

CODEX “Do We Need to Worry?” by Diane M. Miller JD

Many people are contacting NHFC, asking why Americans should be worried about the new Codex Vitamin and Mineral Guidelines adopted in Rome on July 4th. Amazingly, the impression some nutritional spokespersons are giving to the public is that there is nothing to worry about in the U.S.

Product companies are being reassured that: *“American consumers still have full access...”*; *“consumer access to dietary supplements in the US is not in danger...”*; and *“The adoption of final Codex Supplement Guidelines...does not threaten the freedom to access dietary supplements and information about supplements that are guaranteed in the US...”*

NHFC encourages health freedom advocates to look at the situation from the perspective of the global community and as members of a changing world. The above comments, although potentially technically true for now, could misrepresent the gravity of the danger we are now facing regarding the preservation of our domestic laws, including our supplement laws. Like a person huddling in the basement during a tornado thinking they are safe, when they emerge they may find complete devastation. If the global community continues to attempt to restrict access to dietary supplements by setting maximum upper limits and mandatory risk assessments like drugs, then we are realistically located in the eye of a devastating storm and the reassurances that we are safe are unrealistic.

The world is moving towards a global economy. Well-intentioned people, and some maybe not so well intentioned, are at global tables making agreements that impact many internal domestic laws. They are not only making agreements that countries could eventually adopt into law, but they are setting global policies and attitudes that will impact decisions of the future.

For example: The US is one of 179 countries participating in Codex. The US is the only country with a Dietary Supplement Act. In complete opposition to principles of DSHEA, which make it clear that vitamins and minerals are foods and are generally regarded as safe, the global community has now adopted a policy that views vitamins and minerals as dangerous, requiring maximum upper limits after a risk assessment. This very fundamental policy will now ripple out globally to many contexts and documents, and will set a precedent for how vitamins and minerals are represented to consumers worldwide. As a result, consumers around the world will not have access to the dosage of vitamins and minerals that are available in the US, neither will they be educated by their own trusted country regarding the benefits of nutritional supplements. Instead, countries themselves will promote education and policies that regard vitamins and minerals as dangerous. And new member countries that do not already have laws regulating vitamins and minerals even as we speak are being encouraged by Codex members to use the Codex Vitamin and Mineral guidelines as the template for creating laws for their own countries.

In addition to global bodies such as United Nations (UN), World Food and Agricultural Organization (FAO), World Health Organization (WHO), and Codex, there are global trade agreements such as WTO, CAFTA, and NAFTA which come into play regarding products and trade. Trade agreements are important because inside their agreements they refer to international standards and guidelines such as Codex as the proper guidelines that their member countries

must use when shipping products. Trade agreements are enforced by special committees to encourage compliance or by dispute resolution bodies to levy sanctions on countries.

Most trade agreements have gone beyond simple schedules for reducing tariffs and duties on products and have developed into policy-setting agreements of how countries should all get along regarding money matters. Setting policies is a powerful springboard for moving agendas through bureaucracies. For example, one main policy goal of the WTO is the harmonization of trade practices encouraging countries to use international standards whenever possible to avoid discrimination and competition issues. The policy of harmonization has infiltrated many aspects of world trade. One wonders what these agreements would look like if their underlying public policy were to promote diversity and protect sovereignty instead of to harmonize the world trade.

Whether our membership and adoption of WTO, CAFTA, and NAFTA, will play out in a manner that challenges our DSHEA law is yet to be seen. Some critics of Codex and world trade agreements point out that DSHEA might be challenged by an importing country as an unfair law that poses a “technical barrier to trade” because it poses unfair competition to countries that import their low-dosage Codex products to us. Others warn that international guidelines will provide political fuel in Washington to force a revision and watering down of DSHEA to a more restrictive law that is more in line with the global trade community.

Whatever the future, we cannot afford to view the situation from a purely domestic national perspective. International law and public policy impacts our daily lives and the future of our home planet. It is being adopted by individual countries more each year.

Many people are worried about “globalization” because they believe we will lose sovereignty and our historical diversity. Some people want to disband global bodies such as the United Nations and Codex. Others want to rescind agreements such as World Trade Organization, NAFTA and others. These are all important questions to ask ourselves.

While these bodies exist, health advocates need to be at the table in an effective and professional manner and at all levels, including the very beginning development stages of each public policy so as to impact the discussion on behalf of the people. It is often too late to stop the machine of huge international meetings and assemblies if we have not been all along building the relationships we need to preserve our domestic diversity and freedoms.

Right now, and immediately, we need to make a plan to make sure we are represented at international tables that set public policy and laws. If we don't we will live under whatever develops regionally and internationally without us.

Should Americans be concerned that a global body of scientists will decide maximum upper limits of vitamins and minerals for products being shipped overseas? I would say if one were committed to health freedom, consumer maximum options, and consumer health, then definitely “YES”. Individuals and corporations that have these values and insight are committing significant resources to promote the adoption of American DSHEA philosophy and concepts throughout the world.

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