

# ORANGE COUNTY REGISTER

## Dietary supplement firms slammed

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Except for cases of outright fraud, one of the few areas of our lives left a little unregulated by government has been dietary supplements. The 1994 Dietary Supplement Health and Education Act largely has protected supplement companies – until now.

This month, battalions of federal enforcers took action against more than 100 supplement companies. The agencies included the U.S. Justice Department, Defense Department, the Food and Drug Administration, the Federal Trade Commission and the U.S. Anti-Doping Agency. Benjamin Mizer, principal deputy assistant attorney general for the Justice Department's Civil Division, said the crackdown is meant "to stem the tide of unlawful dietary supplements being sold to consumers nationwide."

Reported the Register, "Authorities allege that some products contain unlisted ingredients or make health claims that are unsupported by science."

A major company under attack is SK Labs in Anaheim. "We have no comment," they told us. Another company, USPlabs in Dallas, said on its website, "The company and its owners vehemently deny that the company ever attempted to defraud its retail customers or consumers, sold any unsafe products, or engaged in any wrongdoing."

Walter Olson, a senior fellow at the libertarian Cato Institute, said if government regulates supplements too much, or bans them, suppliers will just go underground. "Supplements won't go away. Too many people want to buy them." By contrast, if government completely legalized them, strict manufacturing controls could be enforced – such as by making sure ingredients from China really are "organic," not synthetic.

What's likely to happen, he said, is the supplements will remain "in a gray area, not exactly legal, not exactly illegal." We also think it strange this crackdown is going on as the nation gradually is shifting to the decriminalization of marijuana, medical or recreational.

As to the new charges, those targeting fraudulent ingredients make sense. Others, such as attacking claims of efficacy, may well be regulatory overkill.