



May 23, 2016

RE: Oppose Blumenthal Dietary Supplement Amendment to NDAA

Dear Senator:

On behalf of the American Herbal Products Association (AHPA), Consumer Healthcare Products Association (CHPA), Council for Responsible Nutrition (CRN), Natural Products Association (NPA), and United Natural Products Alliance (UNPA) – the major trade associations representing the dietary supplement industry – we oppose Sen. Richard Blumenthal’s expected dietary supplement amendment to the National Defense Authorization Act (NDAA). We opposed this amendment when it was filed in the Senate Armed Services Committee (SASC), and we will oppose it again if it is offered on the Senate floor for a vote. The amendment is unnecessary and would make it more difficult for servicemen and women to obtain lawful dietary supplements on base.

The Blumenthal amendment as proposed in Committee would prohibit the sale of any dietary supplements—including multivitamins—on military bases unless the products have been tested and verified by a third-party organization. Federal regulations already require that all dietary supplements, including those sold on military bases, adhere to label claims, establish quality and manufacturing standards, and authorize inspection of all dietary supplement facilities for compliance with these requirements. While third-party verifications may offer additional benefits for marketers who voluntarily choose to distinguish their products with these add-on programs, individual companies should be able to make that decision.

While we oppose the amendment and believe it is unnecessary, we note that as drafted it has significant defects. First, it does not set a standard for the third-party testers, so in some respects, it creates an uneven playing field where products could pass one tester’s program, but not another. Second, the Blumenthal amendment would not limit members of the armed forces from purchasing any product off the military base (in a neighborhood store), or over the internet, without third-party testers. In fact, it might actually fuel those purchases. Third, it would not reach many of the already illegal products containing stimulants and illegal steroids or prescription drugs that have attracted negative attention which are marketed primarily online, not in a commissary, PX or an “on base” retail establishment.

Military personnel and their families, like all American families, benefit from safe and beneficial dietary supplements products. We recognize and share Senator Blumenthal’s interest in making sure that the products our servicemen and women access are safe and made to high quality standards. That is why we have consistently advocated for stronger enforcement of existing

regulations by the Food and Drug Administration (FDA) and others to address any concerns about regulatory compliance.

The Blumenthal amendment to the NDAA would unnecessarily limit access to mainstream products while potentially fostering a gray market for products purchased off base or online, and would severely restrict legitimate dietary supplements from being sold on military bases in a retail setting, thus precluding America's service members from access to safe and beneficial products sold elsewhere. For these reasons, we urge your opposition to the amendment if offered.

Please let any one of us know if you have additional questions.

Sincerely,



Michael McGuffin  
President  
American Herbal Products Association



Scott Melville  
President & CEO  
Consumer Healthcare Products Association



Steve Mister  
President & CEO  
Council for Responsible Nutrition



Daniel Fabricant, Ph.D.  
Executive Director & CEO  
Natural Products Association



Loren Israelsen  
President  
United Natural Products Alliance