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 Crane, Nancy T

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**From:** Art Brown [abrown101@prodigy.net]

**Sent:** Tuesday, August 20, 2002 11:30 AM

**To:** Crane, Nancy T

**Cc:** jham@iahf.com

**Subject:** re: CODEX

02-022N

02-022N-301

Art Brown

To: Beth Yetley, FDA  
 c/o Nancy Crane, FDA

Re: Urgent comment on FDA Draft Proposal to Codex CCNFSDU on Dietary Supplements

Dear Dr. Yetley:

Regarding you and the FDA's involvement in the EU's CODEX and your proposed language for the above, item 5.9, I am shocked and dismayed.

I have to speak very bluntly on this matter.

Three points.

1. Despite public opinion to the contrary, it appears you and the FDA are yet again moving to take over all dietary supplement matters in this country. What scares the h - - - out of me is that you are now inviting the EU CODEX to help you do that! Why? Why? Why? This area of health has done very well for people for decades on its own. For God's sake leave a good thing, a proven winner, alone.

**In the words of Thomas Jefferson:**

**"If the people let the government decide what foods they eat and what medicines they take, their bodies will soon be in as sorry a state as the souls who live under tyranny".**

I have to wonder who the FDA actually works for - Americans, the EU or the gigantic international pharmaceutical manufacturers? The latter most Americans already believe own the FDA and dominate all things health in Washington.

Please spend tax payer money in doing something about the well-documented 2,000,000 people who end up in the hospital every year from prescription drugs out of which 150,000+ die! Alarming, these numbers only represent officially reported cases. This according to many sources including the JAMA. Why are you and the FDA wasting your time and money on the dietary supplement world? For God sakes, who sets your priorities? Who do you really report to?

Any attempt to take over and "regulate" vitamins, minerals and herbs, which are foods not laboratory created, commercial, for-profit drugs, is an obvious FDA power and control grab which the people of this country have made quite clear they do not want. Apparently this

does not matter to you.

2. Do not invite the EU CODEX into our country to move in and take over, which of course they eventually will. You will not be able to stop them. Do not be their willing pawn! Do not sell us out.

By putting the "5.9" 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. Please remember, you have no mandate, legal or otherwise, to attempt to go beyond the firm dictates of US law when you are at Codex meetings in Germany.

By doing this you are attempting to medicalize dietary supplements. Now, you couldn't be making an end run around US domestic laws by setting us up to comply with stifling international standards could you?

3. Finally, consumers have a RIGHT to learn about all the beneficial health properties of dietary supplements right on the label, right at the point of sale. The FDA has no business stopping this.

It has lost on first amendment grounds in the Pearson decision, and when the FDA refused to obey the court's decision, it was sued again and lost. The FDA has no choice but to allow health claims to be put on labels, an prime example of which is folic acid and the prevention of neural tube defects in babies.

Dr. Yetley, I have to ask again, who on earth do you report to? Literally. Sadly, your actions indicate not the people of the USA.

I therefore INSIST that you STRIKE the above proposed revision in item 5.9. and do not replace it with any other statement.

Speaking for the vast majority in the USA, I again reiterate the desire that all attempts to continue creating an international standard for vitamins can and will cause more harm than good. Although your intentions made be good, the standard will only end up being manipulated and controlled by international corporations driven by the profit motive.

Dr. Yetley, I remind you and Congress that the FDA lost the Pearson court decision. When it attempted to ignore the Judge, it was sued and lost again on this issue. I am copying this letter to my Senators and Congressmen and am asking them to oppose all efforts to erode US sovereignty via FTAA. Please do not be a pawn in their game.

The last thing we need in this hemisphere is the rising EU dictatorship given the way the EU is attempting to ban consumer access to dietary supplements and close mom and pop health food stores there. See Pearson v Thomson <http://www.emord.com>.

PLEASE protect our rights as a people.

Sincerely and respectfully,

Art Brown  
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