



*There's more than one way of looking at health*

## ***Canadian Retailers and Consumers of Natural Health Products Beware: our time is limited!***

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If you are a retailer, marketer, or consumer of natural health products (NHP's) in Canada, like me, there are national and international events unfolding that you need to be informed about as they could severely curtail our ability to compete, and/or eliminate us from the market. Before you dismiss this as fear-mongering, do yourself the service of reading the following.

Talk of getting rid of health food stores has frequented medical circles for years, and Health Canada's actions have been consistent with this. We have had our product diversity, innovation and uniqueness reduced significantly by the 2004 NHP regulations, but many of us have been able to adapt and replace products we have lost with others. Yet, it is no coincidence that a lawyer with ties to the pharmaceutical industry, (who actually helped construct many of the NHP regulations), has replaced Phil Waddington as the Director of the NHPD; and the heat from Health Canada is about to get turned up. Way up!

What I am speaking of goes well beyond Bill C-51(or its successor). It is a free trade deal between Canada and the European Union involving "deep economic integration." To read about it simply reference the National Post in September/08. This deal would be worth hundreds of billions of dollars, and a big part of this free trade pie would be in pharmaceuticals. As the "green and organic" movement really gets rolling in North America, the global powers involved have no intention of letting Canada's health food stores or NHP manufacturers compete for any major piece of that pie. The plan is to force our NHP market to become more like Europe's, using very similar legislative platforms.

In Europe, the natural health industry has essentially been shut down by regulatory shackles like Codex and the EU Commission directives. In many countries you are lucky to be able to buy fish oil, much less any effective herbal combinations, probiotics, enzymes, etc. As this EU-Canada free trade agreement progresses, the corporate and pharmaceutical powers involved intend to limit the NHP's Canadians have to self medicate, *and* to get rid of the health food stores. Though this may sound like a conspiracy theory, it is more accurately an economic reality.

The Health Canada deadline is set for March 31, 2010, after which it will become a bona fide criminal offense to sell an NHP that doesn't have its NHP number. With an approximate total of 50,000 NHP's on the Canadian market, Health Canada has received just under 31,000 product license applications. Given that in the past 4.5 years, less than 9000 product license applications have been approved,(8977), and that almost as many have been refused, (7740), how many will

be approved by 2010? You do the math! (And remember that **a submission number is not an NPN/DIN**)

Thousands of multi-ingredient products are still waiting for approval. Thousands of them will not get it. At this rate, **fully two-thirds of the NHP's in Canada will be subject to seizure by Health Canada by 2010.** It will be a simple procedure. The products that have their NHP# will be listed online, and those that don't will be identified by enforcement officers, and either voluntarily removed or seized.

And of the products that remain, what percentage of them do you think will also be sold by companies like Shopper's Drug Mart, Save-On, Costco, Walmart, etc, etc.? And which products do you think will be disallowed for sale? My bet is those that are innovative, effective combinations of ingredients not commonly found in the mass market. Health food stores will be limited to largely the same selection of products as the mass market with much higher prices. How are we going to compete then?

In light of the upcoming free-trade agreement, Bill C-51 and C-52 make perfect sense. They have much in common with the European Union legislation that is currently strangling Europe's NHP market. According to Dr. Rob Verkerk, scientific director for the Alliance for Natural Health (ANH) in Europe, the Canadian government has recently become a "very active player" in the development of the Codex Alimentarius global guidelines, and the regulatory approaches taken by the EU and Canada have become increasingly similar.

This would explain why, when referring to upcoming regulation, Tony Clement kept using the phrase "From the Farm to the Fork," verbatim off the EU's website. Canada's economy is slated to be drastically over-regulated just like Europe's, paving the way for transnational corporations.

The point of over-regulating is that it squeezes small and medium sized competitors out of the market as their products are either deemed illegal, or it becomes too expensive to comply with regulatory requirements. This is why Bills C-51 and C-52 both contain provisions to allow the government to incorporate foreign legislation as part of our own at the regulatory level; they can then add to the regulations at will without getting public or Parliamentary approval!

Remember when the NHP regulations came into force in 2004, how we lost access to more than 20 thousand U.S. imports, and so many Canadian suppliers shortened their pricelists to eliminate slow sellers that were no longer financially feasible? Have you noticed every time we order from a Canadian supplier that at least one or two more products have been disallowed by the NHPD? Well, the real culling hasn't even begun yet, and all the government has to do is apply the 2004 regulations as written.

This is the reason why Tony Clement and so many politicians could smugly (or ignorantly) say that Bill C-51 would change very little regarding how NHP's are regulated: because **the death trap for natural health products is already in the 2004 regulations!** Bill C-51 will simply give Health Canada the enforcement authority and penalties to make the industry too afraid to violate the regulations.

The irony of the situation is that regulations do not ensure the public's safety! The Tobacco and Pharmaceutical industries are two of the most highly regulated *and profitable* industries in existence and both are leading causes of death! Indeed, over-regulation is usually much more about market control than public safety!

This process of events was planned a long time ago, (as was the upcoming free trade agreement), and its advancement has been predicted every step of the way by those who realized what was going on. How far will it have to go before the industry is willing to listen, and acknowledge that if things continue on we are headed for extinction?

**Furthermore, what about the human cost? What are our customers and families going to do?**

One thing is for certain. The Canadian Health Food Association cannot be relied upon to sound the alarm. Due to internal politics the CHFA seems "frozen in complicity" with the government. Many of the CHFA's large manufacturers have seen their bottom line actually grow from the regulations by having their American competition largely eliminated, and/or by embracing the mass market while selling different labels to the health food stores. Not surprisingly therefore, the CHFA has been unwilling to directly and/or strongly oppose the government's actions.

The injustice is that many of the decisions being made are coming from the CHFA bureaucracy, i.e. people who are fully employed by the Association, and who have nothing to lose if the Government plan to choke the industry succeeds, so long as the CHFA remains financially viable. This has been made much more likely by accepting large government grants, (well over a million dollars so far.) Meanwhile, many of their smaller manufacturing and retailer members are on the verge of being eliminated.

**So what do we do?**

Firstly, **spread the word about what is going on.** Circulate these articles and the information below to as many people as you can. Secondly, **support the Natural Health Products Protection Association (NHPPA) with your donations, and demand that our government pass into law the Canadian Charter of Health Freedom.**

**If the natural health industry as we know it is to survive, our last and best hope is the NHPPA!**

If there has ever been a worthy health freedom organization to donate to THIS IS IT! It is our best, (and perhaps our last) chance to permanently protect our rights to use the dietary supplements and alternative therapies of our choosing.

The NHPPA was founded by a very genuine and well-intentioned constitutional lawyer named Shawn Buckley, who after fighting and beating Health Canada in court for several years clearly realized what is in store for our access to natural alternatives, i.e. they are to be taken away from us. And, of course it will all be done in the name of public safety. Yet, **to alert people to what is**

**going on, and to organize a movement against it requires funding!** This funding is to be used, among other things to get an unprecedented piece of health freedom legislation passed.

Mr. Buckley and the NHPPA have drafted up the Canadian “**Charter of Health Freedom.**” It is an amalgamation of our health rights already contained in the legal system, based on existing legislation and previous legal decisions by our courts. If our ability as Canadians to take care of our own health is to be preserved, it is this kind of legal safeguard we need to enshrine in law to protect us from Health Canada and/or corporate abuse.

Now that the new government is in place, ALL concerned citizens and businesses need to push hard to get this Charter passed. To achieve this, our goal is 3,000,000 signatures on a petition, and just as many personal contacts to our M.P.’s and ministers on the issue. Remember that **personal handwritten questions and concerns requesting a written response are the most effective action you can take.** The time to act is now before the new government attempts to re-table and pass Bills C-51 or C-52.

I repeat we have never had as good a chance to create meaningful change in preserving our access to natural health alternatives as with Shawn, and the advisory board that has been assembled! But we need funding from all concerned users of natural health products and businesses to keep it going!

**For more information on the NHPPA, or to view a copy of the CHARTER OF HEALTH FREEDOM, or to make a donation online, please visit their website at [nhppa.org](http://nhppa.org) or [www.charterofhealthfreedom.org](http://www.charterofhealthfreedom.org) or submit a donation using the enclosed Contribution form.**

Sincerely,



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