

# Codex - A Congressional Interpretation

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Most health-freedom advocates, especially NHF members, are familiar with the meaning and significance of what has occurred, is happening, and could happen to people and supplement companies as a result of decisions made by the Codex Alimentarius Commission (Codex).

The NHF is the only health-freedom organization that has official Codex recognition at its meetings, and has been the leading consumer group on matters for many years. The NHF website and other NHF publications have a wealth of information on Codex and other health-freedom issues.

As the NHF lobbyist, the firm represents the NHF to Congress. Part of the Congressional health-freedom legislative-issue mission has been to lobby and educate Members (Senators and Representatives) and their staffs on Codex's consequences for the voters and residents of their respective States or Congressional Districts. This has been an ongoing effort for some time.

There are, in my view, key Congressional educational and policy challenges for Codex and its import for U.S. citizens and smaller supplement companies. In other words, a "political" interpretation of the "CODEX" anagram would be as follows – *Congress Only Decides to take action on Easy domestic FDA issues, and has Xenophobia of all things related to FDA/US participation in the WTO.*

There are individual Congressional Member exceptions to this Codex interpretation. The NHF has actively been engaged in attempting to increase these numbers, especially with regard to House members. For example, Congressman and current Presidential candidate Representative Ron Paul (R-TX) has repeatedly introduced a Resolution to withdraw the United States from the World Trade Organization (WTO), the effective enforcement arm of Codex.

While other health-freedom groups complain about Codex, the NHF has worked with the Congressman's office to increase the number of Representatives/House Members voting for a House Joint Resolution to withdraw the U.S. from the WTO. Last year, the NHF and Paul's office were able to increase the number of supporters, in a Recorded House vote, to 86 Members. This was not enough to pass H.J. Res. 27, but it was 20 more than a previous vote on a Resolution. The NHF even hand-delivered thank-you letters to all of these members following the vote.

The NHF is playing a leadership role on the activities of Codex, as regards to decisions related to "harmonization" of food and supplement standards and regulations, at both the Commission and U.S. Congressional levels.

With regards to the U.S. Congress, the policy challenge is to get Congress to act on statutory laws and regulations so as to prevent FDA bureaucrats from making decisions adverse to the exercise of our health freedoms, and also to prevent an unaccountable foreign-agency from controlling the exercise of our health freedoms in all countries and not just in the United States.

I have been asked the following question on numerous occasions: Why is it that more Members of the U.S. Congress don't see, or understand, or their staffs don't understand, the implications posed by Codex? As my political interpretation of the Codex anagram above points out, Congress only really acts on easy domestic FDA issues and has xenophobia concerning the United States' participation in the WTO.

Based upon numerous Congressional conversations, the public policy/constituent impact of Codex is, in short, just too complicated for many Members and staff to easily understand. It cannot be boiled down to a simple and direct one-line argument that has "political pizzazz," so to speak. There is also an unwillingness to accept the fact that the FDA can take action in the foreign policy/international arena and that this could impact the average American consumer of supplements. With exceptions, for example, when you ask a Congressional staff person responsible for FDA issues if they know or recognize what NATO – the North Atlantic Treaty Organization – is and does, they are, for the most part, familiar with it. Ask them about Codex, though, and they have no idea. This applies to their Representative bosses as well. This is a huge educational challenge to say the least. Thirdly, in the current liberal Democratic-leadership-controlled Congress, the prevalent view is that federal-governmental-controlled power is better to protect the public than is individual responsibility.

Among the lobbying lessons learned over the years is that it is easy for Congressional Members (of both political parties) to take positions on US domestic-issue-based FDA legislation and regulations. The challenge, from a Congressional legislative perspective, as regards to Codex, is to overcome this prejudice. With this in mind, the NHF Codex Congressional campaign will continue, especially in the current Congressional political environment.

In the 2007 session of Congress, the NHF was successful in preventing the Durbin Food Safety legislation, as an amendment to the FDA User Fee/Reform bill, from being enacted into law. The NHF was successful in getting Congressional clarification that the Reagan-Udall Foundation, and its activities, did not apply to dietary supplements/DSHEA, and the DSHEA exemption in the Durbin food registry amendment, which are all now enacted into law.

The Kennedy/Durbin/Waxman/Dingell Democratic leadership team is going nowhere for 2008. Health-freedom advocates should expect more of their same anti-health-freedom legislative efforts. NHF members and the community at large need to continue challenging and educating Congress on Codex. It is not, and will not be, an easy sell, despite the realities of what it could mean for Americans and supplement users worldwide.