



Florida Man Pleads Guilty to Distributing Over \$16M in Altered HIV Meds

Armando Herrera sold adulterated and misbranded HIV drugs through companies in six states. He faces a maximum of five years in prison.

September 29, 2023 By [Trent Straube](#)

A Miami man has pleaded guilty to setting up companies in several states in order to sell at least \$16.7 million in adulterated and misbranded [HIV meds](#), notably [Truvada](#) and [Biktarvy](#). He faces a maximum of five years in prison.

Armando Herrera and his co-conspirators established companies in California, Colorado, Florida, Maryland, Texas and Washington and then used those companies to sell the adulterated meds to wholesale pharmaceutical suppliers from January 2019 to November 2021, according to court documents and a [press release from the Department of Justice \(DOJ\)](#).

“Herrera and his co-conspirators created false documentation to make it appear as though the drugs were acquired legitimately when, in fact, they were not,” writes the DOJ. “The pharmaceutical suppliers then sold the drugs to pharmacies, which dispensed the adulterated prescription drugs to unwitting patients.”

Court documents consider drugs to be adulterated “if, among other things, any substance has been substituted in whole or in part for the drug.” Misbranded drugs include those with false or misleading labels. (You can read the [court filings on Local10.com](#).)

The case against Herrera involves at least 16,050 tablets of Truvada, which is also used as pre-exposure prophylaxis, or PrEP, to prevent HIV; 3,690 tablets of HIV treatment Biktarvy; and 7,341 tablets of other medications, all of which were adulterated or misbranded according to court filings.

Herrera faces a maximum penalty of five years in prison. He is scheduled to be sentenced December 21. Trial attorney Alexander Thor Pogozelski of the Criminal Division’s Fraud Section is prosecuting the case. Assistant U.S. Attorney Marx P. Calderón for the Southern District of Florida is handling asset forfeiture, according to the DOJ.

According to court documents, Herrera and his co-conspirators formed the following companies to sell and distribute the fraudulent meds:

- Rapid's Tex Whole Sales Corp in Texas
- MR Unlimited LLC in Texas
- Invicta Wholesale Supply LLC in Washington
- Omom Pharmaceuticals Inc. in California
- Titan Distributors & Services LLC in Florida

Two other companies were not mentioned by name, but they operated in Maryland and Colorado.

This is not the first time counterfeit HIV meds have made national headlines. Early last year, Gilead Sciences, which manufactures both Biktarvy and Truvada, announced that over \$250 million in counterfeit versions of its meds had been sold—mostly Biktary and Descovy—and that it had sued the illegal distributors. The DOJ also investigated the selling of fake versions of meds by Johnson & Johnson and ViiV Healthcare.

For more background on those cases, see "[UPDATE: Justice Department Probes Network That Allegedly Sold Fake HIV Meds](#)" and "[Another Drugmaker Sues to Stop the Sale of Fake HIV Meds.](#)"