

## CODEX ALIMENTARIUS EXCLUSIVE

The following information was sent out as an ANH eBlast on 27<sup>th</sup> October 2006. If you do not currently receive our eBlasts and would like to, please sign up [here](#).

It's approaching November and the critically important annual meeting of the [Codex](#) committee on nutrition [starts next week](#). Here, further detail on how international guidelines affecting food and dietary supplements get thrashed out, with the view to these guidelines being adopted by as many member nations as possible, supposedly to ensure that consumers are adequately protected and trade between nations is facilitated. Sound reasonable? Well, it isn't, and find out why below.

Moving from our usual format, we have devoted this entire eBlast exclusively to the whole issue of Codex in relation to natural health simply because we feel there are so many different views being expressed and so much confusion on the subject. We have tackled this complex issue in layperson's terms and hope it will be accessible to a wide audience.

**Note: Please forward this release on to anyone you think might be interested, and if you know of a website that might wish to publish this article, we are happy for it to be published with due acknowledgment to the Alliance for Natural Health.**

### From Germany to the Golden Triangle...

After years of meeting in Bonn in Germany, in the country that has defined ultra-precautionary approaches to nutrition, this coming Codex committee meeting has been relocated - this time to Chiang Mai in Northern Thailand - the heart of the so-called Golden Triangle. We'll be looking closely at the attendance statistics and any drop-off in attendance from some of the smaller, notably African, nations will almost certainly be the result of the increased cost of getting to the Thailand meeting. This concern was already voiced by a number of delegates at the end of last November's meeting in Bonn, when the new destination for the next meeting was announced. Let's not forget that some of these smaller nations are becoming more and more interested in nutritional interventions in healthcare given the high cost of pharmaceuticals so they have an interest in ensuring that Codex guidelines don't neuter all nutrients, to the point their dosages are so low to be non-therapeutic. One would hope gerrymandering wasn't part of the reason for the relocation of the meeting...

The National Health Federation, the only health freedom interest with delegate status at Codex, is this year sending a three member, international delegation comprised of Ingrid Franzon (Sweden), Dr Robert Verkerk (of ANH, UK-based) and Dr Wong Ang Peng (Malaysia).

### Confused over the relevance of Codex?

Much has been written and said about the significance of Codex guidelines. The FDA in the USA, and a number of major natural health trade associations, uphold that Codex will not have any effects on nutrients sold within the US, and will only affect exports to countries who decide to adopt Codex guidelines, like Europe and many African and Asian countries. This view has been strengthened by a number of US legal opinions that have dealt with the question of whether Codex guidelines are mandatory in the USA.

These legal opinions have crucially failed to address the potential political, economic and social effects of Codex. This is probably because lawyers are paid to focus on legal matters and they inevitably centre their opinions on the very specific questions that are asked of them. These past opinions tend to have been confined to addressing the issue of the mandatory nature, or otherwise, of Codex guidelines, as well as the potential effect of a trade dispute brought under the auspices of the World Trade Organization (WTO).

### Unravelling Codex - simply

This is not the place to get into the finer details of how Codex or the WTO works or how, in our considered view, Codex presents a huge threat to the continued, long-term availability of therapeutic nutrients to consumers all over the world. But given the mass of sometimes conflicting information on the internet, we think it's worth looking at some of the simple facts that make up the worrying picture of Codex in relation to our ability to self-medicate, self-heal and manage our own health, free - if we should so choose - from the control of the pharmaceutical industry:

- Codex guidelines are being applied initially to maximum dosages of vitamins and minerals but will likely be applied to both ingredients and dosages of other categories of nutrients in the future, [just like the EU Food Supplements Directive is in the process of doing across the EU](#)
- Codex guidelines are controlled by the EU more than any other country because European member states have agreed that they will vote *en bloc* behind the unelected European Commission that has been the primary driver of [ultra-restrictive legislation](#) in Europe (this way Europe provides 25 votes, against one, for example, from the United States)
- Codex Guidelines on Vitamin and Mineral Food Supplements bear remarkable similarities with the EU Food Supplements Directive, so that, given the control of the European Commission, Codex guidelines can be seen as a mechanism which serves to export restrictive EU laws on food/dietary supplements to the world stage
- The Codex Guidelines on Vitamin and Mineral Food Supplements are using 'scientific risk assessment' as the means of establishing maximum dosages, that will ultimately define, internationally, what is regarded as the borderline between food and medicinal doses. This is not good news given that we have now demonstrated amply that the form of risk assessment that is being used is [deeply flawed](#) and therefore in many cases massively understates maximum safe

dosages. Although the some of the natural products industry celebrated the move to 'scientific risk assessment' which they saw as a coup over RDA-based maximum levels, the truth is that this new science has been orientated in such a way to give results that are not very different, and in some cases less favourable, than RDA-based approaches

- Even if trade sanctions are not imposed following a trade dispute through the WTO, the political, economic and social effects of internationally developed and recognised Codex guidelines are enough to force, in time, the vast majority of countries to bring their national laws into line with Codex. This is not something that will happen tomorrow or even next year. The vitamin and mineral guidelines will not be complete until around 2012 or 2013, so they are giving us lots of time to adjust to the new regime that will attempt to deprive us of our right to nutrients which have been systematically depleted from our normal food supply

### **Islands, harmonisation and manipulation**

The United States is widely regarded as the research and development centre for nutritional medicine. In some people's eyes this is an over-generalisation, but the importance of the USA's ability to continue to grow and expand its natural products industry, to help, among other things, to fuel more research is hard to deny.

In the best case scenario, as proposed by the FDA and some of the big natural products trade bodies like the International Alliance for Dietary Supplement Associations (IADSA), the Council for Responsible Nutrition (CRN) and the Natural Products Association (NPA, formerly the National Nutritional Foods Association [NNFA]), US companies are going to have to handle a two tier system, where they trade in higher dose, therapeutically-active natural products within the USA, while they export dumbed-down products to the majority of the rest of the world that has agreed to become Codex compliant. This idea smacks of an 'island' mentality - it's all very well if your island can exist self-sufficiently without itself relying on imports - but this is very rarely the case.

In fact, the USA is busy trying to expand its territory for harmonised trade through a number of trade agreements, such as the Central American Free Trade Agreement (CAFTA), the North American Free Trade Agreement (NAFTA) and the 'big one', the anticipated 34 country strong [Free Trade Agreement of the Americas](#) (FTAA), which would become the most powerful trading bloc in the world. Trading blocs are being developed for the exclusive purpose of making life easier for big business - to increase bottom lines. Consumer or even environmental protection is sometimes waved as a secondary purpose, but you'll find any such claims are nearly always disingenuous. When it comes to the natural products industry, that little sore that continues to grow and irritate the much larger and more powerful pharmaceutical industry, you'll find that consumer protection gets used as the ticket to dumb down effective doses and types of natural product to such feeble levels, rendering them next to useless. When lots of countries are

involved in a trading bloc, the tendency is to appeal to the lowest common denominator, so those countries who have long disliked higher dose, therapeutic natural products can't claim they are being forced to accept unsafe products which might harm consumers. Simultaneously trading bloc regulations generally attempt to shift the burden of proof on safety (one of the biggest costs facing the pharmaceutical industry in getting new drug licenses) from government on to industry, making it prohibitively expensive for any but the largest companies to put products on the market. Can you imagine if Walmart in the US or Tesco in the UK was told to withdraw all fruit and vegetables from sale, until such time they could prove they were safe! Trading blocs effectively force the natural products industry into a pre-market authorisation mechanism, giving it a regime that has ever increasing similarities with the licensing regime of the pharmaceutical industry. And who said drugs are safe?

This is exactly why the EU, a 25 nation strong trading bloc, is currently in the process of trying to dumb down the previously higher levels of nutrients found in countries like the UK, Sweden, Holland and Ireland, to cope with regulatory mind-sets that have shunned higher dose products for many years, in particular those in countries like Germany and France. The process is underway and the USA and other countries are not immune from it!

### **Trading blocs and vital organs**

Let's look at an analogy. In our analogy let's think of big trading blocs like the EU, vital components in our existing globalised economy, as vital organs of the human body, such as the heart, the lungs, the brain, the liver or the kidneys. In fact, you could argue that the proposed FTAA will be more like the cardio-vascular system, comprising the heart, lungs and related plumbing, given its size and diversity. These blocs need to be very well connected to other parts of the world, or, in our analogy, the body, if they are to survive and flourish. The cardio-vascular system needs to be connected via the arterial and venous systems, as well as major parts of the central nervous system, and, directly or indirectly, to all other major parts of the body. The USA, even as it currently stands, outside of a trading bloc, is one of the world's most important trading partners. Accordingly it cannot exist as an island. Once it expands - if citizens in a supposedly democratic society allow this to happen - this tendency to be part of the rest of the world will be even greater. The USA is not a tonsil or an appendix that can be extricated from the system without any real adverse effects. As the USA builds its place in ever-expanding trading blocs, it becomes ever more important that it places along with WTO, Codex and other rules created by the 'globalisers'.

We hope that this analogy goes some way to help demonstrate why the economic and political pressures that can be exerted by Codex might be even more important than the legal pressures. These are pressures that the lawyers who have labelled Codex guidelines as 'harmless' are simply not talking about. That's because these lawyers inevitably tackle the narrow remit provided to them, never straying from its literal sense or the question they have been asked to provide an opinion on, which may have been carefully selected or agreed to provide the given opinion. The typical question asked is

“Are Codex guidelines mandatory in the USA?”, while you now might appreciate, a question such as “What are the legal, political or economic risks of Codex guidelines impacting the nature of the US market once the guidelines are finalised?” might reveal a rather different answer!

## Media manipulation

But it gets even worse than this. You may have noticed increased press coverage on safety issues relating to natural health products over the last few years. In the UK, even the BBC has furnished us with headlines as disconcerting as “[High dose vitamin E death warning](#)”, which followed Miller et al’s [meta-analysis](#) or “[Vitamins pills do not stop cancer](#)” which carried the misrepresented story about synthetic beta-carotene and vitamin A or synthetic vitamin E increasing the risk of premature death by 30% and 10%, respectively.

This anti-supplement press is part of a deliberate campaign by pharmaceutical interests to skew public opinion against natural health products and self-medication, or frighten people away from complementary health practitioners while steering them towards orthodox medicine and pharmaceuticals. Millions are being spent on these campaigns all over the world and the data being presented is often seriously misrepresented. It seems the general public are wiser than this as interest in natural health continues to expand and many are disillusioned with the ethics, results and side effects associated with pharmaceuticals.

Our Executive and Scientific Director, recently gave a [presentation](#) entitled “*The CAM Gameshow: Whose evidence is it anyway*” which tackled the thorny subject of scientific evidence at the [CAM Expo in London](#) last weekend. If you wish to download a copy of his PowerPoint presentation, click [here](#) (16.5 Mb, large file warning).

## We need your help - NOW!

We have a detailed strategy which tackles many aspects of Codex and related risk assessment issues - and given that we are funded only by donations, we urgently need your help.

It will cost us more than £100,000 (c. US\$190,000 or €150,000) this year just to:

- Attend Codex and other scientific meetings
- Compile and submit major submissions. Click [here](#) to see our latest submission.
- Develop and publicise in scientific circles the reasons why Codex-style, ultra-precautionary, guidelines and regulations are scientifically irrational and erroneous
- Help develop and promote new, scientifically rational models for risk/benefit assessment of nutrients and other natural health products

- Coordination of activities with other health freedom organisations, including our affiliate partners in the USA, the American Association for Health Freedom/Health Freedom Foundation ([AAHF / HFF](#)), and the National Health Federation ([NHF](#))
- Continue our [legal challenge on the EU Food Supplements Directive](#)

Please [DONATE NOW](#) - to help us help you. Without your support we cannot continue this work.

**Important note for US citizens:** you can make tax deductible donations marked for the 'European campaign' to the [AAHF / HFF](#).

In health - as always.

### **The ANH Team**

*Working on your behalf to protect and promote natural health worldwide, using good science and good law*

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