

NHA/WASHINGTON

update*

Our Voices Are Heard

Fourteen members of Congress object to the FDA's problematic NDI proposal.

The Nutritional Health Alliance (NHA) has received inquiries on the status of the Food and Drug Administration's Draft Guidance for New Dietary Ingredient (NDI) notifications. The comment phase is now closed, and the FDA is reviewing the feedback it has received (reportedly over 150,000 comments!). While the FDA is reviewing these comments, our health freedom hangs in the balance.

In other words, *right now* is the perfect time for health freedom fighters to ramp up the pressure and urge elected officials to squash this ill-conceived draft guidance before it is cemented in place. A concerted effort to save health freedom is needed to tip the scales back in our favor—and ensure that we, along with future generations of Americans, will always have access to safe, natural nutritional supplements.

A Promising Development

We must keep voicing our opposition to the NDI draft guidance, especially because it appears that our voices are spurring elected officials into action. On March 29, 14 members of Congress sent a letter to the FDA commissioner pointing out the many flaws of the NDI draft guidance and requesting a “significant” revision of the document.

The members of Congress accurately point out that the FDA's proposed draft guidance seems to undermine the Dietary Supplement Health and Education Act (DSHEA) by imposing a pre-market review process that is usually reserved for drugs. DSHEA has

already established that nutritional supplements are foods—not drugs.

The 14 Congressional members also point out that the NDI guidance will require multiple, redundant filings for a single new dietary ingredient—which needlessly complicates a long-standing



practice in a way that places unreasonable burden on nutritional supplement manufacturers.

In addition, the Congressional members seem to take a strong stand in defending and praising the innovation, outstanding track record for safety and economy-stimulating practices of the nutritional supplement industry. In fact, their letter goes so far as to tell the FDA that at this time, “We should be encouraging, rather than hindering [nutritional supplement manufacturers'] efforts.”

Keep It Consistent—And Maintain the Pressure

In closing their letter, the representatives urge the FDA to rework the draft

legislation in a way that is consistent with DSHEA. And really, that is all we are asking for. This groundbreaking legislation was designed to help Americans achieve good health and greater well-being by making supplements abundant and affordable. We must not allow DSHEA to be rewritten, retooled or reinterpreted. By upholding DSHEA we will not only protect our health freedom, but protect an industry that is creating jobs and promoting good health throughout the United States.

The 14 members of Congress who have taken a stand to preserve health freedom by opposing the FDA draft guidance are listed below, along with their home state and Washington, DC, office fax number (area code 202 except where indicated). Take a moment to send them a fax to express your gratitude, and ask them to continue fighting for health freedom:

Brett Guthrie, Kentucky, 226-2019; Joe Barton, Texas, 225-3052; John Shimkus, Illinois, 225-5880; Ed Whitfield, Kentucky, 225-3547; Mary Bono Mack, California, 225-2961; Lee Terry, Nebraska, 226-5452; Mike Rogers, Michigan, 225-5820; Marsha Blackburn, Tennessee, 225-3004; Sue Myrick, North Carolina, 225-3389; Brian Bilbray, California, 225-2558; Charles Bass, New Hampshire, 225-2946; Bob Latta, Ohio, 800-278-8203; Gregg Harper, Mississippi, 225-5797; Adam Kinzinger, Illinois, 225-3521.

Stay tuned: The supplement industry is joining forces for a major call-to-arms against NDI guidance. Visit NHA2012.com for up-to-the-minute news! ♦

*This editorial is a public service announcement sponsored by the Nutritional Health Alliance (NHA).