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ARBITRARY NEW FDA RULES SET TO PUT DIETARY SUPPLEMENT MANUFACTURERS OUT OF BUSINESS;

ALLIANCE FOR NATURAL HEALTH SUES FDA

Today the Alliance for Natural Health US (ANH-USA), along with dietary supplement formulators Durk Pearson and Sandy Shaw, and the Coalition to End FDA and FTC Censorship, filed suit in the U.S. District Court for the District of Columbia against the Food and Drug Administration (FDA). The suit seeks declaratory and injunctive relief on the grounds that FDA violated the Administrative Procedure Act's prohibition on arbitrary and capricious action when it adopted a rule that subjects dietary supplement manufacturers to the same criminal penalties for minor paperwork violations as for selling contaminated product.

ANH-USA (see below) is a membership-based organization that protects the rights of practitioners and consumers of alternative medicine. ANH-USA professional and industry members suffer the most from the financial burdens imposed by the FDA rule, known as the Good Manufacturing Practice (GMP) regulations. This ruling declares that when a company fails to keep adequate records, a product is automatically deemed to be adulterated without requiring the FDA to prove that the product itself presents a risk of illness or injury. The rule conflicts with the Dietary Supplement and Education Act, which requires a risk of harm before a product can be declared adulterated and removed from the market.

According to ANH-USA, the rule results in significant financial burdens on supplement manufacturers, some of whom may not be able to absorb the cost. FDA admits that the rule's implementation would eliminate 12 percent of the dietary supplement market.

Regarding the suit, ANH-USA Executive Director Gretchen DuBeau said, "The FDA cannot be allowed to implement such a blatant attack on the dietary supplement industry, an industry millions of consumers depend on for valuable, affordable access to vitamins necessary to sustain health." FDA estimates that enforcement of the GMPs will reduce the variety of dietary supplements on the market and increase the cost of dietary supplements.

DuBeau continued, "We take this action today to stop the FDA, which is becoming nothing more than a tool used by Big Pharma to cut off consumer access to natural substances, from continuing its campaign against natural health."

"Promoting sustainable health and freedom of choice in healthcare through good science and good law"

ANH-USA is represented in this matter by Emord & Associates, P.C.

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NOTES TO THE EDITOR:

About the Alliance for Natural Health USA:

American Association for Health Freedom (AAHF) is in the process of merging with the international organization Alliance for Natural Health and is doing business as Alliance for Natural Health USA.

AAHF is a 501(c)4 nonprofit organization that protects Americans' right to access integrative medicine and dietary supplements. AAHF defends the right of the consumer to choose and the practitioner to practice by lobbying Congress and state legislatures; educating the public, press and decision-makers on integrative medicine; initiating legal activities; and joining and forming significant coalitions. More information is available at www.healthfreedom.net.