

CONSUMERS FOR HEALTH CHOICE (CHC)



save our supplements
before it's too late

What we do

CHC is an extraordinarily successful lobbying and campaigning group on natural health matters, capable of punching way above our weight on whatever issues we tackle. CHC is made up of dedicated individuals who actively promote the rights of consumers to have ready access to a wide range of natural health care products, including vitamins & minerals, herbal remedies and other beneficial and safe supplements. Much of our work is in challenging adverse EU legislation and pushing the appropriate regulators to use consistency, common sense and good judgement to favour consumers when framing laws that affect our health.

CHC respects the freedom of individual choice in health matters and strives to secure not just the availability of a wide range of safe products but honest and clear labelling so that consumers can make informed decisions about their health.

Success to Date

CHC's campaigns to date, working closely with the Health Food Manufacturers Association and the National Association of Health Stores have delivered substantial delays in the process of setting maximum permitted levels under the provisions of the Food Supplements Directive. Those delays have meant that consumers have continued to have access to higher potency supplements for nearly a decade longer already than would otherwise have been the case. Not only has industry benefited from this extended opportunity to market higher

potency products, but it has also delivered the opportunity to influence thinking in the European Commission and other Member States such that if/when figures emerge they are likely to be less threatening than would otherwise have been the case – in short, the delays as a result of CHC's campaigns have delivered a double benefit that will continue as we maintain the campaigning pressure.

Furthermore, the CHC campaigns have benefited the global industry, particularly that of the United States of America. Once maximum levels are set by Europe, then the European Commission will represent the views of all 27 Member States at meetings of global regulatory forums, for example Codex Alimentarius. Thus delay to get the right figures in Europe will help strengthen global regulatory support for the US approach through the DHSEA legislation. A rush, with the result of restrictive levels in Europe, would increase pressure on the US to introduce more restrictive levels at home.

Crucially, however, any let-up in CHC's campaigns will see the Commission deduce that opposition to its plans has waned and lead to it moving forwards with restrictive figures more rapidly.

The need for CHC to continue has, therefore, never been greater.

How we get results

CHC works mainly in the political arena with MPs and Peers in Westminster, Members of the European Parliament, Members of the Scottish Parliament and those from the Welsh Assembly. CHC is also in regular dialogue with Civil Servants and regulators across Whitehall. CHC puts consumers' first, constantly seeking their views on health matters.

Although completely independent, CHC also liaises closely with health food retailers, nutritionists and practitioners of a number of alternative and complementary therapies, as well as specialist supplement manufacturers.

CHC has developed excellent relationships with many MPs and Peers, and as a result, our issues are constantly raised in both Houses through Early Day Motions, Written Questions and Oral Questions. On several occasions, our concerns have led to major debates in both Houses.

CHC is well known to all media and has worked with researchers, health and business editors and journalists to raise awareness of the supplements issues. CHC has been fortunate to gain the support of many high profile celebrities, who have been invaluable in acting as front line speakers on radio, TV and for media interviews, creating remarkable features and substantial column inches.

What we have done

Officially launched at the House of Commons in 1996, CHC defeated proposals in 1997-98 to ban the sale of safe higher potency vitamin B6 supplements, generating 100,000 consumer letters of protest and a 300,000 named Petition to Parliament. The following year CHC defeated attempts by the then Medicines Control Agency (now MHRA) to assume draconian new powers under Consultation MLX.249 that would have forced a substantial number of natural health products off the market by re-classifying them as medicines – restricting consumers access.

With consumer and retailer help, CHC has run several successful lobbying campaigns, primarily against the Food Supplements Directive.

In August 2001, Sir Paul McCartney pledges his support for our Save-Our-Supplements campaign, and helped recruit other celebrity and high profile supporters.

In the autumn of 2002, CHC organised a national Petition against the Food Supplements Directive, collecting over one million signatures. The Petition was presented on the floor of the House of Commons, but to the dismay of consumers, the Government remained unmoved.

We have created miles of column inches in the national press, given over 1,500 radio interviews and made over 270 Television appearances.

Current work and activities

The Food Supplements Directive remains our priority although a raft of legislation from Europe continues to threaten consumer choice in health matters. Our activities are substantially concentrated on the following major threats:

➤ ***The Food Supplements Directive***, 2002/46/EC, which deals with the regulation of Vitamin & Mineral food supplements. It has already passed into law and came into force across Europe on 1st August 2005. As it currently stands, the Directive will lead to the banning of many valuable, safe and popular nutritional products. In the Spring of 2011 we will have further information on the setting of (Maximum Permitted Levels) dose levels for nutrients. There are already strong indications that the EU will wish to impose unnecessarily low levels – in line with those favoured by France and Germany. Indeed, leading officials at the Commission have said quite openly that they are prepared to ‘sacrifice’ the British market as an acceptable price to pay for the sake of harmonising with other Member States.

We continue to put pressure on the British Government and Food Standards Agency (FSA) at the highest level to take decisive and positive action in Europe to keep higher safe doses and existing safe nutrients. The FSA agreed a strategy to ‘that the setting of maximum safe levels of nutrients in food supplements should be based on scientific risk assessment’ and their preferred option is ‘a two tier risk assessment approach enabling MPLs to be established on an EC basis – with

guidance levels to be agreed on a national basis’.

We have launched five specific letter writing campaigns and have put three million leaflets in circulation – encouraging everyone to write to their MPs and MEPs to put pressure on the EU Commission to allow a national derogation for Member States – which would allow UK (and others if they choose to do so) keep safe and effective vitamins and minerals available.

Substantial efforts are being made once again by CHC with Downing Street officials to keep up the pressure on the Prime Minister’s office and on the Board of the Food Standards Agency to achieve their objective.

It is important to remember that the Food Supplements Directive affects more than vitamins and minerals. Other categories that would eventually be wrapped in the legislation are amino acids, essential fatty acids, enzymes, etc.

➤ The European Parliament adopted the ***Traditional Herbal Medicinal Products Directive (THMPD)*** and it was implemented in the UK on 30th October 2005. No further ‘medicinal herb’ products can be launched without THMP registration or marketing authorisation (licence) but existing products (sold legally) can remain until the transitional period ends in 2011. The Directive aims to push herbal remedies into the same formal regulatory environment of pharmaceutical medicines. Product registration under this directive is only open to those finished products (not the ingredients) capable of demonstrating at least 30 years use – 15 of which must be within EU – and claims bearing a ‘traditional use’ caveat, will be restricted to mild self-limiting conditions. Such actions threaten the continued

availability of many herbal products as well as the accessibility of herb and nutrient mixtures.

Costs and registration requirements are prohibitive to all but major companies (Pharmaceutical) resulting in several product ranges and some smaller businesses being decimated. The UK herbals industry, which contains many of the smaller specialist companies, had been led to expect some flexibility in the imposition of the strictest ‘pharmaceutical standards’ providing that consumer safety was not jeopardised. However, that has proven not to be the case and there is widespread apprehension that the influence of other Member States practices is covertly inhibiting British freedom of action.

The implementation of the legislation at the end of April 2011 will fail to achieve the stated objective of finding a safe harbour for many safe and effective herbal remedies currently sold in the UK.

➤ The ***Addition of Vitamins & Minerals to Foods Directive***, (EC Regulations 1925/2006) was originally intended to run in parallel with the Food Supplements Directive. We remain concerned that the dose levels of vitamins & minerals allowed in FSD will be substantially diluted – in part to take into account the amount of nutrients that may be added to foods (breakfast cereals, drinks, dairy products etc.) across Europe.

➤ The publication of the ***Sports Nutrition Directive*** (foods intended to meet the expenditure of intense muscular effort) seems to be a very low priority with the Commission and it is unlikely to until the second half of 2011. Many of the difficulties, especially those relating to ingredients, dose levels and labelling, already identified with the Food Supplements Directive will also apply to this Directive.

➤ It is the intention of the Commission to provide better labelling so that consumers can make informed choices, so the draft **EU Nutrition and Health Claims Regulation** (1924/2006) was published in the Official Journal on 30th December 2006. This version was incorrect so it was re-published on 18th January 2007 – coming into force the following day and will apply from 1st July 2007. However, the requirements are outrageous and will force thousands of products across the sector off the market.

➤ ***The Regulation is being strongly challenged by the Health Food Manufacturers Association.***

➤ A 'Nutrition Claim' means any claim which states, suggests or implies that a food has particular beneficial nutritional properties; e.g., 'high fibre', 'low fat', 'source of vitamin E'. A 'Health Claim' means any claim that states, suggests or implies a relationship between a food category, a food or one of its constituents and health; e.g., "Vitamin D helps maintain healthy bones", "Zinc helps support a healthy immune system"

A major concern is that the proposed regulations are not confined to the actual packaging of the product. The inclusion of the package, brand name, advertising, in-product leaflet and PR or marketing arrangements would all require prior approval – a huge burden on the supplier that would inevitably mean higher costs for consumers, stifle innovation and prohibit investment.