulnerable to the harmful effects of substances like phenibut, the bill prohibits the sale of phenibut to individuals under the age of 21. Given the growing concerns about young people experimenting with psychoactive substances, this measure aims to reduce youth access to potentially dangerous products.

4. **Restrictions on Advertising:** The bill includes provisions to limit the advertising and promotion of phenibut products to minors and to restrict the use of misleading imagery in marketing. This includes prohibiting cartoons, superhero figures, and other tactics used to target younger audiences. It also prevents the advertisement of phenibut products in venues where a significant portion of the audience is under 21, such as concerts or specific publications. These measures aim to limit the exposure of minors to products that may be harmful or addictive.

5. **Reporting on Adverse Health Events:** The Maryland Department of Health, in collaboration with the Maryland Hospital Association, will be tasked with compiling data on adverse health events related to phenibut use. This data will be critical in understanding the scope of the problem and the specific risks posed by phenibut in Maryland. By December 31, 2026, the report will provide valuable insights and inform future efforts to protect public health.

By implementing these provisions, this bill seeks to reduce the risk of adverse health outcomes associated with phenibut use and ensure that consumers are better informed about the products they purchase. Given the potential dangers associated with phenibut and the increasing availability of these products, it is essential that we take action to protect the public, particularly the most vulnerable populations.

This bill will help to mitigate the health risks associated with phenibut, promote transparency in its sale, and ensure that Maryland residents are not unknowingly exposed to dangerous or misleading products. I urge the committee to support the passage of the Public Health – Phenibut Consumer Protection Act and take the necessary steps to ensure the safety and well-being of Maryland’s consumers.

Thank you for your attention to this critical matter. I look forward to working with the committee to advance this legislation.

Respectfully,

Delegate Harry Bhandari, PhD
District 8, Baltimore County