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## **NEWS RELEASE**

### **Attorney General Schimel Cracks Down on Madison Retailer Selling Synthetic Cannabinoids**

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MADISON, WI – Attorney General Brad Schimel and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) are suing Capitol Petroleum and its principal, Farooq Shahzad, for selling designer drug synthetic cannabinoids known by such names as “Spice” and “Kush” in violation of Wisconsin consumer protection law, in particular, the prohibition on fraudulent drug advertising (Wis. Stat. § 100.182).

“I put drug dealers on notice when I was elected Wisconsin Attorney General,” said Attorney General Brad Schimel. “We cannot allow Wisconsinites, particularly our young people, to be harmed by potentially dangerous drugs, whether they are being peddled by a thug on the streets or by the person standing behind the counter of a local convenience store. I am proud of the team of Madison Police Officers, Wisconsin DOJ attorneys and investigators, and DATCP personnel who have built this case against Capitol Petro.”

Synthetic cannabinoids, known to be unpredictable and dangerous, are one type of designer drugs. They are similar to THC, the main psychotropic compound in marijuana, but have slightly different chemical compositions. Synthetic cannabinoids are often dangerous, and have been linked to cases of organ failure, acute psychotic episodes, delirium, and death.

In April of this year, a man smoked synthetic marijuana that he purchased from Capitol Petroleum and went into some kind of delirium, led Fitchburg Police on a chase and ended up hitting two schoolchildren with his car, causing serious injuries. He later told police he could not remember anything soon after taking a hit of the “spice.”

In January of last year, Madison Police responded to a location on East Washington Avenue in Madison, where a man was found slumped over the steering wheel of his car, awaking from time to time into an excited delirium. When asked if he knew where he was, he said he thought he was in Beloit. His three children were with him at the time. The man had just smoked synthetic marijuana that he purchased from one of these defendants’ gas stations.

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“The MPD would like to thank Attorney General Schimel and the Wisconsin Department of Justice’s Consumer Protection and Antitrust Unit for joining with us in taking a strong stand against purveyors of synthetic cannabinoids. Our officers are seeing firsthand – and unfortunately with increasing frequency – the significant, often dangerous public health scourge these man-made mind-altering chemicals are having on our community. In this case, our investigation began last summer, and with AG Schimel and the DOJ’s help, we remain committed to eradicating sales of synthetic cannabinoids in the Madison area,” said Captain Jay Lengfeld of the Madison Police Department.

Some – but not all - synthetic cannabinoids are on the list of controlled substances, subject to criminal prohibition. The producers of these drugs keep changing the chemical formula to stay one step ahead of the legislation. When one of these chemicals becomes illegal, they switch to a new one. As a result, users of these drugs don’t know what they are getting when they smoke them. These drugs have not been tested for safety and are not approved by the Food and Drug Administration. This case uses the prohibition on fraudulent drug advertising to crack down on a seller of these dangerous products.

Capitol Petro and its principal have sold large amounts of these dangerous products to the public, from their gas station convenience stores in the Madison area.

The defendants broke the law by representing to buyers that they could achieve the effects of a drug that is not approved by the FDA. The defendants’ products were mislabeled as “incense” and “potpourri” but were intended for human consumption, despite bogus claims to the contrary on some of the package labels. The product packages do not warn buyers what is really in them, exposing users (and others) to risk of injury.

DATCP is seeking temporary and permanent injunctive relief and substantial civil penalties of up to \$200 for every package of fraudulently-labeled drugs being sold by Capitol Petroleum and Shahzad, which operate 13 gas station convenience stores in the Madison area, some of them under the name “Capitol Petro” or “CP Mart,” others as Mobil and BP franchises.

Dane County Circuit Court Judge Shelley Gaylord issued a Temporary Restraining Order prohibiting the Capitol Petroleum from selling these fraudulently labeled drugs until further order of the Court.

Wisconsin Assistant Attorney General Lewis Beilin and Wisconsin Department of Justice Consumer Protection and Antitrust Unit Investigator Cam Howe are leading the State’s lawsuit against Capitol Petro.

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