



PRESS RELEASE

Colorado Department of Law
Attorney General John W. Suthers

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CONTACT

Carolyn A. Tyler
Carolyn.Tyler@state.co.us
720-508-6553

COLORADO ATTORNEY GENERAL ANNOUNCES CIVIL LAWSUIT AGAINST O'S PIPE AND TOBACCO IN WAKE OF RECENT 'SPICE' OUTBREAK

DENVER – Colorado Attorney General Suthers announced today that the [Consumer Protection Section](#) of his office filed a civil lawsuit against Orlando Martinez (D.O.B 09/26/43) and his Denver store, O's Pipe & Tobacco for illegally selling "spice" products that contributed to an illness outbreak. The suit alleges that by selling spice products with deceptive labeling, Martinez failed to warn consumers that the contents contained dangerous and illegal synthetic cannabinoids. By making misleading statements, the suit alleges that Martinez violated the Colorado Consumer Protection Act.

"Investigators from the Colorado Attorney General's Office and Colorado Department of Revenue conducted an undercover purchase at O's Pipes & Tobacco and removed 1,319 spice packages with an estimated street value of more than \$21,000.00," Suthers said. "We can now connect the fact that last fall, 221 people were put in the emergency room after using these or similar spice products."

Producers of spice frequently rebrand and repackage their products and label them as "incense, potpourri or novelty products." Spice is sometimes referred to as synthetic marijuana which the lawsuit explains is a misnomer. Although marijuana and synthetic cannabinoids affect the same part of the brain, the chemistry and the effects of synthetic cannabinoids are quite different from marijuana and include agitation, paranoia, vomiting, elevated blood pressure, seizures, hallucinations and non-responsiveness.

"The public needs to presume that all spice products are both harmful and illegal," said Suthers. "I thank our Colorado legislators for passing House Bill 14-1037 which addresses enforcement of laws against designer drugs and will make it easier for us to prosecute those who manufacture and sell these products," continued Suthers.

This is the third Spice lawsuit filed by the Colorado Attorney General, having previously sued Tobacco King in Longmont and Paymon's in Aurora. Both cases are still pending and in the discovery phase. The Tobacco King trial is set for October 2014 and Paymon's for January 2015.

Today's civil complaint was filed today in Denver District Court. The Attorney General's Office is seeking the maximum civil penalty of up to \$2,000 per violation as well disgorgement of profits from spice sales. The Attorney General contends that offering for sale each of the 1,319 spice packages is a separate violation.

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