

FAX: (202) 318-7557

The Honorable Blanche Lincoln
United States Senate
355 Dirksen Senate Office Building
Washington, DC 20515

Dear Senator Lincoln:

Congratulations on your appointment as Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry. **I am writing to you to ask your assistance in assuring legislation passed in 1997 is fully implemented and acknowledged.**

I am referring in particular to Section 410 of the Food and Drug Administration Modernization Act. The language forbade the FDA from harmonizing any global regulations into US laws governing dietary supplements. As you may know some countries and the European Union have highly restrictive laws regulating dietary supplements as drugs and limiting their potency. I am a strong believer in the current US regulatory framework and want it protected. I do not want any international guideline to undermine or alter this law.

I remain concerned that neither the USDA CODEX office nor the FDA have acknowledged in their Standard Operating Procedures (published in the Code of Federal Regulations) Section 410 of the 1997 law. This failure to connect procedures and policies to the existing law leaves many consumers worried that their existing access dietary supplements will be adversely affected by the 2005 CODEX Guidelines on Vitamin and Mineral Food Supplements. At present, FDA's regulations for reviewing these standards states: "All food standards will be reviewed by the FDA and will be (1) Accepted Without Change (2) Accepted with Change, or (3) Not Accepted." (Emphasis and numbering provided.) They have not in 12 years updated this standard to note that the standard will not apply to dietary supplements. **This oversight should be corrected and I am asking that you make that request to the FDA. Furthermore, the USDA office has not provided any notice that the 2005 Guideline is 'not accepted' by the US Government. I believe an official rejection is needed so that all Americans can know that no adoption of the 2005 Guideline will take place.**

As the new Chairman of the Senate Committee on Agriculture, Nutrition, and Forestry, I hope you will help resolve this issue once and for all.

(Signature)

(Name, Please Print)

(Address)

(City)

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