

PLEASE DON'T LET CODEX DESTROY DSHEA

FAX TO: 1-202-318-7557

Senator Tom Harkin
Chairman, Committee on Agriculture,
Chairman Appropriations Subcommittee HHS

Senator Orrin Hatch
Committee on Health, Education
Committee on Aging

Dear Senators Harkin and Hatch:

Thank you for getting DSHEA enacted in 1994. It improved the health and saved or extended the lives of millions. Its preservation is one of the keys to lowering health care costs in this country.

I worry that DSHEA is under constant attack by those who want to drag food supplements down into a drug regulatory framework and will use CODEX and a compliant FDA to achieve their goal.

I will sleep better when I know two things have been done:

1. **In the pending FDA appropriation legislation**, insertion of **an exemption of dietary supplement regulations for any CODEX guideline** that the FDA reviews for consideration of harmonization or adoption
2. **Insert an EXEMPTION or exclusion for dietary supplements in any food safety bill** coming through Congress such as S-510 (Durbin) and HR 1332 (Costa) which both contain dangerous provisions to encourage the harmonization of CODEX recommendations into the Food and Drug Act. **If adopted in their current form the FDA is being encouraged to destroy DSHEA.**

At present, FDA's regulations for reviewing CODEX food standards (21 CFR 130.6) states: "All food standards will be reviewed by the FDA and will be (1) Accepted Without Change (2) Accepted with Change, or (3) Not Accepted." (Emphasis and numbering provided.) This FDA regulation has not been modified to acknowledge the 1997 instruction from Congress to **EXEMPT dietary supplements from any harmonization of global regulations in US laws**. The 2005 CODEX Guidelines on Vitamin and Mineral Food Supplements contains provisions to set potency limits which are contradictory to existing US law and has not yet been publicly rejected by FDA. Past history makes it clear the FDA will choose option #1 unless we close this horrible loophole. **Option #3 is the only acceptable option to me.**

I know it will take a double miracle to accomplish the above, but that is what we have come to expect from two of our nation's best statesmen.

(Signature)

(Name, Please Print)

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