

What is a 'medicinal plant'?

The question of botanicals is front of mind as I write this because two days ago the HFMA held its latest successful industry event, a conference entitled 'The Future for Botanicals', at Savoy Place in central London. Just as we talked throughout 2011 of herbals and the THPMD, and throughout 2012 of health claims and the NHCR, so shall it be that we will spend a lot of 2013 pondering botanicals and their place in the world. So this latest conference could not have been more timely.

The backdrop to the conference is that which I outlined in last month's article, whereby the European Commission finds itself in a bind over what to do about the more than two thousand botanical health claims currently 'on-hold', and how they can be assessed by EFSA without taking into account evidence of traditional use, when a concurrent piece of legislation, the Traditional Herbal and Medicinal Products Directive, does exactly that. And so the Commission recently proposed two options for consideration by the members states (MS):

- Option 1 - status quo- botanicals would be subject to the same scientific standard used by EFSA for other health claims
- Option 2 - review the legislation and give recognition to traditional use. This second option would also explore other aspects, such as quality and safety

The views of stakeholders were sought and on the basis that unless there was a change to the way that EFSA reviews the health claim submissions, Option 1 would result in most botanicals claims being prohibited, most industry stakeholders (including the HFMA and EHPM) opted for the second option. At the last Commission Working Group on Claims, these options were discussed by the MS and whilst there was a majority of MS that had reached a decision in favour of Option 2, many MS (including the UK) were undecided.

So to help promote a broader understanding, and facilitate helpful debate on the issue, the HFMA's conference came about. The conference featured speakers from the USA, France, Italy, Belgium, the Netherlands and the UK, and an audience consisting of the great and the good from our industry, along with UK regulatory officials from the Department of Health (DH) and the Medicines and Healthcare Products regulatory Agency (MHRA), and several attendees from outside the UK. Based on the attendee evaluation forms received, the event received the highest overall rating since our December 2008 industry conference at Church House, Westminster.

Under the stewardship of HFMA vice-president Penny Viner, herself an acknowledged expert in the field of herbals and botanicals and chair of the UK's Herbal Forum, the expert speakers covered many aspects of the conference theme.

The keynote speaker, courtesy of HFMA member company Naturex, was Chris Kilham, aka 'The Medicine Hunter', who travelled over from the United States to give a fascinating and hugely entertaining presentation on the many botanical substances he has tracked down on his visits to the Amazon rainforest and other regions of the world. It



was inspiring to listen to a man with deep conviction that the botanical substances he has tracked down can not only contribute to the maintenance of good health, but also present a commercial opportunity for peoples in remote parts of the world to benefit from the resulting enterprise.

A very interesting legal perspective was provided by Brian Kelly, of HFMA member company Covington & Burling, recognised global experts in medicinal and food law and the HFMA's lawyers in its current legal action regarding the claims Regulation against the Commission. Brian provided an update on that action and also on current

prevailing food case law in the EU. Attendees clearly welcomed Brian's fresh, clear and concise summary.

But what of my opening question? Rather than answer this myself I will instead relate the observation made by one of the expert conference speakers, Luc Delmulle. Luc is Guest Professor at the University of Ghent's Pharmacy department and is an expert member of the Herbal Advice Commission of the Belgian Ministry of Health, and President of its working group of the Herbal Advice Commission establishing maximum dosages of herbs or active principles allowed in food supplements. He is also the official Belgian delegate at the Council of Europe in the ad hoc working group of plants, and Expert member of EFSA's working group on herbs.

So this is clearly a man who knows his subject and speaks with real authority. Addressing the audience, he made a request that we should stop making references to 'medicinal plants', stating that no such thing exists. He argues that there are only 'plants', and that from one single plant you can derive, for example, foods, cosmetics, even poisons etc, and yes, medicines. But plants are plants until we do something with them, and we should stop thinking of them in terms of one particular product category.

Personally, I found Luc's observations to be very refreshing and a positive contribution as we strive to find the rightful future home for botanicals.

If you want to know more, or would like to join the HFMA or learn more about our activities, please contact me at graham@hfma.co.uk.

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