

Dear _____ M.P. (This letter has nothing to do with Bill C-6)

Since thousands of Canadians have voiced concerns about threatened access to NHPs posed by the Natural Health Product (NHP) Regulations, many **M.P.s** have responded with information that is factually **incorrect**.

For example, M.P.s have assured Canadians that NHPs are regulated separately from “Drugs”. Other M.P.s stated that those talking about reduced access to NHPs are simply “fearmongering”, and that these concerns are “based on little if any actual facts.” Or that an online system to process license submissions faster will solve the problems, and ensure access. These statements are incorrect, and/or ignorant of the facts.

Fact #1 – After overwhelming public protests in 1997 against regulating NHPs as “Drugs”, the government claimed that NHPs would be given their own third category, distinct from “Foods” or “Drugs”. Yet in 2004, Health Canada placed NHPs as a subclass of “Drugs”. They assigned NHPs a definition virtually verbatim that of pharmaceuticals, and maintained only the two previous categories: Food and Drugs. The root of the problem threatening Canadians’ access to NHPs stems from the fact that they are classified as “Drugs,” and are being regulated based on a “Drug” model, instead of being defined and regulated in a distinct manner.

Fact #2 – As “Drugs” NHPs are forced to make a claim, and then to prove that claim. If the regulations are applied as written, thousands of multiple ingredient products will either have to perform trials to prove that their combination of ingredients does what it says, or be withdrawn. Since NHPs are not patentable, such trials are largely unaffordable, and if demanded will force countless products off the market.

Fact #3 – Health Canada’s “Drug” approval system was designed for single-molecule, patentable pharmaceuticals, but NHPs are extremely complex, and are not patentable. Furthermore, most have been part of our food supply for millennia, and work synergistically. Hence, they require different assessment standards. The current scientific “Drug” approval model cannot be fairly applied. This fact was clearly established by the Standing Committee on Health before the regulations were enacted.

Fact #4 – As products can still be sold while waiting for approval, the main problem is not the backlog of applications. The problem is that Health Canada is withholding approval for thousands of products. Furthermore, even if all Health Canada does for an application is send out an Information Request Notice, the application is considered “processed”, though it may be far from approved. Many companies have had their applications for multiple ingredient products in for 5 years or more, and still have not been approved.

Fact #5 – If NHPs were given a true third category like the industry was promised, instead of being over-regulated as “Drugs,” all of these issues could be handled much more appropriately.

On the other hand, if this were done Health Canada would then have far less ability to restrict access.

Since the regulations began, according to retail stores that have kept estimates, Canadians have already lost domestic access to well over 30,000 products that used to be sold here. Whether by using inappropriately stringent regulation, or forcing clinical trials, or cost recovery schemes driving up prices, Health Canada seems intent on “pharmaceuticalizing” NHPs, and downsizing the market.

Meanwhile, taxpayers are footing the bill for this process, yet the benefit to Canadian consumers has been negligible at best. The whole process reminds a person of the gun registry....Huge cost, little to no benefit. Overall, the NHP Regulations have been detrimental to Canadians by reducing their health choices.

As my M.P., or government representative, what are you doing to ensure that my fair access to NHPs will be maintained, without the cost being driven through the roof because of unnecessary overregulation?