

PHILADELPHIA

DAILY

THE PEOPLE PAPER



NEWS

Diet supplements to blame in West Chester man's death?

DAVID GAMBACORTA,
Daily News Staff Writer

AT 34, Todd Battuello was healthy and fit, no question about it.

For proof, you needed only to look at the website for Evolution Training Center, the West Chester horse-training business that Battuello ran with his wife, Lauren.

A muscular Battuello was shown in a photo, grinning while sitting behind the wheel of a small tractor in a white tank top. He's described as a "fun and hardworking barn manager" who "maintains the vast property."

But after finishing dinner on May 15, 2012 - just a week after he and Lauren celebrated their first wedding anniversary - Battuello began to feel sick.

Suddenly, he went into convulsions and collapsed, and was pronounced dead a short while later at Chester County Hospital. An autopsy ruled the cause of death to be cardiac dysrhythmia.

What could have caused a physically fit guy who was in the

prime of his life to have a fatal heart attack?

The answer, according to attorney **Tom Kline**, was lurking in a bottle of OxyElite Pro, a fat-burning supplement that Battuello had used in the weeks leading up to his death.

Kline's firm filed a lawsuit earlier this month against USPlabs, the Dallas-based company that produced OxyElite Pro, and Bodybuilding.com, an Idaho-based company that sold the product on its website.

USPlabs has come under fire from the Food and Drug Administration, which earlier this month ordered the company to destroy its entire inventory of OxyElite Pro and Jack3D, a workout enhancer, the New York Times recently reported.

In April, the FDA warned consumers on its website that both supplements contained a stimulant called dimethylamylamine (DMAA), which "can elevate blood pressure and could lead to cardiovascular problems, including heart attack, shortness of breath and tightening of the chest

. . . [and] may be particularly dangerous when used with caffeine."

According to the lawsuit, a warning label on the OxyElite Pro bottle indicated that the supplement did contain caffeine.

Kline said a toxicology test showed that Battuello had DMAA in his system when he died.

The lawsuit alleges that USPlabs is to blame for Battuello's death because OxyElite Pro contained high levels of DMAA - and an improper mixture of DMAA and caffeine - but failed to warn consumers of the potentially lethal health risks that the product posed.

USPlabs touted the supplement as being "pharmacist formulated" and "university studied," and noted that it "must be used with extreme caution, only by healthy adults capable of handling its true power," according to the lawsuit, which seeks more than \$75,000 in damages.

Jacob Geissler, USPlabs CEO, did not respond yesterday to a request for comment.

In February 2012, when two U.S. Army soldiers who had DMAA in their systems had fatal heart attacks during training exercises, a USPlabs spokeswoman told the Times that "there have been over 1 billion doses of DMAA-containing products taken without a single corroborated serious" health problem.

Battuello ordered OxyElite Pro from Bodybuilding.com.

"He was very much into physical fitness, and worked out regularly," Kline said, "but he had no idea how dangerous this product was."

Battuello was described in his obituary as a "full-blooded West Chester boy" who graduated from East High School in 1996

He worked for a time as a building maintenance manager at the Racquet Club Apartments, and in 2008 began building an equestrian business with his wife.

The couple were high-school sweethearts, Kline said, and were together for nine years before they tied the knot.

"He was a wonderful, loving young man who had his whole life ahead of him," Kline said.

"He was an exceptionally warm, generous human being, and his life was destroyed by a drug that ended up being destroyed on an order from the FDA."