MAY POST

2012 Legislative Updates: Senate bill 1310

This bill has been introduced by Senator Dick Durbin (D) from Illinois. He has been serving as a senator since 1996. He is the Chairman of the Appropriations Committee's Financial Services and holds the second highest ranking position in the Senate. He introduced SB 1310 in June, 2011. It is named The Dietary Supplement Labeling Act of 2011. If passed, this bill would amend the Federal Food, Drug and Cosmetic Act of 1938.

There are different interpretations with any bill and this one is no exception. Without an understanding of the history of the supplement industry or for those whose economic interest lies with disease and pharmaceuticals, they believe this bill is good and should pass.

To other's that know the history of the supplement industry and the integrity it has stood for, this bill is unnecessary and unsubstantiated. To Americans that believe in the fundamental right of self-healing and natural products, SB 1310 is a potential problem that could lead to the further breakdown in our freedom of choice in health care.

This bill was introduced as the result of an infamous rogue company-outside of the "health food" industry-marketed a brownie with melatonin in it, without proper labeling. Senator Durbin claims he doesn't want anything on the marketplace that might be a "detriment" to the consumer or that is unapproved by FDA. By contrast, Senator Durbin has chosen to ignore all the products on the market which are known to cause harm, such as hydrogenated fats, aspartame and genetically modified organisms. Perhaps he's OK with these products because the FDA has "approved" them. Whatever the case, the FDA should address the particular company that created a brownie with melatonin in it-as the law allows them to do, rather than chastising an entire industry that has an unparalleled history of safety. Improper labeling is a concern for everyone and even though Coke is allowed to have a secret formula; those of us in the health food industry have always supported proper labeling procedures.

The proponents of this bill claim it will allow FDA to better protect the American people from the harm that supplements are presumed to cause. This inference that supplements are harming people is the first point of contention that many have with this bill. The appropriate question is; where are the deaths, and where are the mythical people that supposedly have been “harmed” by supplements?

After being in the health food industry for 37 years and personally witnessing thousands of people using supplements, I have never heard of nor do I know of anyone that has been harmed or died from taking a supplement; other than iron that has been prescribed by doctors for children. In the largest context, we know that over 160 million Americans take dietary supplements, making the United States the largest “test market” in the world. So again, where are all the harmed people that need to be protected from supplements?

The fact is; they don’t exist. According to the American Association of Poison Control Centers, in 2009 they reported that there have been ZERO deaths attributable to vitamins in the last 27 years. Even examining the Center for Disease Control’s website, I was unable to find any statistics regarding supplements harming citizens, other than the prescription iron and toxicity in children. Oh yes, and a Chinese herbal aphrodisiac that was meant to be used topically. 5 men decided to ingest it; 4 of them died. What I did find very easily on the website is that the CDC clearly reports that there are 4x’s more deaths from prescription drugs than illicit and illegal drugs…so who is Senator Durbin trying to protect? Certainly not the American public utilizing supplements!

FDA has already been granted all the power they need to protect the public. In 1994 a historic federal law was passed; The Dietary Health and Supplement Education Act (DSHEA.) It was the first time that guidelines for the language of supplements had been spelled out and it gave full authority to the FDA to ensure the safety for the American public by allowing FDA the power to pull a product from the marketplace after harm has been proven or by companies making false claims. If there is a problem with a particular company or product in the market then they are choosing not to fully use the authority that DSHEA granted them.

Senate bill 1310 would mandate any facility producing dietary supplements to register a description of each dietary supplement being manufactured at that facility and a list of

newly labeled or a product that has been discontinued by that company/facility. A copy of the label has to be submitted as well.

What is the reason for bullying supplement companies that have for many decades, been the leaders and visionaries in the business of supplements, leading with integrity and a willingness to work in compliance with FDA? The proposed regulations are unnecessary and will prove to be expensive both in terms of time and money and our personal liberties. This bill creates unreasonable regulations for companies that have an overwhelming history of producing safe products. Senator Durbin wants to add expensive and unnecessary regulations and penalize productivity and innovation in the field of natural products.

Call your legislators and tell them not to support SB1310. Call Senator Durbin's office and respectfully request that he focus his energy and our money where it can best serve the public health; ensuring a safe food supply. Supplements are the answer, not the problem.

In peace and health freedom,

Claudia