



## HFMA UPDATE

by Graham Keen,  
Executive Director

*"When somebody simply tells you bad news, you hear it once, and that's the end of it. But when bad news is written down, whether in a letter or a newspaper or on your arm in felt tip pen, each time you read it, you feel as if you are receiving the bad news again and again."* – Lemony Snicket, *Horseradish: Bitter Truths You Can't Avoid*.

I should have known better than to think that we could go into the Christmas festivities without having to deal with yet another issue relating to our products in the mainstream media. And this time the 'scud' was a big one. For 24 hours or so, much of the health news was dominated by a new US report published in *The Annals of Internal Medicine* report warning 'Most supplements do not prevent chronic disease or death, their use is not justified and they should be avoided'.

This research, from academics from Johns Hopkins University School of Medicine and the University of Warwick, asserted that vitamin supplements almost never have health benefits, are a waste of money and could even be harmful. It went on to suggest that "supplementing the diet of well-nourished adults has no clear benefit and might even be harmful".

At the HFMA, we had early (i.e. three hours!) warning that *The Times* intended to cover this story, and we were able to provide a statement, which, I'm pleased to say, resulted in our comments being included in the article to provide balance to the report – which had the front-page banner headline 'Vitamin pills are a waste of money, experts warn'. We also circulated the HFMA statement to all national consumer, health and science reporters and, subsequently, extracts from our statement appeared throughout additional

## How do you like your news?



mainstream national media outlets.

But I'm afraid it didn't end there as the story continued to gain traction and appeared throughout many national TV and radio outlets. I conducted a series of interviews throughout the day with a variety of radio outlets, including live interviews with BBC Radio 5 Live (the lunchtime show with Sheila Fogerty) and BBC Radio 4 (live on the *PM* news programme). And then in early January I took part in a lively debate on BBC Radio 2's Jeremy Vine show.

In the face of a very aggressive stance taken by the BBC's Dr Sarah Jarvis, and in particular Dr Chris Van Tulleken, who recently criticised supplementation on the BBC programme, *Trust Me I'm a Doctor*, we were very pleased to be able to provide some much-needed balance throughout this onslaught on our industry and the HFMA was once again proud to be able to be the 'Voice of the Natural Health industry'.

### Maximum levels

In the meantime, the spectre of maximum levels for the inclusion of nutrients in food supplements,

commonly known as MPLs, has once again raised its ugly head. Whilst there remains no expectation that the European Commission will resume working on the setting of MPLs for vitamins and minerals before the European Parliament elections and subsequent reallocation of Commission responsibilities from May 2014 onwards, there have been recent related developments, some of which give cause for real concern.

The pan-EU trade organisation Food

Supplements Europe is expected to shortly publish a new risk management model that follows the methodology of, and updates, the EHPM-ERNA Model of 2004. Whilst the new publication is anticipated to put forward a few levels higher than EHPM-ERNA – notably for vitamins A and D – the levels for vitamins B6 and E are at the lowest end of the previous spectrum and the levels for key minerals remain low.

And then the Alliance for Natural Health (ANH) recently announced that they have commissioned the Dutch independent research organisation, TNO, to develop a new approach to determining maximum safe levels of vitamins and minerals for European consumers. We would expect this to propose rather higher MPLs than those of Food Supplements Europe, but not to be welcomed warmly by the Commission.

Now we have heard of changes to the European Comitology process (the means by which new EU legislation is adopted and implemented). Changes envisaged under the Lisbon Treaty – which entered into force at end-2009 – are

scheduled to affect the way MPLs, if progressed, will be approved. The Lisbon Treaty introduced two new forms of implementing measures, 'delegated acts' and 'implementing acts', to replace the old 'regulatory procedure with scrutiny', which gave a three-month scrutiny period within which the European Parliament (EP) could raise an objection.

The Commission has now sent a proposal to the European Parliament that lists existing legislation for which implementing rules will now be developed and the setting of MPLs is scheduled for adoption via an implementing act. This means that the Commission can adopt the measure without any consultation with the European Parliament, however, a vote of the Standing Committee of member state experts is required. In any event, if an MPLs proposal is actually progressed, UK officials and MEPs are highly likely to be in a very small minority.

All of these developments are not particularly surprising and the HFMA's objective remains the same, to ensure that safe, popular, specialist supplements are allowed to remain at their present potencies in the UK, and the pursuit of this objective, driven by the highly influential Consumers for Health Choice (CHC) campaign, has helped keep MPLs off the European agenda since April 2009. We continue to review the situation and act as required to pressure the UK Government to maintain its current policy on this issue.

**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 me at [graham@hfma.co.uk](mailto: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](mailto:hfma@hfma.co.uk) or call 020 8481 7100.**

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The Voice of the Natural Health Industry