

Crane, Nancy T

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From: Maury Silverman [mauryshi@ix.netcom.com]
Sent: Friday, August 23, 2002 2:11 PM
To: Crane, Nancy T
Cc: senator@mikulski.senate.gov; senator@sarbanes.senate.gov; rep.morella@mail.house.gov; beth.clay@mail.house.gov
Subject: Codex draft position comment

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Maury Silverman

To Whom It May Concern:

It is questionable on the sense and motivations of those who proposed it, the food supplement labelling position, item no. 5.9, in the U.S. proposed positions for the upcoming Codex meeting in November in Germany?

The proposed label statement says that supplements "should be taken on advice of a nutritionist, dietician, or a medical doctor".

This is misleading as the vast, vast majority of medical doctors have no training, experience, or interest, in nutrition. Nutritionists or dieticians are somewhat less so, but are a very minority in the healthcare delivery system. To suggest that one only utilize food supplementation on advice of a practioner with little education or training in nutritional supplementation means to restrict access to better nutrition. With the current healthcare crisis, that is NOT in the public interest.

What about the tens of millions of people who have **no** "healthcare" insurance, and have **little** or no access to care?

What about **U.S.** law, the DSHEA, and the **Pearson V. Shalala** appeals court **caselaw**, that provides for truthful and non-misleading science based nutritional information on labels?

My understanding is that the FDA cannot propose something incongruent with our laws and national sovereignty, and that the Codex cannot violate that sovereignty. Why is the FDA trying to trash the law it is supposed to implement? Whose agenda is the FDA being influenced to work on, certainly not the people's on this matter.

This is a matter that demands congressional and public oversight, if item 5.9 is not deleted from the **U.S.** draft positions to go to the upcoming meeting.

Until the 'learned professions' integrate nutrition and food supplementation into their educational and training systems, a good mode of public education is to put truthful and non-misleading information on labels that can help the consumer develop free choice in **learning** to grow good protoplasm via nutrition so as to avoid or delay the impact and severity of the drug culture for disease states.

Please delete item 5.9 in the U.S. draft Codex positions for labelling food supplements.

Sincerely, Maury Silverman