

NHA/WASHINGTON

update*

Give People What They Want

The medical journal NEJM continues to insult the American public's intelligence.

The *New England Journal of Medicine* (NEJM) has a long-standing history of criticizing the Dietary Supplement Health and Education Act (DSHEA)—a legacy that continues to the present. Pieter Cohen, MD, recently expressed in *NEJM* his opinion that the FDA is not properly enforcing the New Dietary Ingredient (NDI) aspects of DSHEA. His solution? Scrap DSHEA and start from scratch. Cohen says that since DSHEA does not require a nutritional supplement to be FDA-approved before it is sold, the entire act is worthless.

Among other suggestions, Cohen says the proposed NDI Draft Guidance requirements (which we've been fighting so hard against) are not enough, and that supplement manufacturers should provide even more bureaucratic paperwork in order to sell health-enhancing nutrients. Cohen further states that even supplement ingredients which have been safely used for decades (with virtually no ill effects) should require human studies before being sold to consumers. Cohen appears to be suggesting that safe dietary supplements be treated like drugs—a dangerous assertion that defies DSHEA.

Peas and Carrots

Supplements are foods; synthetic pharmaceuticals are drugs. Should DSHEA be overturned, and supplements regulated as drugs, it would mean the end of our health freedom. No supplement manufacturer could afford millions of dollars for large-scale human clinical

trials. Manufacturers would fold, mom-and-pop health food stores would close and consumers would pay \$80 for a bottle of vitamin C.

As foods, supplements are equivalent to peas and carrots. Under Cohen's proposals, peas and carrots should be



immediately pulled from supermarket shelves. Farmers and distributors should raise millions for research and human studies to prove that their peas and carrots are safe. After years of waiting, the study results would show what we already knew: Of course peas and carrots are safe! Slowly, peas and carrots would return to store shelves—but at dramatically inflated prices. The collateral damage: Most farmers, farm stands, distributors and other hard-working Americans would have been run out of business, unable to afford the astronomical expenses of proving their vegetables are safe to the FDA.

We the People Must Act

DSHEA has enabled countless consumers to elevate their health and

well-being by protecting their freedom to make intelligent nutritional choices. We must remember that DSHEA is in place because it reflects the wishes of the American public.

When Congress passed DSHEA in 1994, we witnessed the biggest victory for consumers in American history. More letters were written to Congress than on any other single piece of legislation, leading then-President Bill Clinton to proclaim, "The passage [of DSHEA] ... speaks to the diligence with which an unofficial army of nutritionally conscious people worked democratically to change the laws in an area deeply important to them."

So who cares if one doctor disagrees with DSHEA? *Millions* of Americans want DSHEA in place! Millions of Americans demand health freedom! Just because someone has an "MD" after their name doesn't mean their vote counts more in our democracy. Dr. Cohen, you are vastly outnumbered by health-conscious dietary supplement fans.

We will continue to fight to preserve DSHEA and uphold health freedom, starting with the clear and present danger: The FDA's New Dietary Ingredient Draft Guidance. Send a fax today to Senators Tom Harkin at 202-224-9369 and Orrin Hatch at 202-224-6331. Continue to express your support for these elected officials who are representing our interests. And stay tuned for more news: The supplement industry is soon joining forces for a major call-to-arms against NDI guidance. Visit www.NHA2012.com for more information! ♦

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