



HFMA UPDATE

by Graham Keen,
Executive Director

In my last column, I provided an update on the impending Judicial Review, which might determine the future regulatory status of glucosamine, and potentially, therefore the many existing food supplements that have a licensed prescription-only equivalent.

Well, I'm pretty sure that most of you will, by now, know that the outcome, far sooner than we might have anticipated, was very positive indeed for our industry. The judge comprehensively, and very quickly, decided that the MHRA, with the HFMA's strong input and support both leading up to and in the Court, had sufficiently made its case that glucosamine should maintain its current medicinal and food supplement status, citing sections of the HFMA's skeleton arguments in his written judgement.



Following that decision, we received the further very welcome news that the Claimant's request to seek leave to appeal the decision in the Court of Appeal had been refused via a Court Order. This was significant news, and the HFMA's contribution to the refusal in support of the MHRA's response was again of great importance. We now know that the Claimant's have pursued the next of their few remaining options, which is to appeal direct to the Court of Appeal, so this case is not over yet and will probably run until after the summer.

As if to leave us with little doubt about why this was a fight worth fighting, in the short period since knowing the outcome of the Judicial Review we have seen the

The wheels of justice

announcement by NICE – the National Institute for Health and Care Excellence – that it is consulting on updating its guidance on vitamin D supplementation and the subsequent ramping-up of efforts of major pharmaceutical companies to say that they want the guidance to state that only licensed vitamin D products should be recommended. If ever we needed a timely example of what the recent glucosamine Judicial Review was really all about, this is it.

Another thing that you cannot have failed to notice over the last few weeks is that a European Parliament election has taken place and the new Parliament has now met and the process of establishing the make-up of the key committees is also well under way. Here in the UK, UKIP topped the polls, electing 24 MEPs, Labour came in second with 20 MEPs, closely followed by the Conservatives with 19 MEPs. The Greens were in fourth place with three MEPs, then the SNP with two MEPs, and finally the Liberal Democrats with a single MEP (losing 10 MEPs in the process). Across Europe, Eurosceptic parties doubled their number of seats in the European Parliamentary elections, but their influence may be limited due to their lack of cohesion as a group and the fact that the Centre Left and Centre Right still control more than half of the 751 seats.

On the plus side, re-elected MEPs who have previously met with, and shown support for, the HFMA and this industry include Jill Evans (Plaid Cymru) Wales, Julie Girling (Conservative) South West England, Roger Helmer (UKIP) East Midlands and Anthea McIntyre (Conservative) West Midlands. Further good news was that long-standing Irish MEP industry supporter, Marian Harkin, who hosted EHPM's successful botanicals workshop in mid-2013, was re-elected by the narrowest of margins following a recount.

Less positive was the loss of those previously supportive MEPs who were not successfully re-elected, including Lib-Dem MEPs Phil Bennion (West Midlands), Andrew Duff (East England) and Bill Newton Dunn (East Midlands).

More recently, there has been a vote in the European Parliament plenary session in Strasbourg to confirm the appointment of MEPs to the various Parliamentary committees, and this includes the influential Environment Public Health and Food Safety (ENVI) Committee, which is responsible for the majority of new legislation impacting this industry, and therefore our members. The UK members of the new ENVI Committee are Seb Dance (Labour), Glenis Willmott (Labour), Ian Duncan (Conservative), Julie Girling (Conservative), Syed Kamall (Conservative) and Catherine Bearder (Liberal Democrat).

It is important to note that one of our most loyal UK industry MEP supporters, Julie Girling, will once again be taking a seat on this influential committee, and I hope to meet again with her to make sure that she is fully up-to-date with our questions and concerns. All of the members of the ENVI committee are key targets for the HFMA's lobbying activity and meeting requests are currently being drafted, and everybody in this industry should be thinking about how they can support this lobbying activity with their own constituency MEPs.

One of the many tangible benefits to be derived from membership of the HFMA is the opportunity to attend one of our workshops or seminars, and whilst doing so have the opportunity to network with like-minded individuals from other member companies. A great example of this occurred in June when the HFMA and the British Herbal Medicine Association (BHMA) jointly hosted a technical workshop

on herbal medicines regulation, with major input from the Medicines and Healthcare products Regulatory Agency (MHRA).

Entitled 'MHRA Variations for THR holders – procedures and pitfalls', this successful event was well-attended by regulatory staff from both members and non-member companies. Speakers from MHRA's licensing and submissions divisions gave in-depth coverage on what and what not to do – together with practical input from both BHMA and HFMA members on what can go wrong and how to avoid it. The day ended with a question forum where the presenters, plus Dr Linda Anderson, Principal Assessor to the MHRA Herbal Medicines Advisory Committee (HMAC), covered questions on this complicated but, for Traditional Herbal Registration (THR) holders, increasingly important area of regulation.

Our next event is planned to be one of our very helpful workshops on food and food supplement labelling, with a particular focus on the new Food Information to Consumers Regulation (FICR), which will impact everyone in our industry, and is causing a considerable amount of head-scratching right now! This will likely take place in the autumn, so watch this space for further details.

In closing, I can't really let things pass without making reference to the recent magnificent exploits of my all-conquering rugby team – Northampton Saints – who, in highly dramatic fashion, won the English Premiership to make it two major trophies for the season. I already have my new season ticket for this year and I can't wait to get back to Franklins Gardens! **hfb**

To help us in our efforts to protect this industry and benefit from the gold-standard advice we provide, join the HFMA at the earliest opportunity. To learn more about our activities, please contact graham@hfma.co.uk.

HFMA membership is vital to ensure that your company keeps abreast of the fast-changing regulatory environment. The HFMA is the UK's best source of information and most effective defender of our industry's interests. To help the HFMA defend your business at this most critical time contact hfma@hfma.co.uk or call 020 8481 7100.

