Professor Claudio De Simone,
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IMPORTANT WARNING AND COURT DECISION REGARDING VSL#3®

Dear Colleague,

I have decided to bring the matter described below to your attention in the interest of patient safety and factual correctness.

Most of the information described here is available to the public but the scientific articles may not have attracted the proper attention of the responsible parties.

1. Background

I am the inventor of the 8 strain – 450 billion probiotic formulation which was until 2016 commercialised as VSL#3® (a brand of Actial Srl). This formulation made in the USA, which for the sake of clarity I will refer to as the De Simone Formulation (DSF) has been referred to as VSL#3® in the main Gastroenterology Association guidelines, including ECCO and BSG, for statements based on studies and reference studies using the US-made DSF.

2. Branding issues

The issues described here are a little unusual, as when referring to compounds in medical literature it is normal to use the generic name, such as omeprazole, mesalazine, infliximab etc. Prior to 2016, the DSF formulation was refered to in published studies as VSL#3® which also corresponded to the brand name of the DSF. As I will demonstrate below, the current brand of VSL#3 ***does not contain*** the DSF any longer.

3. Manufacturing issues

The DSF bacterial mix is made in the US by Danisco DuPont, and contains in certain proportions the following strains:
Lactobacillus paracasei DSM 24734,
Lactobacillus plantarum DSM 24730,

Lactobacillus acidophilus DSM 24735,
Lactobacillus delbrueckii subspecies *bulgaricus* DSM 24734,
Bifidobacterium longum DSM 24736,
Bifidobacterium infantis DSM 24737,
Bifidobacterium breve DSM 24732 and
Streptococcus thermophilus DSM 24731

In 2016 Ferring lost the access to the DSF historically produced in the USA and gradually replaced it with a formulation produced in Italy (Italy-made VSL#3®. Many properties of the US-made DSF are strain-specific, but also manufacturing processes, conditions and ingredients are important determinants the product characteristics. The impact of these manufacturing changes have been studied and published over the past years (publication links below):

http://onlinelibrary.wiley.com/doi/10.1111/apt.14515/full
http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0163216
https://www.frontiersin.org/articles/10.3389/fphar.2017.00505/full
https://academic.oup.com/ecco-jcc/article-abstract/12/supplement_1/S564/4808250?redirectedFrom=fulltext
https://www.frontiersin.org/articles/10.3389/fimmu.2017.01474/full

4. Patient safety issue

This new formulation is marketed now across Europe under the brand VSL#3® and manufactured in Italy and ***has not been tested*** in subjects with inflammatory bowel diseases, and therefore has no scientific or clinical data to support its use in any patients, and as the inventor, I am very concerned that Drs are recommending and prescribing a product that may cause patient harm.

5. Important German Court ruling 25th Jan 2018

Based on the published scientific evidence, the Court of Hamburg in Germany issued the decision on January 25, 2018 that **strictly forbids Ferring to make any claims or any reference to the clinical studies and guidelines (ECCO included) in relation to the Italy-made VSL#3®**, and I quote: "However, the recommendation for the VSL#3 preparation contained in the cited guidelines is outdated because the product placed on the market by the Respondent **is in any case no longer identical with regard to the mode of action**".

"Because the product placed on the market by the Respondent is functionally not identical (anymore) to the one cited in the Guidelines, because it is not disputed that the method of cultivation of the bacterial strains contained in them has changed significantly and this change in the production process has an effect on the mode of

action of the formulation." [1]

6. Guidelines.

As for all probiotics, whether single or multi strain, the guidelines should mention the specific list of the strains utilised in the formulation to avoid any possibile confusion with other non-tested or not approved formulations with similar species of bacteria.
I have therefore requested that all guidelines supporting the scientific evidence of the US-made De Simone Formulation report:
“A formulation containing
Lactobacillus paracasei DSM 24734,
Lactobacillus plantarum DSM 24730,
Lactobacillus acidophilus DSM 24735,
Lactobacillus delbrueckii subspecies *bulgaricus* DSM 24734,
Bifidobacterium longum DSM 24736,
Bifidobacterium infantis DSM 24737,
Bifidobacterium breve DSM 24732 and
Streptococcus thermophilus DSM 24731”.

7. Summary and proposal

The passive attitude or lack of proper information by the main committees in Europe has led to the totally unacceptable situation where Ferring today is promoting VSL#3® in all major EU congresses and to doctors practices and pharmacies claiming that they are selling “the probiotic food supplement with the most numerous referenced studies and included in the ECCO 2017 guidelines” showing no regard or respect for the medical corps or for the patients.

It is my duty to inform you of this fraud and I am available at any time if more information/explanations are needed.

Sincerely yours,

Full file at your disposal →

Password protected access: DSB?QSYND66

Claudio De Simone, MD, AGAF, Inventor and owner of the know-how for the production of the formulation (Vivomixx® in Europe).

About →

(1) Die in den zitierten Leitlinien enthaltene Empfehlung des VSL#3 Präparats ist jedoch überholt, weil das von der Antragsgegnerin in Verkehr gebrachte Präparat “jedenfalls im Hinblick auf die Wirkungsweise nicht mehr identisch ist” “Denn das von der Antragsgegnerin in Verkehr gebrachte Präparat ist mit dem in den Leitlinien genannten schon deshalb funktional nicht (mehr) identisch, weil sich unstreitig die Anzuchtmethode der enthaltenen Bakterienkulturen wesentlich geändert hat und sich diese Änderung im Herstellungsverfahren auf die Wirkungsweise der Kombination auswirkt”

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