

**EUROPEAN PARLIAMENTARY MEETING OF CAM INTERESTS
WORKING COLLABORATIVELY ON BEHALF OF
EUROPEAN CONSUMERS TO PROTECT FREEDOM OF CHOICE
IN NATURAL HEALTHCARE**

Date: 2 March 2011

Session 1: 12:00 - 13:00 Session 2: 14:00 - 15:00

Room: ASP 5G1

SYNOPSIS

1. Opening by **Marian Harkin MEP**
2. **Robert Verkerk PhD, executive and scientific director, Alliance for Natural Health International (www.anh-europe.org)**. Overview of EU regulatory threats to availability of natural health products, with particular focus on food supplements containing vitamins and minerals (maximum permitted levels) and botanicals, and herbal medicines. Specific attention will be given to human medicinal code (Directive 2001/83/EC and amendment Directive 2004/27/EC), Traditional Herbal Medicinal Products Directive (2004/24/EC), Novel Food Regulation (No. 258/97) and the Nutrition and Health Claims Regulation (1924/2006). Action points will be issued on how MEPs can act to protect the interests of consumers reliant on such natural health products.
3. **Chris Dhaenens, president, European Benefyt Foundation (www.benefyt.org)**. Coverage will be given to the historical origin of the THMPD and the Belgian slimming clinic case from 1990, how Aristolochia acted as scapegoat and was falsely implicated in causing the cases of kidney disease. Mr Dhaenens will then respond in detail to Commissioner Dalli's recent statement on the implications of the EU herbal directive (2004/24/EC). He will explore the deficiencies in the European Commission and the EMA's approach to the THMPD, as well as major problems related to differential Member State interpretation, implementation and enforcement of the THMPD. Mr Dhaenens will finish his presentation by considering ways forward and how the European Parliament can support the many hundreds of thousands of European consumers maintain their access to safe and effective herbal medicines.
4. **Questions.**

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RECOMMENDED MEP ACTIONS

Key issues affecting natural health

MEP actions 1:

Botanicals/herbal products

- Oral questions addressed to Commission and Council need to be put not only on the eligibility problems of the THMPD (Directive 2004/24/EC), but also on the lack of coherence between THMPD and food supplement laws in Member States, which is causing a many traditional herbal products previously sold as food supplements to 'fall between the two stools' of food and medicinal law.
- Engaging in dialogue with Member State competent authorities to ensure that stakeholder and consumer issues are properly considered
- Providing of reliable information to consumers, and not just stock responses re-iterating the intention of the THMPD, EFSA guidance and national food supplement laws
- Monitoring progress of ANH/Benefyt judicial review of THMPD
- Pushing for amendment of THMPD to resolve its innate flaws [this might be easiest achieved following the planned judicial review being led by ANH/Benefyt
- Encouraging EC to initiate proposal for new legal framework for practitioner prescription as indicated in the EC experience report [COM(2008)584] (which the EC has recently indicated is not a current priority)

MEP actions 2:

Max Permitted Levels (vitamins and minerals)

- EP scrutiny as to the appearance of the EC proposal via 'comitology' is vital to allow adequate time for detailed consideration of the proposal
- Developing quorum of MEPs with special interest in monitoring comitology
- Recognition that the EC proposal, given it will be the first time that official figures will have been released, should be regarded as a starting point for proper scientific dialogue rather than a 'fait accompli'
- MEPs should be prepared to veto 'delegated act' if scientific basis for MPLs is weak or inadequate

MEP actions 3: Health claims

- Recognition of problems caused for consumers by enforcement of Community register of 'general function' Art 13.1 claims
- Need for altering scientific substantiation requirements to allow use of plausible and qualified evidence in establishing health relationships, including high quality observational and epidemiological evidence
- The Parliament should work towards developing amending the NHCR to avoid infringing freedom of speech and removing specific and non-specific health claims that facilitate consumer choice of healthy foods

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