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**Crane, Nancy T**

**From:** Jean Baugh [oldglory@bigcountry.net] 02-022N  
**Sent:** Monday, August 19, 2002 3:42 PM 02-022N-465  
**To:** Crane, Nancy T Jean Baugh  
**Cc:** phil\_gramm@gramm.senate.gov;; jham@iahf.com  
**Subject:** FDA and our vitamins!!!!!!!!!!!!

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](mailto: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>.

Signed,

Jean Baugh-Rt.1-Box 50, Old Glory, TX 79540  
Alberta McKinney-Rt.1-Box 51, Old Glory, TX 79540  
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