

What is the Dietary Supplement Safety Act?

Do not let Congress give the FDA the authority to take away your Dietary Supplements

A new bill has been introduced into the U.S. Senate to greatly expand the Federal Food and Drug Administration's (FDA) authority over dietary supplements so they can control what you can purchase. It is erroneously named the "Dietary Supplement Safety" Act (S.722) by its sponsor, Senator Durbin.

Here is how this new bill undermines our health freedoms:

- This bill would subject nearly all vitamins, minerals, herbal products and other supplements to a level of scrutiny that is both unwarranted, unnecessary, and costly.
- By questioning the safety of any dietary supplement that receives **even one complaint**, hundreds of products that have been safely and beneficially used could be removed from the marketplace. This includes all vitamins, minerals, amino acids, herbals, and food concentrates. And yes, this includes fish oils, lutein, lycopene, bioflavonoids, digestive enzymes and much, much more.
- The FDA can act as "prosecutor, judge, and jury" and exercise uncontrolled authority.

The following points should also be considered regarding the proposed bill:

- Drug-like Adverse Event Reports to be required.
- Dietary supplements have a better safety record than foods, yet are to be treated more like drugs by this bill.
- The legislation also requires manufacturers of "stimulant" dietary supplements (products that speed up a person's heart or affects a person's central nervous system) to submit proof that their products are safe prior to bringing those products to market and would place anabolic steroids (including DHEA) under the Controlled Substances Act.
- Durbin's bill also expands FDA's authority to require proof of safety from any dietary supplement maker if the agency has received reports suggesting that the product is deadly or is causing other serious adverse health effects. If a manufacturer cannot show its product to be safe to FDA's satisfaction, then the FDA could take that product off the market. This bill is yet another step toward regulating dietary supplements like drugs.
- The bill is sexist, favoring women over men, since it would discriminate against (male) users of testosterone while still permitting the use of estrogen on the outdated notion that somehow testosterone is more dangerous than estrogen.

Despite its title, it would allow no more consumer protection than current law provides – including the Dietary Supplement Health and Education Act (DSHEA).

Concerning safety: The FDA currently has all the necessary enforcement power at its disposal to protect the public from unsafe and/or illegal dietary supplements. FDA's enforcement power under existing Food and Drug laws include seizure, condemnation and destruction as well as the outright removal of products from the market if they present an unreasonable risk of harm or if their labeling is false or misleading. FDA currently has the authority to regulate the types of ingredients that can be used in dietary supplements, the potency and purity of those ingredients, and the claims that can be made on behalf of these products. **The choice to enforce the law is theirs!**

The government must not be allowed to limit the freedom of choice of American Consumers when it comes to their health.

Oppose this Legislation! TAKE ACTION NOW.

This bill could be added to existing Senate legislation at any time. Call and write both of your State Senators immediately **and simply tell them you oppose this bill.**