

Codex Delegate Sounds The Alarm: Health Freedoms Face Serious Threats Worldwide

Written by the National Health Federation

Category: Codex

Published: July 2005

Greg: Scott, I'm thankful for all the great work you're doing through the National Health Federation, an organization that has been defending our health freedoms for 50 years. You have been a great source for first-hand information that is accurate regarding the whole Codex issue, so I appreciate the opportunity to interview you. Why don't you begin by giving people a general overview and history of Codex and what they intend to do?

Scott: Okay. First of all, thanks for letting me do this and give a bit of a presentation. There's a lot that has been written on the subject by many people of many different stripes of persuasion. In any event, the Codex Alimentarius Commission is basically nothing more than an international body that was established jointly by the World Health Organization, WHO, and the Food and Agricultural Organization, FAO, and it was established for the purpose of creating global trade standards for foods. And when I say foods, I mean everything from infant formulas to vitamin-and-mineral supplements and a whole range of other products in between.

What has been done is this: The Codex Alimentarius Commission, which has existed since 1963, is headquartered and seated in Rome, Italy. What they have done is to create committees, 27 in all, that deal with each of the food-standard issues. They have a committee on food labeling, for example, and they have a committee on nutrition and foods for special dietary uses, this is the one that deals with vitamins and minerals. They have another committee that deals with fish and other kinds of food products. Each of these committees has a host country and the host country is responsible for providing a chairman or a chairwoman, a meeting place, and the personnel necessary to staff the meetings and generate the written reports and other committee documents that come out from each meeting.

Usually the meetings are held annually for each of these committees. This has been going on for quite some time, but since the creation of the World Trade Organization, the WTO, in the mid 1990s there has been a greater emphasis on all of these committees because they've suddenly acquired some clout, as before they didn't have clout or at least not much of it. The signatory countries could each decide to either accept or reject the rules or regulations or the guidelines (or portions of them) promulgated by the particular Codex Alimentarius Committee. That has since been done away with.

Now, with the WTO having the right to impose trade sanctions against a member WTO country, there is a lot more importance being given to the guidelines that are coming out from the various Codex committees than there ever was and also an

acceleration of the process by which these guidelines are being promulgated. By the way, I should point out that not all countries that go to the Codex meetings are WTO members, but most of them are.

The committee concerned with food supplements is the one that I mentioned earlier. That's the Codex Committee on Nutrition and Foods for Special Dietary Uses. This particular committee is hosted by Germany and originally was meeting in Bonn every year, then moved to Berlin sometime after the two Germanys were unified, and for the last couple of years it has been back in Bonn.

In any event, this committee meets every November for a week. In fact, most of these committees meet for a week. It's a pretty standard operating procedure that they have, where they will meet from Monday through Friday with the exception of Thursday. That is, they usually will meet on Monday, Tuesday, and Wednesday. Then, Thursday is an off day where the committee and the committee chairman or chairwoman will prepare a report. After that, the delegates will return to the meeting hall on Friday and they will then go through the Report, make sure of its accuracy, at least in theory that it accurately reflects what happened, and then that will be sent to the parent Codex Alimentarius Commission in Rome.

You have basically three types of persons who attend these meetings. You have the basic sort of staff and the chairman or chairwoman who will be there. If they aren't working behind the scenes, they'll sit at a big, long table at the front of the meeting hall. And the meeting hall will vary in size but usually holds anywhere from 200 to 300 people. The last meeting in November had about 288 delegates and attendees. So what you have then is you have the committee, committee chairman, and the FAO secretariat, which is like a secretary. As for the WHO secretariat, sometimes they'll have a legal person up there as well. Usually it's about four to six people up there at the head dais table.

Then you have almost always organized alphabetically from the front to the back of the room, the various countries which have sent delegates, starting with Albania, Australia and going on up to Zimbabwe. Those are delegations that are represented by one main delegate and usually an alternate delegate who are both unelected bureaucrats. I've never seen anyone who isn't.

For example, the United States delegation consists of an FDA bureaucrat and an alternate who is her backup. Then, on the delegation, and seated at the meeting but not able to speak at all -- only the delegates may speak -- are various members of the U.S. delegation. Again, I'm using this as an example, but it also applies to other countries in more or less the same format. These are people who have asked to be on the delegation and then been given permission by the U.S. Codex Office to attend as members of the U.S. delegation. These people basically sit there like bumps on a log. In theory, during the meeting, they can pass notes to the delegate and ask for certain things to be done but generally those are thrown in File 13 and ignored.

I had that experience myself during the first two meetings I attended as a member of the U.S. delegation (in 2000 and 2001). As a member of that delegation, I sat right behind Dr. Elizabeth Yetley and passed her notes, which she basically ignored with one exception when I caught her during a break and convinced her to retract a deletion that she had asked for from the committee Report. (She had unilaterally asked the chairman to delete the statement that the United States supported consumer freedom of choice for dietary supplements.) That was my first meeting in June 2000 in Berlin, Germany; and it was a real experience.

Then I was on the U.S. delegation that second year of 2001; and then in 2002, Dr. Yetley decided that I was too much trouble and she wouldn't allow me on the delegation, which prompted me to apply directly to the Codex Alimentarius Commission for status for the National Health Federation as an INGO -- that is an International Non-Governmental Organization. This takes me to the third type of entities or persons who were at these meetings and those would be representatives of INGOs. They sit at the back of the room but they do have the right to speak out (after all of the country delegations wishing to speak have been heard) but they don't have the right to "vote" or to be a part of the consensus as to how the matter should be decided.

Now, getting back to the national delegations, there can be various people who are with organizations or companies, profit or nonprofit and these organizations will send people to the meetings as members of a country's delegations, just as I did for the first two years of my attendance. And like I said, they just sit there. In the case of the United States, there's a pre-Codex committee meeting that they sit in on. The U.S. does this typically and some of the people put in their two cents' worth, but basically not much is done other than the U.S. delegate in our instance will announce what she's going to do and then maybe ask for opinions and that's about it.

The new head of the U.S. delegation, Dr. Barbara Schneeman, I've noticed is much more apt to ask for other people's opinions than was Dr. Elizabeth Yetley, her predecessor. I think Dr. Yetley was a bit tired of the process by the time she last went. Dr. Schneeman's first Codex committee meeting was this last one in November 2004, and I found her much more articulate, much more apt to listen to people than Yetley ever was, but it's still basically the same show. You have bureaucrats there, government bureaucrats, who are putting forth the bureaucratic government party line. And then you have the INGOs in the back and, in my experience, *none* of them are oriented towards pro-health freedom with the exception of the National Health Federation.

In the year that we applied for INGO status, that is 2002, something must have slipped through the cracks because I applied, was turned down twice, and the third time was the charm. We got accepted and I was successful by pointing out similarities. You have to be an international organization, and with the name National Health Federation, that didn't orient itself very well to being international. It sounded like we were just American, but I was able to point out that numerous members of our board were from other countries, that we had members in other countries, that we conducted activities in other countries and they still turned me down. But then I persisted and used other arguments that got us accepted as a recognized INGO. Frankly, I think the FAO office

has regretted it ever since because we're really the only INGO there that speaks out vocally and persistently for health freedom. No other INGO does that at these meetings. So in any event, that gives you a basic framework for how it looks and how the process is done.

I've attended the most meetings of any pro-health-freedom activist involved in this, with the exception of Suzanne Harris who attends to listen and record what has been said. John Hammell of International Advocates of Health Freedom was attending up until just before the year 2000 meeting. Unintentionally and coincidentally, he and I thus did a tag-team type of operation. He was actually kicked off the U.S. delegation for being too vocal in favor of health freedom. Then I appeared the year that he was kicked off and sort of picked up the torch and went on.

The NHF had actually been involved previously in Codex events by its monitoring of Codex activities and by getting the word out from as early as 1996 or 1997 through others and through encouraging Suzanne Harris of The Law Loft to attend and monitor these meetings. Suzanne Harris has attended numerous meetings, but she cannot and does not speak out since she's just a member of the press.

Additionally, perhaps a fourth type of person can attend Codex meetings, and those are individual observers who can register with the Codex committee to sit in the gallery and just watch the proceedings.

Another interesting thing that I should tell you about the members of the country delegations, at least in the case of the United States, when you're a member of that delegation, you actually have to agree to a pledge that you will not attempt to lobby any of the other country's delegations or delegates in any way on any particular points in Codex meetings.

Greg: You've got to be kidding me!

Scott: No! That's actually a negative to being on the country's delegation, so one of the best things that ever happened to me and to the National Health Federation, and perhaps even for health freedom, is that Elizabeth Yetley didn't let me back on the delegation the third year I was going and told me I was off, which forced me -- if I wanted to attend, to then apply for observer INGO status for NHF and we got it just a few weeks before that 2002 meeting. The NHF sent two delegates there and we attended. We were able to speak out, we've been doing that ever since -- much to the pharmaceutical industry's regret.

Greg: Scott, how long have you actually been an attorney with the National Health Federation.

Scott: I've been an attorney since 1980, practicing food-and-drug law since 1983, and acting as the National Health Federation's attorney since 1989. Actually, Durk Pearson and Sandy Shaw first gave me the idea that I should combine my interest in nutrition

with my law license and become a food-and-drug lawyer. I then became one of the first food-and-drug lawyers on the West Coast.

Greg: Now, when you talk about Codex and the various committees that are underneath the Codex banner, you said that they didn't really have any teeth and it didn't really start to take root until the WTO treaty was agreed upon. What we're most concerned about at this time is the vitamin-and-mineral standard that they're working on.

Scott: Right.

Greg: There has been some major confusion out there with some of the Codex information. Some people have lumped in a lot of other issues and they've misunderstood it or misinterpreted it as being part of the vitamin and mineral standard. Could you touch on that a little bit and enlighten us as to how far along some of these other committees are with what they're trying to do because I know there are issues there that concern us as well, but I know right now the lead issue is the vitamin-and-mineral standard.

Scott: All right. That's an interesting set of questions. The other committees at Codex are, for example, ones that deal with animal feeds and animal feeding. There's another Codex committee on food additives and contaminants. There's another Codex committee that meets on fish and fishery products. There's another one that meets on fresh fruits and vegetables. Food hygiene is yet another one. There is food import and export inspection and certification systems committee. There's the food labeling committee. This is one that meets in Montreal every year. There is another committee that meets on methods of analysis and sampling. There's another one on pesticide residues. There's one on milk products. Then, of course, there's the nutrition and foods for special dietary uses. That's the one that we at the NHF are primarily concerned with. It also covers, by the way, infant and baby formulas with breast-milk substitutes included in there. Believe it or not, there are a lot of heated issues concerning that that almost make the vitamin-and-mineral issues that we deal with at those same meetings seem like child's play. I've seen and heard some of the strong disagreements occurring with the infant baby formula matters.

Anyway, how does it interrelate with the vitamin-and-mineral issues? I know some have said that there is an interrelationship among all of these committees and there very well could be. We at NHF haven't studied it in-depth enough to affirmatively say yea or nay, but, in general, it's entirely possible there are some tie-ins. However, I think it's very unlikely for a number of reasons; that there is sort of a conspiracy across the board on all of those things because many of those committees, such as the one on fish and fishery products, for example, are of no concern to the big pharmaceutical companies that are, in fact, concerned with other issues such as vitamin-and-mineral food supplements. As big as they are, they have many irons in the fire but their primary one appears, at least to our eyes, to deal with the committee that is handling nutrition and foods for special dietary uses, that is, the one that meets in Germany every November.

Greg: Do herbs fall under the category of this committee?

Scott: Herbs do not fall within this, no. They are treated separately and actually were removed some time ago. So herbs are not in here and, interestingly enough, those countries that treat vitamins and minerals as drugs are not covered by actions of this committee either. It only applies to those countries that treat vitamin-and-mineral supplements as food supplements. It's a rigged game; and I said this early on in the first article I ever wrote for *Whole Foods Magazine* back in June 2000, because what the bureaucrats who consider vitamins and minerals to be drugs have done is they've essentially exempted their own drug regulatory scheme from attack while seeking to hem in and limit those countries who treat vitamins and minerals more liberally. It's an "I win and you lose" kind of scenario.

In short, the guidelines specifically exempt countries already regulating vitamins and minerals as drugs. But those countries and jurisdictions such as the United States that regulate vitamins and minerals as foods bear the restrictive burdens of these guidelines -- at least for the international trade, which will put very harsh limits on their sale as food supplements. It is definitely an "I win and you lose" scenario that is on its very face unfair.

Greg: What alerted you to Codex being a threat, that it was something that you felt we needed to pay attention to here in the United States?

Scott: Well, I started spending a lot more time in Europe starting in 1995, the same year that the WTO was created by the Uruguay Round of negotiations. Being over in Europe gave me even more of an international perspective on the health-freedom issues that were at the forefront at the time. Being already in Europe, I was also able to much more reasonably and cheaply attend Codex meetings and so I began doing so.

Furthermore, as probably most of us have observed, the U.S. has become increasingly internationalized over the years. The United States of the 1970s really no longer exists. It hasn't for quite some time. And the impetus to resist internationalization and to preserve American sovereignty in the year 2005 is not there like it was 25-35 years ago. It just isn't there. The country has become more integrated worldwide, and I'm not necessarily saying that part of it is a bad thing. But what is a bad thing is that there's an increasing tendency on the part of the courts, on the part of legislators, even state legislators, to consider international law as being superior to American law.

The reason I personally find that bad and why the NHF finds it bad and why we're involved in Codex as one part of our fight, is that frankly I feel the U.S. Constitution is a far superior form of government, although it's been basically ignored for many decades now, if not more, in one form or another and is increasingly ignored by our government officials. But at least it provides protections to individual liberty that you don't find anywhere else, whether you're looking at the United Kingdom, whether you're looking in France, whether you're certainly looking in Germany or Russia, and certainly if you're looking at the United Nations.

What a lot of these international laws and rules and regulations are going to do is replace American Constitutional protections of limited government or at least relatively limited government with unlimited government and with, as others have pointed out as well, a more Napoleonic code system of government where anything that isn't allowed is prohibited, whereas in the U.S. basically the presumption is that anything that isn't specifically prohibited is allowed. And that makes a huge amount of difference in the amount of rights an individual may enjoy; and you see that reflected even in the Codex Alimentarius process governing vitamins and minerals and the European Union's regulation of vitamins and minerals, where they adopt the more-restrictive Napoleonic view of prohibition. So, in any event, I see it as an increasing threat to the United States, its citizens, and our liberties.

How can the U.S. continue in this sort of ocean of international trade that we're increasingly wrapped up in? How can it ignore international guidelines, indeed, that the U.S. is committed to? In fact, one of the most obnoxious things of recent note is that even some justices like Sandra Day O'Connor on the U.S. Supreme Court have told their fellow justices and those justices below them that we need to start taking note of international law in rendering their decisions. In short, they are now saying that we cannot just refer to the U.S. Constitution or our own traditional precedents in order to determine judicial decisions. Rather, the courts are now expected to consider extranational and international legal decisions in ruling upon American cases. This is all part of what I was saying earlier about the loss of American sovereignty.

In Congress, too, you can see enormous power on the part of an international body to affect American laws, especially when you look at the WTO trade panel's ability to exact enormously-expensive sanctions against the U.S. for any American laws and legislation that it determines to be antitrade in a trade dispute. In fact, the WTO has enormous power to influence American laws and has already done so. Just consider its actions against American legislation governing international business corporations, which Congress was forced to modify because of WTO-imposed trade sanctions. In almost all of the cases that the U.S. has ever been involved in before the WTO, the WTO's trade panel has ruled *against* the United States. And remember, no private citizen has any standing whatsoever to bring a case before the WTO; only governments may do so and we all know how anti-freedom they can be and already are. Worse still, the rules of evidence and rights enjoyed in such trade-dispute cases heard before the WTO trade panel are nowhere near as even-handed as in traditional Anglo-American courts.

Greg: Lori Wallach from Public Citizen testified recently before the House Ways and Means Committee in Congress about U.S. membership in the WTO. She cited that in 42 out of 48 cases the WTO has ruled against the United States.

Scott: That sounds right. The WTO does not have the power by itself to cause a change directly in U.S. law or any of the WTO member country's laws. It can't say you have to change this law or you change it now or we are changing it for you, but rather what it does is impose huge sanctions that could total in some cases billions of dollars for so long as that domestic law -- in this case the American law -- remains in effect. So

it gives a huge incentive for the U.S. or the other countries that are being sanctioned to change their laws. That's what happens and that's what I anticipate will happen here at some stage.

The only thing that's really holding everything back is DSHEA, and there are numerous domestic attacks at this very minute to repeal or severely restrict DSHEA, the Dietary Supplement Health and Education Act of 1994, which the NHF and many other people helped get enacted 11 years ago and which provides numerous protections for vitamins, minerals, and other supplements while hamstringing the FDA and its arbitrariness. Just recently, Representative Susan Davis of California introduced HR 3156, a reintroduction of a previous bill, to hamstring DSHEA. This bill must be defeated.

Greg: You wrote an e-mail to me a while back and there's a paragraph where you said something that was pretty astounding. You said: "People who think that our domestic legislation will protect us are living as much in a dream world as those in the 1930s who thought the world would never go to war again. We are on the brink of losing all of our nutritional freedoms that we fought so hard for in the years leading up to 1994." That kind of touches along the lines of the last question that I asked you a little bit, but you feel that our domestic legislation is very much at risk here with all of these international agreements that are going on.

Scott: Absolutely. There's a Maginot Mentality going on here. Just like the French in the 1930s sitting complacently behind their Maginot Line of defenses facing the Germans, a lot of Americans slumber away with nice thoughts of invulnerability because of DSHEA. Well, DSHEA is just legislation, and legislation can be revoked at any time in the same way that it was passed. DSHEA is not invulnerable, nor is it eternal. It must be protected or it will disappear. Or, it will be outflanked by international-treaty obligations – just like the magnificent and expensive Maginot Line was outflanked by the Germans in 1940, and France fell in a few short weeks. There is a lesson there, if we will only see it.

And our domestic legislation will be threatened further by CAFTA, Central American Free Trade Agreement, and FTAA, the Free Trade Agreement of the Americas that are in the pipelines to be enacted and will be enacted unless we try to oppose them. In CAFTA, there is a specific reference in Article 6 about cooperating with the Codex Alimentarius Commission, which in turn ties in with Article 3 in the WTO agreement requiring harmonization. There are all sorts of tie-ins that we know about; and, frankly, probably others we don't even know about, don't even suspect are out there, that will cause DSHEA to be eliminated. And even if I'm wrong, even if there's nothing like that that can eliminate or restrict DSHEA, then you still have the weight of these senators and congressmen and congresswomen who want to get rid of DSHEA at the first possible excuse, along with their FDA and pharmaceutical-company supporters, all of whom are itching to replace it with a restrictive regulatory regimen more akin to that found in Europe.

Keep in mind that the FDA is a captive agency. It was captured by the drug companies decades ago and the FDA's purpose is not to protect your and my health but

instead to prevent the competition from hurting those drug companies. And the competition, since the passage of DSHEA, has been the vitamin and supplement companies as well as the increasing competence of those natural products that offer superior remedies to the problems and the illnesses and diseases that afflict people. DSHEA has caused such a burgeoning of that market in ways undreamed of 11 years ago that we now have a 1000 new dietary supplement products coming out each year – thanks to DSHEA and the incredible freedom and, hence, innovation that it unleashed. You don't see that in any other country because none have laws like DSHEA.

What has happened though is that when DSHEA was first passed and enacted in 1994, a lot of its big supporters, the big dietary-supplement companies, a lot of whom are now being bought up by the drug companies, never expected a lot of innovative start-up companies to threaten them with competition. So how do they prevent that? Well, they act through the FDA, of course; but another way to do it is to go offshore, do an end-run around DSHEA and get restrictive measures in place that will be enforced internationally through forced harmonization.

We can still write our senators and our congressmen and -women to try to prevent DSHEA from being restricted or eliminated entirely. But if you go offshore to an organization like the Codex Alimentarius Commission, which is thousands of miles away, who's going to pay attention to that? They've been quite successful at playing that game for a long while during which time many of us have been dozing away with our dreams of DSHEA-engendered health freedoms.

Greg: To pick up on that, back in 1994 with the passage of DSHEA there were a lot of trade associations in the health-food industry that all backed our cause and helped organize a coalition with the health-food stores to get people to write Congress to support and pass DSHEA. With the Codex issue, up until recently there was virtually no coverage on it in any of the trade magazines. There's more coverage on it now, but we're being told by all these trade associations not to worry about Codex, it's not going to affect American supplement laws, everything's okay. This is only going to affect products that people in America make and send to Europe or other foreign countries. Why are they telling people that?

Scott: Well, I think there are a number of reasons for that. First of all, let me take my hat off to *Whole Foods Magazine* [not associated with Whole Food stores]. You know, I've been writing for them off and on for 21 years now and they've been quite good about broadcasting all sides of this Codex issue. My articles have gone in unedited in the sense of editorial content and the editors there have been fabulous about letting me speak my mind on these topics.

But leaving that aside, you then have these trade organizations that you mentioned like CRN, the Council for Responsible Nutrition, and NNFA, the National Nutritional Foods Association, and they're saying "don't worry about it." I think some of them honestly feel that way because some of them have sought legal counsel and legal advice from their lawyers on this issue. Those lawyers presumably rendered formal legal opinions and their clients are just going by those opinions. With others, it's a little

too strange that they're continuing to take this position in the face of such mounting evidence that the Codex guidelines will affect us. But, of course, there's always the small percentage chance that the Codex guidelines would not affect us here. I think a lot of these organizations and others, to be charitable here, are in a sense suffering from a sense of denial and they're wishing that Codex won't affect us here.

Then, too, there are certain others who deliberately want to mislead us and lull us into a sense of false security. They know full well what is happening, encourage what is happening, and even help promote it. These are the ones who hope to financially profit from suppressing health freedoms, and there is a special place in hell reserved for these people.

Greg: In that respect, are there other interests affecting these trade organizations?

Scott: Yes, some of them have increasingly been captured in turn by pharmaceutical companies who have realized either one of two things; either we can't beat them, so join them. That's why they've been buying up dietary-supplement companies. Or, maybe thinking a little bit more Machiavellian, they have decided that the best way to control the competition is to buy into it. And so you see that where you have CRN and I think increasingly NNFA, where their major internal voices and handlers of the levers of control are coming from companies that are owned by huge pharmaceutical interests.

There exists conflict of interest and, personally, I don't think that a lot of these trade associations are being honest in fully disclosing this conflict of interest, so it's up to the rest of us to point it out. That's one of the nice things about the NHF and some of the other health-freedom organizations, we're entirely or primarily consumer driven and have no industry axe to grind. Instead, we have individuals who constitute our membership, so we don't run into that conflict of interest, and that's why we've been fighting harsh Codex restrictions so toughly.

Interestingly enough, at the last committee meeting that Paul Anthony Taylor and I attended on behalf of NHF in Paris in April (the Codex Committee on General Principles -- this is the committee that actually sets the rules and procedural guidelines for all the other committees to follow), the South African delegate came up to us and said, "You're a funny group." We asked him what he meant by that and he said, "Well, you speak up and you speak out in a different way," which was true, because I would speak out in what I call a "persistently vocal" manner and frankly tell the delegates and the chairman exactly what I thought of them if they acted contrary to the interests of health freedom and consumer choice.

Later, a fellow observer INGO told me that INGOs are never supposed to contradict country delegates at these meetings and that I was shocking people with some of my direct comments. I replied that I always considered governments below the people and not above them and that they could certainly speak more nicely to me.

Greg: The only way that Codex wouldn't affect us here is by having a lot of consumers get vocal about protecting our health freedoms. Otherwise, it seems like it would be

apparent that we would just be steamrolled. I think the awakening is kind of in place right now. That's why there's a lot more attention on Codex. I've been doing my best to alert people.

Scott: Yes, you have Greg, and thank you for that. We need more freedom fighters like you around here. We are far too few.

But to answer your question, if we want to defend ourselves domestically from an international issue, then the main line of defense would be to withdraw the United States from the WTO and to remove the United States from those other organizations that will tie us into the Codex process. Then we have a fighting chance to keep our health freedoms. In fact, Representative Ron Paul of Texas, who is my favorite congressman in the House of Representatives, has introduced legislation several times already which would withdraw the United States from the World Trade Organization. His most recent effort, House Joint Resolution 27 voted on last June, received 86 courageous votes. So, it did not succeed, but it did get the most votes ever. If we could ever get the other representatives to increase their I.Q.s to room temperature, then we might actually have a chance of getting a resolution like this one passed.

We also need to let our senators and representatives know that we want to have our U.S. Codex delegates replaced with thinking persons who will act to protect our domestic laws and not violate the anti-harmonization provisions of American domestic law as is currently being done by our Codex delegates at these meetings. It is absolutely embarrassing to go to these Codex meetings year after year and see the U.S. delegates deliberately flaunt American law and look the other way or sit silently in their seats when the Europeans propose and get accepted their harsh vitamin-and-mineral restrictions.

In fact, perhaps the stupidest thing I ever heard an American delegate say at one of these meetings was at last November's Codex meeting in Bonn, Germany, when U.S. delegate Barbara Schneeman actually encouraged the adoption of the anti-health-freedom Codex guidelines with her gratuitous public comment to the Chairman that "The United States is supportive of the chairman's efforts to move the text to closure." Well, at least she didn't tell the Germans to invade Poland while they were at it.

Greg: Well, when you mentioned that you believed some of the people representing the trade associations may be genuine, that they've asked their legal counsel what their legal counsel thinks, don't you think that it's a bit concerning that the very legal counsel they're seeking is legal counsel that represents pharmaceutical companies?

Scott: That's a very good point, Greg. And I would have to agree with you there. I would say many if not most of the big law firms that do food-and-drug law these days do represent pharmaceutical companies in one form or another.

Greg: I think that's one thing that really seems to astound me is that all the people telling us not to worry about Codex all have pharmaceutical ties. The health-food industry is hearing, hey, Codex is a non-issue but they're hearing it from trade

associations who are hearing it from lawyers that represent all the big pharmaceutical companies. How can we trust these people and associations to tell us everything is okay? It's like telling a wolf to watch the sheep house. It's ridiculous!

Scott: I think it is a serious problem and it's one that won't be soon resolved either, other than to read magazines and journals such as yours to alert everyone to this problem so that they know what's truly happening. And then probably for those non-pharmaceutical members of those organizations, perhaps they should even withdraw from those trade associations and create one of their own that will truly represent their own interests and not those of the drug companies. That would make the most sense. People should withdraw from CRN if they don't agree with their policies. If I had a company and were a member of CRN, I would withdraw from CRN in a heartbeat.

There's another entity too, IADSA, the International Alliance of Dietary Supplement Associations, which by the way has as one of its member associations the NNFA. IADSA is one of the worst, in my opinion, at these Codex meetings, pushing as they do these new Codex guidelines. And, yet, they ostensibly represent all these other dietary supplement associations and have been quite successful at gaining members. At the same time they are buddy-buddies with the very regulators that would seek to control the companies and impose harsh and restrictive dietary-supplement guidelines.

With my own eyes I witnessed at the last meeting in Bonn, Germany several of the IADSA people having cigars and cozy drinks with the head European Community representative who is one of the worst offenders at these Codex meetings in terms of pushing for the imposition of harsh food-supplement guidelines. And, yet, there they were, with after-hour drinks in hand and laughing together as if they were the best of pals having the best of times. Here's IADSA, supposedly representing the dietary-supplement business, but having a merry drink fest with the very person who intends to slit the throat of the industry! It was absolutely pathetic.

Greg: Well, it's what you said, if you can't beat 'em, join 'em. That's really what we're seeing happen. The entire supplement industry and health-food industry is being set up for takeover by the pharmaceutical industry. They want to take everything over lock, stock, and barrel. They felt, look, we can't stop these guys, these companies are growing, they're getting too powerful; they see big money now. Instead of trying to just stamp out the competition and shut these companies down, what they're doing is buying the big companies and handling all the raw materials. They want to control the whole industry including the trade associations. They'll give people a quasi world of supplements but it will all be under their control. Instead of giving us natural vitamins, they'll give us synthetic vitamins. Instead of giving us organic minerals, they'll give us inorganic minerals that will make you sick. Then they'll lower the potencies through Codex so we don't have anything that will give us any benefit. In the end we'll be left with just be a few pharmaceutical companies running the whole supplement industry. That's where they're ultimately trying to go with the whole thing, Scott, and unless people really understand the nature of the beast they are going to be woefully misled on what's happening.