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## PRESS RELEASE

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### **ALLIANCE FOR NATURAL HEALTH-USA FILES PUBLIC COMMENT CHALLENGING THE FDA'S GUIDANCE ON NEW DIETARY INGREDIENTS**

WASHINGTON, D.C. On December 2, 2011, Emord & Associates, P.C., on behalf of the Alliance for Natural Health-USA ("ANH"), filed public comments with the FDA challenging the FDA's recent and controversial position on New Dietary Ingredients. ANH's comment responded to the FDA's July 2011 Guidance document under which the FDA broadly extended its authority over "new" dietary ingredients despite clear limits in statutory law. ANH demonstrates that the FDA's position (1) exceeds the language in the Dietary Supplement Health and Education Act ("DSHEA"); (2) imposes excessive economic burdens on industry; and (3) imposes anticompetitive requirements on the regulated class. As explained in ANH's comment, the FDA's ultra vires position will result in catastrophic losses for the dietary supplement industry and consumers seeking free access to dietary ingredients. The FDA's guidance could cost industry between \$2 billion to over \$165 billion. 29,190 dietary supplements currently on the market would become unlawful for sale. The total economic impact could shrink the dietary supplement market by between 28 and 52.5 percent, producing an annual loss for industry of between \$7.84 billion to \$14.7 billion. Under those terms, ANH shows why the FDA's series of legal non-sequiturs are unacceptable. Copies of the ANH comment are available online at [www.emord.com](http://www.emord.com) or [www.regulations.gov](http://www.regulations.gov) under Docket No. FDA-2011-D-0376.

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