

DSHEA TURNED 15 LAST FALL

By Scott Tips

The Dietary Supplement Health and Education Act (DSHEA) celebrated its 15th anniversary last Fall. Passed unanimously by Congress in 1994, DSHEA took away the arbitrary powers of the U.S. Food and Drug Administration (FDA), which previously had been able to declare, e.g., vitamin formulas subject to the harsh food-additive approval procedure if a manufacturer simply combined one vitamin with another and then tried to sell it in the same capsule. Known for its medieval view of medicine and for being fanatically protective of the medical orthodoxy and monopoly, the FDA has never psychologically gotten over the loss of its arbitrary powers and has continually whined (along with the mainstream press) about how the supplement industry is “unregulated.” This, as we all know, is an outright lie given that the FDA still has the power to act both civilly and criminally against adulterated and misbranded products just as it did with ephedra and one form of Vitamin B6.

Dragged kicking and screaming into the 21st Century, the FDA has however continued to resist the sweep of society’s acceptance of alternative views on health and nutrition. In fact, this failure proves what the Federation has been saying for decades, that the FDA is incapable of acting on behalf of Americans’ health given that it is controlled by special pharmaceutical interests that spend approximately \$6 million *per day* lobbying Congress and the FDA. The best move that Congress could make would be to strip the FDA of many of its powers and most of its budget. Health in America would dramatically improve as a result.

Unfortunately, too, in the wake of DSHEA’s passage, some of its biggest supporters in the health-food industry have realized that DSHEA unleashed so much innovation in the form of some 1,000 new products every year that it has created competition from small- and medium-sized firms! So, the larger industry members have acted together in the time-honored American tradition to restrict or even eliminate the competition by supporting the passage of restrictive and expensive new regulations that fall more heavily upon these smaller companies than upon themselves. These are the new Adverse Event Reporting (AER) and Good Manufacturing Practices (GMP) regulations that require heavy recordkeeping and employment of consultants, lawyers, and bookkeepers. This was – of course – done in the name of “consumer protection” from “dangerous supplements” but the truth is that supplements are already incredibly safe - so much so that a consumer is more likely to die from a bee sting or a fall from a horse than from taking dietary supplements!

So while we celebrate DSHEA’s 15th anniversary, we need to remain vigilant to all of the many ways in which our supposed allies and others can act to either eliminate DSHEA directly, indirectly, or simply be whittling away at it bit by bit over time.

Please join the Federation in its continued activism to take DSHEA into old-age. We just cannot afford to lose what we fought so hard for in 1994, and since! 

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*Ernie Lauer
Joseph Negus*

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