



# NATIONAL HEALTH FREEDOM ACTION

## **S. 3002, the McCain-Dorgan Senate bill, Threatens Your Access to Nutritional Supplements**

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**Senator McCain and Senator Dorgan have outraged millions of Americans in one fell swoop with S. 3002!** They have straight-out attacked dietary supplements in their newly-introduced Dietary Supplement Safety Act of 2010. Without an understanding or respect for the detailed and complex laws and regulations of the peoples treasured Dietary Supplement Health and Education Act of 1994 (DSHEA), McCain has misled the American people. On February 3, 2010, he made a statement on the Senate floor saying: *The dietary supplement industry is one that is mostly self-regulated!!* How could a Senator make such a public statement that is so completely false? Could he be unaware of the hundreds of pages of the DSHEA laws and regulations that manufacturers must follow in order to keep the ir products on the market and protect American's access to safe dietary supplements?

**His comments that he is putting in a more restrictive bill due to concerns from athletes that have taken adulterated products, shows his inability to point the finger where it belongs.** We already have laws against adulterated products! DSHEA prohibits putting adulterated or contaminated foods and dietary supplements on the market. Those laws work. DSHEA includes detailed and complex Good Manufacturing Standard requirements for all dietary supplements. Those regulations work DSHEA regulates foods and dietary supplements as nutrients and concerns itself with safety on all levels.

**McCain appears to want to over-regulate food and dietary supplements as if they were dangerous drugs instead of enforcing existing, effective food and dietary supplement laws.** He sidesteps the safety history of dietary supplements in favor of more and more unnecessary and hostile regulation that will squelch a consumer-driven industry. He is suggesting additional pre-market registration requirements for all manufacturers and products. He is suggesting mandating reporting of non-serious adverse events even when there is no proof or verification of causation. This would be in addition to the current serious adverse event reporting requirements passed within the past three years into existing law. And finally, he is coming close to supporting the introduction of the dangerous permission please, positive list concept into US law that is already harming Europeans access to supplements with bill language that states: *"is not included on the list of Accepted Dietary Ingredients, to be prepared, published, and maintained by the Secretary.* This kind of language sends a lightning rod through the consumer community and will not be tolerated.

**Americans hold that dietary supplements are not drugs, they are nutrients, generally regarded as safe, and the government already has the ability to take them off the market if they pose a risk of harm.** We encourage the marketing of nutrients. It is our right as Americans to eat nutrients of all kinds without first proving, like drugs, that they are effective to eat. We care about safety. But it is our right to decide what we want to eat. I can eat as much spinach as I want. I can eat as much Vitamin C as I want. And no government should be able to block spinach or Vitamin C, or any other nutrient, from the market without a significant public harm claim.

**Already, DSHEA infringes on the truthful marketing of supplements by prohibiting health claims – even truthful statements on supplements, without FDAs approval.** We need to change that by passing bills that prohibit censorship of truthful information. But this bill goes even further and threatens access to our supplements.

Help defeat S. 3002! Tell McCain and Dorgan to honor our existing law prohibiting adulterated products and requiring good manufacturing practices. Tell them to aggressively protect dietary supplements as foods and not drugs. Say NO to McCain and Dorgan's S. 3002. Stop this bill before it goes anywhere.

**[Click here to write to Senator McCain and Dorgan and to your Senator and state your opposition](#)**

We at [National Health Freedom Action](#) are in solidarity with:

[National Health Federation](#)

[Alliance for Natural Health - USA](#)

[Citizens for Health and](#)

[Sunshine Health Freedom Foundation](#)

[in opposition to this bill.](#)

[The draft bill can be found here:](#)

[http://mccain.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore\\_id=2fe2fa5d-636b-4705-97df-8318a24f718f](http://mccain.senate.gov/public/index.cfm?FuseAction=Files.View&FileStore_id=2fe2fa5d-636b-4705-97df-8318a24f718f)



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