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Friday 21st August 2009

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ANH sues FDA over suppression of free speech on selenium health benefits

Press Release: For Immediate Release
30 July 2009

SELENIUM CLAIM SUPPRESSION VIOLATES FIRST AMENDMENT ALLIANCE FOR NATURAL HEALTH SUES FDA

Today the Alliance for Natural Health's US arm, Alliance for Natural Health US (ANH US), along with dietary supplement formulators Durk Pearson and Sandy Shaw, and the Coalition to End FDA and FTC Censorship, filed suit in the US District Court for the District of Columbia against the Food and Drug Administration (FDA). The suit seeks declaratory and injunctive relief on the grounds that FDA's June 19, 2009 decision to suppress selenium/cancer-risk reduction claims infringed on the organization's right to speak freely about truthful health information.

Alliance for Natural Health US (see note below) is a membership-based organization that strives to empower consumers with the information they need to take personal responsibility for their health. ANH US professional and industry members have a particular interest in the dissemination of truthful nutrient information to explain the benefits of the dietary supplements they recommend to their patients and consumers. The suit alleges that FDA's actions interfere with the organization's goal of facilitating the free flow of credible scientific information to educate consumers.

Regarding the suit, Alliance for Natural Health US Executive Director Gretchen DuBeau stated, "The ability to share information with the public about the benefits of health foods and food supplements is a critical component in advancing the cause of healthy living and disease prevention."

The suit is the latest in a series of actions filed against the FDA for impermissible bans on qualified health claims. Qualified health claims are used when there is emerging evidence for a relationship between a food, food component or dietary supplement and reduced risk of a disease or health-related condition. In previous lawsuits, the FDA has been rebuked for attempting to suppress such information about dietary supplements.

"It beggars belief that the FDA has seen fit to reverse its position on the role of dietary selenium and reduced cancer risk", said ANH's scientific and executive director, Robert Verkerk PhD.

"At a time when disease prevention should be at the top of all governments' policy lists," continued Verkerk, "we see a retrograde step like this. The FDA, like other drug regulators around the world, seems to be dancing to the EU tune on health claims, which is in the process of being incorporated into Codex. The new EU law requires extremely high levels of proof using only human trials, and when applied in principle to the US, will result in approved qualified health claims for only a handful of nutrients. This works completely counter to the principle of informed consumer choice which has never been more important given the current burden of largely preventable chronic diseases."

Alliance for Natural Health US is represented in this matter by Emord & Associates, P.C.

Ends

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EDITORS NOTES:

About the Alliance for Natural Health US:

American Association for Health Freedom (AAHF) is in the process of merging with the international organisation [Alliance for Natural Health](#) and is already operating as Alliance for Natural Health US.

AAHF is a 501(c)4 nonprofit organisation that protects Americans' right to access integrative medicine and dietary supplements. AAHF defends the right of the consumer to choose and the practitioner to practice by lobbying Congress and state legislatures; educating the public, press and decision-makers on integrative medicine; initiating legal activities; and joining and forming significant coalitions. More information is available at www.healthfreedom.net.

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