

[date]

The Honorable [Senator's Full Name]  
United States Senator  
Office Address  
Washington, D.C. 20510

Re: Senate Bill 722

Dear Senator [Last Name]:

I am writing in opposition to SB 722, the so-called "Dietary Supplement Safety" bill introduced by Senators Richard Durbin and Charles Schumer and referred to the Senate Health, Education, Labor and Pensions Committee.

The bill is badly misguided in its intent and even dangerous to the consumer for the following reasons:

1. Although seemingly noble, SB 722's requirement that dietary supplement manufacturers collect and report to the FDA "Adverse Events" is an unnecessary expense and burden to the industry as well as to the consumer who must ultimately bear the cost. Deaths from dietary supplements have averaged fewer than 5 confirmed deaths per year over the last 25 years in the United States. (And most of those deaths came from the single batch of contaminated, genetically engineered tryptophan introduced into the United States from Japan in the 1980s.) Compare that with prescription and OTC drug deaths of 90,000 to 160,000 deaths per year in the United States, hospital deaths due to medical errors of 100,000 per year, and more than 2,000,000 people who are hospitalized every year because of adverse reactions attributable to prescription drugs. Even foods account for 5,000 to 9,000 deaths per year according to the CDC. So there is no need to spend millions of dollars annually on paper reports that will accomplish nothing but killing more trees.

2. It unnecessarily turns certain dietary supplements into drugs. So-called "stimulant" dietary supplements (any products that speed up a person's heart or affecting a person's central nervous system, such as caffeine) would be required to be proven "safe" before they could be sold. This violates the essence of the Dietary Supplement Health and Education Act of 1994 and is the camel's nose in the tent for later requiring that *all* supplements meet "drug-like" safety requirements. The costs would be enormous with nothing to be gained but bureaucratic control over already-safe natural substances.

3. Most ridiculously, the law would place anabolic steroids (including DHEA and testosterone) under the Controlled Substances Act, treating them the same as heroin and cocaine, unless they otherwise received Food and Drug Administration approval. In this respect, the law is sexist because it discriminates against (male) users of testosterone while still permitting the use of estrogen, even though testosterone is as safe as, if not

safer than, estrogen. Is testosterone use so dangerous that it must be treated as an illegal drug like marijuana?

When used as recommended, dietary supplements are safe. In fact, Americans are less likely to die from dietary supplements than they are to die from bee stings, sports injuries, lightning strikes, animal bites, and horse riding.

Of course, we want people to be safe. But not at the cost of heavy-handed regulations that serve no purpose. SB 722 is not a responsible public-policy solution. In fact, it is not even a solution; it's a problem. Please let me know that you will oppose this anti-freedom legislation.

Sincerely,

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[signature]

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[your name]

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[your address]