ANHS is optimistic about Bill C-420 Hearing

by Prashant Bhawalkar
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The Alliance of Natural Health Suppliers (ANHS) has expressed its optimism over a hearing, last week, concerning the controversial Bill C420. Commenting on the hearing, Peter Helgason, Vice-President, Regulatory, ANHS., stated that, " the testimony was very strong. If the committee votes for Bill C420 to go for a third reading and passes, it will be significant. It will re-classify dietary supplements as foods," he added.

The controversy dates back to January 2004, when Health Canada changed the status of dietary supplements from food to drugs. The popularity of these supplements in Canada led to the establishment of a nationwide grassroots movement to pass the bill, which calls for an amendment of the Canada Food and Drug Act to the effect that :

- The definition of drugs is modified to exclude items classified as food.
- Dietary supplements are classified as food.
- Schedule A and subsections 3(1) and (2) of the Act are repealed.

Currently, all products classified as drugs require pre-market authorization, a factor that proponents of Bill C-420 believe unfairly stacks the odds against natural dietary supplements. In particular, the guidelines of the Pharmaceutical Advertising Advisory Board (PAAB) require that all claims made in the course of the promotion of a drug be backed by scientific research.

Safety Concerns

In part, the government and scientific backlash against natural health products has been inspired by recent research casting these products in bad light. A study published in the Journal of the American Medical Association (JAMA) in March, claimed that, "long-term vitamin-E supplementation…may increase the risk for heart failure." Similarly, last year, it was found that ephedra, the weight-loss dietary supplement, raised blood pressure and increased the risk of heart disease. This led to an FDA ban on the sale of dietary supplements containing ephedrine alkaloids. However, Helgason insisted, "There

never was an issue with safety. It's not what's in the product. It's the proportion."

He explained by stating that peanut butter and peanut allergies kill more people in Canada than health-related causes, "but you don't see armed agents kicking down doors to confiscate peanut butter jars."

He added that the current definitions enshrined in the Food and Drug Act are aimed at, "maintaining the hold of the generic-based drug manufacturers on the market." To illustrate his statement, he pointed to the excessive influence of generic drug manufacturers on government processes, pointing to the fact that the National Research Council is committed to finding employment for Masters and PhD students. "The drug industry creates a lot of jobs," Helgason concluded.

A Global Concern

Canada is not the first country to crackdown on these products. The Codex Alimentarius Commission is an international body established by the World Health Organization as a regulatory structure to encourage worldwide trade in food and food supplements. It is made up of many committees, including one that focuses on vitamin and mineral supplement trade. In the beginning, the idea was to ensure that the products were manufactured in clean factories, the products were pure, and the packaging and labeling clearly reflected what was in the container and the like.

Over the years, the Codex deliberations regarding vitamins and minerals have turned into a battle between rich and poor countries, global pharmaceutical companies, and small local specialty companies. There has been little, if any, discussion regarding the rights of individuals to have direct access to food supplements that have been part of a way of life for millions of people around the world.

Codex officials refer to their standards as merely guidelines, which cannot be enforced, but World Trade Organization documents state that Codex standards will be used as legally-binding regulations with which all countries must comply.

Already, a number of countries regulate supplements as drugs, as a result of which they are only available by prescription. In some countries, extremely low-dose supplements are available over-the-counter, while others have no experience with supplements due to the

lack of existing markets in these countries. In the US, the supplement industry is booming, resulting in thousands of sophisticated products in the market, developed and manufactured by small and medium-sized companies. Such products are beneficial, not only from the point of view of personal and individual health but also from a public health standpoint. They have been known to be effective in the treatment of a number of diseases. In strong consumer markets such as the US, consumers possess sufficient knowledge to be able to differentiate between synthetic supplements, and natural or organic supplements.

Critics of the process point to the lack of impartiality inherent in these meetings. For example, the chairman of any of the committees involved, has the power to stop people from asking questions, remove them from the room, and ban them from ever being present at a codex meeting again. He also has the power to control the contents of the final report of each meeting's proceedings. In addition, Codex meetings are not electronically recorded, nor is there a stenographer present during the proceedings.

Flaws in the System

The problem with the present system is that the power to decide the status of natural supplements in a particular market may lie in the hands of a committee chairman who originates from a country that has had different experiences in its dealings with the natural supplements market.

People and groups are divided over the issue of the extent of the authority of Codex in determining dosage standards. It has been strongly contested by global health freedom groups. Similarly, Codex is supposed to be regulating vitamins and supplements as foods. However, by establishing a risk assessment protocol to determine the availability and dosage levels of supplements in the market, it is following procedures usually used for drugs, as opposed to food which is the category under which natural supplements are classified. In the US, food is considered safe unless there is documentary evidence to the contrary.