

Report From The Eastern Front: Author finds much to mistrust at recent Codex session in Berlin

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One and a quarter hours! My flight from Zurich to Berlin took longer than that. Yet, that was all the time allotted by the chairman of the Codex Alimentarius Committee on Nutrition and Foods for Special Dietary Uses at this 24th session in Berlin, Germany for discussing the numerous standards that Codex wants to impose on vitamin and mineral supplements. The chairman's and most delegates' "dreamlist" includes maximum and minimum potencies for supplements, a "positive" list denoting those supplements permitted to be sold, and a "negative" list of prohibited supplements. These are the basic top-down, control-freak, bureaucratic mindset-driven types of rules and regulations that stifle progress and result in needless human suffering and deaths. Fortunately, due to the shortage of time, virtually no progress was made at this meeting and health freedom was the temporary winner.

To be fair, at last year's session, the infant-formula topics had been badly short-changed in favor of the discussion on dietary supplements. This year, it was vitamin and mineral supplements' turn in the backseat. Nevertheless, there were important developments. But first some background.

Credentials Denied

Unlike in previous years, I was not a member of the United States delegation at this meeting. Due to other commitments, I had submitted my application too late to the United States Codex office to be automatically admitted to the delegation; and, unlike last year when Dr. Elizabeth Yetley (the official U.S. delegate) waived me onto the delegation, she refused to permit me to be a member this year. Perhaps my criticism of her failure to follow U.S. law or to advocate freedom at the last meeting was an important factor in her refusal. Regardless of the reasons, she was not saying why she would not let me on this year when she had last time. No matter. I had already applied to the Codex Alimentarius Committee for International Nongovernmental Organization (INGO) seeking observer status for my client, the National Health Federation ("NHF"). Such status would grant it a seat at the meeting and the right to present its views if called upon by the chairman. Although Codex initially refused to grant NHF this observer status, I repeatedly persisted until they had agreed with my arguments that NHF deserved to be an INGO at the upcoming meeting, then a bare two weeks away.

Keep in mind that members of the U.S. delegation are forbidden from lobbying other official delegates on Codex issues. INGOs, on the other hand, are not prohibited from doing any lobbying. So, thank God that I had not been admitted onto the U.S.

delegation (as I had wanted) but did obtain INGO status for the NHF. In that way, I could both speak out at the meeting and lobby other delegates without restriction. After all, to my knowledge, there were no other INGO lobbying Codex delegates in favor of health freedom. And there was certainly no other INGO who spoke out in favor of health freedom either.

Surprisingly, one government delegate did advocate health freedom and the beneficial effects of dietary supplements: Mrs. Antoinette Booyzen of South Africa. Mrs. Booyzen, who has herself personally witnessed the substantial beneficial health effects of dietary supplements, had the courage to defy all other delegates' mindless position that supplements are only good to prevent deficiencies. In an opening statement, she told the other delegates exactly what they needed to hear - that overwhelming evidence exists that vitamin supplements are important and necessary for optimum nutrition and to prevent diseases. Only the NHF spoke up to support the South African position.

Mrs. Booyzen then proposed a new preamble to the Codex standards that recognized dietary supplements as important in preventing and reducing the risk of disease. All other delegations, such as Denmark, our old "favorite" Norway, and Brazil, who spoke denigrated this position. Germany even called South Africa's proposed change procedurally incorrect because it had not been submitted in writing first. Because the chairman, who is German, always defers to the German delegate's stated position (I have never seen him act contrary to any position stated by the German delegate), the proposed South African change to the preamble was promptly deleted from the overhead screen used to show Codex language changes. Although I repeatedly requested recognition by the chairman to speak out in support of South Africa's proposed new preamble, the chairman flatly refused to call on me and I had to suffer the other delegations' ignorant remarks in silence.

The U.S. delegate, Dr. Yetley, never stated support for the South African position. However, she did at least advocate certain language changes within the Codex document to clarify that the Codex standards were only guidelines and not requirements. The official U.S. position was that the mandatory verb "shall" should be replaced by the subjunctive-verb tense "should" in order to reflect the "voluntary" nature of Codex standards. On behalf of the NHF, I spoke out in favor of this U.S. position, although I do not think it alone would protect consumers from harsh Codex standards. I rather suspect that the U.S. position in this regard was influenced in large part by the persistent inquiries and comments of Suzan Walter, president of the American Holistic Health Association, who has repeatedly demanded of both the Food and Drug Administration (FDA) and Codex to specify whether Codex standards are guidelines or mandates.

Name's Not the Same

The European Union's delegate proposed a change in the title of the Codex standards to add the word "food" so that the title would now read "Proposed Draft Guidelines for Vitamins and Mineral Food Supplements." Although this change was never voted upon, the chairman unilaterally decided that it was appropriate and it

became de facto the new title. The EU delegate obviously did not want vitamins and minerals for food use to be confused with those vitamins and minerals restricted by the dictatorial European rules on vitamin and mineral drugs (such as "over-potent" vitamin C).

The all-too-slick way in which the Codex document title was changed without a vote, though, illustrates the truly dangerous nature of these world organizations. Although on the surface seemingly noble and egalitarian, they are really composed of unelected government bureaucrats who make fundamentally important decisions about rules and regulations that govern our lives and our health. These bureaucrats would not know true freedom if it walked up and bit them on their collective noses. And the slick manner in which the Codex title was changed simply because two men agreed that it should be changed shows how easily far-reaching decisions affecting our lives (and those of millions and billions of others) are made with no real checks and balances.

The chairman then quickly moved on to his favorite topic - setting maximum limits on vitamins and minerals. As before, the delegates essentially divided into two camps: those who supported maximum limits that should not exceed 100% of the Recommended Dietary Intake levels and those who supported more liberal maximum limits based upon "scientific" risk assessment. The second, "scientific risk assessment" camp was itself divided into a more restrictive European Union version of risk assessment and a U.S.-led version of risk-assessment that was more industry oriented. After some discussion, it became clear that the RDI camp had lost a great number of proponents with the United States gaining support from, of all countries, Switzerland and Peru. Still stuck in the Middle Ages, Norway, Brazil and Malaysia stood by their fear of vitamins and minerals by espousing 100% RDI limits on vitamins and minerals.

I was finally once again recognized by the chairman and told the delegates that scientific evidence demonstrated that vitamins and minerals were inherently safe and that, in fact, more persons had died at the hands of doctors than from vitamins or minerals. I suggested that if they wanted to entertain upper limits on anything, then they should place upper limits on hospital stays. The chairman, obviously displeased with my comments, interrupted me.

Interestingly enough, when discussing infant cereals, Dr. Yetley had, herself, previously provided support for the NHF position when she stated, "There should be no upper limit for fiber because there is no adverse effect." Her comment was certainly true and certainly applicable to vitamin and mineral supplements as well. Perhaps at next year's meeting she will expand her position to include supplements.

The Codex session on vitamins and minerals ended rather abruptly at 8:30 p.m. amidst chairman-generated confusion as to whether the Committee would continue the next morning in a special session. The delegates almost uniformly objected and, so, after spending only a little more than one hour on the issue of vitamins and minerals, the Committee deferred the topic for the next year.

Because of some internal structural changes in the German host organization, there are rumors that both the chairman and the city location will be different next year. Some have predicted that next year's meeting will be held in Bonn, Germany instead of in Berlin and that Dr. Rolf Grossklaus, who is definitely not liked by many delegates, will be replaced by another German technocrat. Time will tell.

How Much Freedom?

In the meantime, though, what is clear is that the momentum has shifted away from very restrictive limits on vitamin and mineral potencies to more liberal limits. While some, such as the Council for Responsible Nutrition (CRN), seem to think that risk-assessment based limits will mean no limits in many cases, I am not so trusting of orthodox science. Remember, these are the same men and women who think that niacin flushing is a deleterious effect that requires potency limits on niacin! Besides, what kind of person can accept and be comfortable with any kinds of chains? It's like saying that we should accept a curfew of 10 p.m. because it is so much better than one of 7 p.m.

My own prediction is that the Codex Alimentarius process will take so long that it will only briefly take effect or else be discarded into the dustbin of history as major historical events such as war, resurgent nationalism, and trade protectionism overtake it. Unfortunately, the obvious alternative of an international free market in dietary supplements that lets the consumer freely choose for himself or herself what to put into his or her own body is not seriously discussed or considered. Yet, such freedom, as it always has been, is the best way to health and prosperity.

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