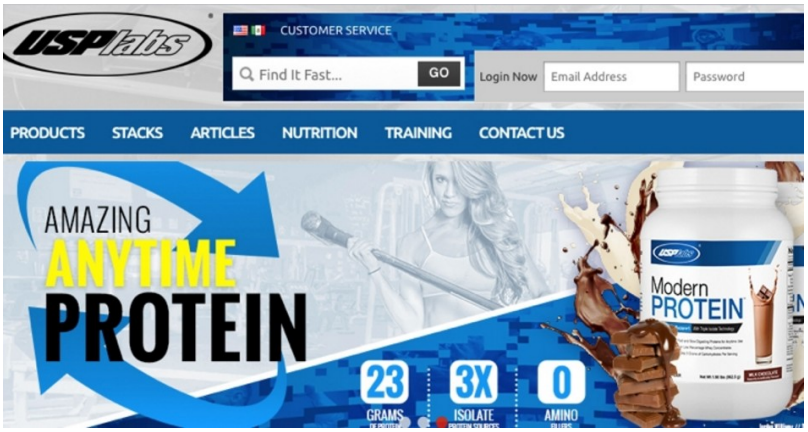
Written by **Raven Clabough** on November 19, 2015

DOJ, FDA Target Supplement Industry, but What About Big Pharma?



Officials at the Justice Department and certain regulatory agencies have turned their attention to the dietary supplements industry, filing multiple charges against numerous companies over false claims that they have made regarding their products. While the effort is rightfully being applauded by the public, as consumers have the right to know what is in the products they purchase, it highlights the double standard set for the supplement industry versus Big Pharma and companies such as Monsanto.

The *Chicago Tribune* reports that the Department of Justice has filed criminal charges against Dallas-based USPlabs, which produces workout and weight-loss supplements. The DOJ complaint states that USPlabs made false claims to retailers that its products contained natural plant extracts, when they actually contain a synthetic stimulant manufactured in a Chinese chemical factory.

The DOJ has reportedly been working with the Food and Drug Administration, Federal Trade Commission, and the U.S. Anti-Doping Agency to bring criminal charges against over 100 makers and marketers of dietary supplements.

As part of the effort, the FTC has filed a lawsuit against Sunrise Nutraceuticals. The suit accuses the company of falsely claiming that its supplement Elimidrol is “guaranteed to work” for opiate withdrawals.

According to the *Chicago Tribune*, the supplement industry has been criticized significantly over the last year.

A study in the *British Journal of Cancer,* which found a potential connection between men who took muscle-building supplements and the risk of testicular cancer, prompted multiple state attorneys general to ask Congress to investigate herbal supplements. Additionally, the New York attorney general’s office asked GNC, Target, Walgreens, and Walmart to halt sales of certain supplements after tests revealed that they did not contain the herbs they claimed to have.

The *Tribune* notes that health experts “have long complained that supplements, which are not considered a food or a drug, are too loosely regulated and pose a safety hazard to consumers.” The *Tribune* adds that while the FDA has “some authority” over this industry, it does not possess the “strict regulatory power that it has over pharmaceutical drugs.”

That claim is very misleading. While the FDA may have the regulatory power to oversee Big Pharma, it scarcely uses it.

In 2012, then-Texas Republican Representative Ron Paul criticized the vast collusion between the FDA and the pharmaceutical industry. He observed, “What does the FDA do when it comes to alternative or

natural products? The FDA and the drug industry keep them off the market."

Could it be that is what is behind the DOJ's efforts against the supplement industry?

Critics have long noted the "revolving door" hiring practices that allow employees from private pharmaceutical firms to join the FDA and then return to their private-sector positions after they leave their government jobs. Such collusion has resulted in the approval of harmful pharmaceutical drugs. Digital Journal reports:

> This hiring environment creates a conflict of interest that been blamed for numerous FDA failures, including the case reported by MSNBC in which the arthritis drug Vioxx was linked to thousands of deaths and eventually recalled by drug maker Merck. In 2005, an investigation initiated by the *New York Times* and conducted by the Center for Science in the Public Interest revealed that 10 of the 32 FDA panel members who originally approved Vioxx were paid consultants for Merck and other industry giants.

The FDA is notorious for approving products that could be harmful for daily consumption, such as the artificial sweetener aspartame, genetically modified organisms, and foods that have been proven to contain mercury.

In 1981, the FDA approved aspartame for consumption, despite evidence even at the time of the carcinogenic effects of the product. In fact, an FDA statistician stated in 1981 that the brain tumor data on aspartame was so "worrisome" that he could not recommend approval of NutraSweet, according to Mercola.com. In 2008, still more scientists reported that large consumption of aspartame could lead to neurodegeneration, Mercola.com reports. And still, the FDA refuses to revisit its stance on aspartame.

Despite credible evidence that has been presented against biotechnology-produced foods, the Food and Drug Administration has classified genetically modified foods as "generally recognized as safe."

According to the Institute for Responsible Technology, new types of food substances must typically undergo extensive testing, including long-term animal feeding studies, when they are introduced, unless they are deemed "generally recognized as safe" (GRAS). In order to be deemed as such, the substance must undergo substantial peer-reviewed published studies and there must be an overwhelming consensus among the scientific community. But in 1992, the FDA declared that genetically modified crops are GRAS as long as the producers say they are, reports the Institute for Responsible Technology, which adds, "A company can even introduce a GM food to the market without telling the agency."

Who better to trust on the quality of a product than the company that created the product and hopes to profit from it?

Policies such as this benefit companies such as Monsanto, the largest producer of genetically modified seeds in the world and the leading producer of the herbicide glyphosate, a "probable human carcinogen," according to the World Health Organization.

Likewise, in 2009, two studies revealed that nearly half of the tested samples of commercial high-fructose corn syrup, which is found in even the most unexpected foods, contained mercury. Study co-author David Wallinga called upon the FDA at the time to intervene:

> Mercury is toxic in all its forms. Given how much high-fructose corn syrup is consumed by children, it could be a significant additional source of mercury never before considered. We are calling for immediate changes by industry and the [U.S. Food and Drug Administration] to help stop this avoidable mercury contamination of the food supply.

But the only significant change that has taken place since the study is that high fructose corn syrup underwent a "renaming process" by corporations that did not want consumers to know that foods contained high fructose corn syrup.

While it is a worthy effort to hold supplement companies accountable for the way they market their products and the ingredients they use within their products, one cannot help but wonder why that standard has not been applied all around.

After all, according to Health Impact News, deaths in one year related to FDA-approved drugs are roughly around 106,000, while deaths related to FDA unapproved supplements are at 0.

Calling in the FDA to ensure that companies are not poisoning and misleading consumers is rather like asking a street gang to police neighborhoods for criminal activity.