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**Crane, Nancy T**

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**From:** Joy Hansbauer [joyh@zoomtown.com]  
**Sent:** Wednesday, August 14, 2002 8:38 AM  
**To:** Crane, Nancy T  
**CC:** Rep Jean Schmidt; Rep. Rob Portman; Senator Doug White; Senator George Voinovich; Senator Mike DeWine  
**Subject:** Fw: FDA moving to limit nutritional supplement access

02-022N  
02-022N-121  
Joy and Jim Hansbauer

----- Original Message -----

**From:** Dr. Michael Marasco BS, DC  
**To:** Mmarasco  
**Sent:** Tuesday, August 13, 2002 3:37 PM  
**Subject:** FDA moving to limit nutritional supplement access

With the arrival of our first child Moses and the grand opening of the Cedar Canyon (virtual) Clinic and the launching of our new website and e-newsletter I had planned that my first contact with you would be a bit more cheery than this and not yet for a few more weeks, however this came across my desk, I have verified its authenticity and it is likely that you will have interest in this matter. It appears that as is consistently happening more and more our federal government would like to baby-sit you some more than they already do. This letter speaks only to one aspect of a much larger attempt to limit your access to nutritional supplements. As would not be surprising the drug lobby appears to have a heavy hand in this matter. I apologize for the intrusion but if you have time please act accordingly.

ps- be on the lookout for the first official installment of the Cedar Canyon Clinic newsletter coming soon.

Please forward this to as many people as you feel comfortable with.

If you should NOT want to receive the newsletter just reply with REMOVE in the subject line.

### HEALTH FREEDOM ALERT!

The FDA is attempting to medicalize dietary supplements in order to limit your access to these safe products.

The FDA has an August 22 deadline on a comments period regarding their Draft Comments to the UN's Codex Alimentarius Commission's Committee on Nutrition and Foods for Special Dietary Use. FDA is attempting to make an end run around US dietary supplement laws and to set us up for harmonization to very restrictive international vitamin standards, but with your help they can be stopped!!

Please send the following comment to: ncrane@cfsan.fda.gov, with a cc to your Senators and Congressmen.

[for email addresses of your Senators and Congressmen see <http://www.senate.gov> and <http://www.house.gov>]

also cc your comment to jham@iahf.com

To: Beth Yetley, FDA c/o Nancy Crane, FDA  
Re: Comment on FDA Draft Proposal to Codex CCNFSDU on Dietary Supplements

Dear Dr. Yetley:

Re FDA proposed language: item 5.9, which states: "We recommend the following revision: 'All labels should bear a statement that a supplement should be taken on an advice of a nutritionist, a dietician, or a medical doctor'"

Dr. Yetley: When is the FDA going to STOP attempting to medicalize safe dietary supplements which are regulated in the USA as FOODS?

You have no legal mandate to attempt to go beyond the firm dictates of US law when you are at Codex meetings in Germany. FDA has lost on first amendment grounds in the Pearson decision, and when FDA refused to obey the court's decision, FDA was sued again and lost. FDA has no choice but to allow health claims to be put on labels pertaining to folic acid and the prevention of neural tube defects and other similar matters.

This is as it should be, not only in the USA, but throughout the world. Consumers have a RIGHT to learn about the beneficial health properties of dietary supplements on the label, at the point of sale. By putting the above language on the label (that supplements should be taken on the advice of a nutritionist, dietician, or an MD) you are attempting to violate the spirit of DSHEA in an international forum, and you have no legal right to do that. You are attempting to waste valuable space on the label that can be put to better use directly informing consumers regarding the beneficial properties of these safe food substances, you are attempting to medicalize dietary supplements, and you are attempting to go through CODEX to make an end run around US domestic laws by attempting to set us up for harmonization to restrictive international standards.

I therefor INSIST that you STRIKE the above proposed revision in item 5.9 and replace it with the following language instead: "item 5.9 we recommend the following revision "All labels should bear scientific structure function health claims similar to those provided for under the American Dietary Supplement Health and Education Act of 1994 to directly assist consumers in making positive health decisions for themselves and their families at the point of sale while reading the label on the product. The USA again reiterates its desire that all attempts to continue creating an international standard for vitamins and minerals cease at Codex and that this matter is best left up to national authorities to decide."

Dr. Yetley: I remind you, and Congress, that you lost the Pearson court decision, and when you attempted to ignore the Judge, you were sued and lost again on this issue. Do not attempt to get around US law when you are in Germany representing the USA at Codex meetings. You have no legal right to make the statement in item 5.9 'All labels should bear a statement that a supplement

should be taken on an advice of a nutritionist, a dietician, or a medical doctor"

**I INSIST** that you replace that language with "All labels should bear scientific structure function health claims similar to those provided for under the American Dietary Supplement Health and Education Act of 1994 to directly assist consumers in making positive health decisions for themselves and their families at the point of sale while reading the label on the product. The USA again reiterates its desire that all attempts to continue creating an international standard for vitamins and minerals cease at Codex and that this matter is best left up to national authorities to decide."

I am copying this letter to you to my Senators and Congressmen and am asking them to oppose all efforts to erode US sovereignty via FTAA. The last thing we need in this hemisphere is a version of the EU dictatorship given the way the EU is attempting to ban consumer access to dietary supplements. See Pearson v Thomson <http://www.emord.com>.

Sincerely,  
Joy and Jim Hansbauer