



THE *Charter* of HEALTH FREEDOM

Balancing natural health
product access with safety

| Shawn Buckley

To the aware observer there is a disconnect between Canadians and their government over natural health. More and more Canadians are embracing natural health products while the federal government is taking more and more of them away. >

HEALTH



REMOVAL OF NECESSARY PRODUCTS

Most consumers take natural health products to stay healthy. However, for some, natural health products are necessary to treat serious illness. When I lecture across Canada I constantly hear the same story. People explain they suffered with a serious illness. They took prescribed drugs which either did not work for them or the side effects were too severe. They found a natural remedy and are well. Access to natural health products is necessary for their health. My father is one of them.

My father suffered from arthritis. The natural cure for him is shark cartilage. I still remember his ecstatic call when he explained he was able to dance again. He is passionate about dancing but couldn't dance until he found shark cartilage. Unfortunately, the product he relies on is unlicensed and is likely to be taken away. When that happens, the dance music will stop.

The problem is that our law deems natural health products to be both unsafe and ineffective. To remain available a product must be proven to be safe and effective. In many cases, the type of evidence that Health Canada wants simply does not exist, and the product must be removed. The number of people like my father, who rely on a remedy, is not taken into consideration. The health consequences of removing treatments are ignored. Curiously, the same products are often deemed by law to be safe in the United States.

PROPOSAL TO PROTECT ACCESS: THE CHARTER

Concerned about the health consequences of losing natural health products, groups from across Canada came together to find a solution. The goal was to enable people to have the freedom to access natural treatments, while at the same time giving the federal government the tools necessary to restrict truly dangerous or fraudulent products. The result was the proposed *Charter of Health Freedom* (the *Charter*) which was launched in September 2008.


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The proposed *Charter* adopts the US approach, which deems natural health products to be safe unless there is evidence of harm. Under the proposed *Charter*, a person has the right to access any treatment unless there is evidence that the treatment poses a significant health risk, and that interfering with access to the treatment will not create a more significant health risk than the treatment itself.

The proposed *Charter* ensures that there is always a balanced risk analysis when determining the safest course. Any risk posed by a treatment must be balanced against the risk of removing it. If other methods of mitigating risk, such as medical supervision or label warnings, are safer ways to manage a risk than removing a treatment, the government must take the safest course.

Under the proposed *Charter*, individuals are presumed to be the best source of information concerning whether a treatment works for them. I have been involved in court cases in which natural health products that people relied on were taken away, despite their pleas that the products were essential for their health. Health Canada inspectors have testified that they could not take such pleas into account because they were not scientific evidence. I have learned that it seems we have no voice when products we rely on are threatened. The proposed *Charter* changes this. >

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CREATION OF A VOICE: THE HEALTH FREEDOM OMBUDSMAN

In addition to giving us a voice by presuming we are the best source of information concerning whether a treatment works for us, the proposed *Charter* gives us a voice by creating the Health Freedom Ombudsman. Arguably, nothing is more important than access to essential treatments. Yet, when essential treatments are threatened, there is no person to call on to ensure that the government acts responsibly. The proposed *Charter* creates the Health Freedom Ombudsman as a front line defence.

PROTECTION OF CONSUMERS AND PRODUCTS: THE MINISTRY OF WELLNESS

Many have reasonable concerns that Health Canada cannot separate itself from the chemical drug

paradigm, in which it is appropriate to presume treatments are dangerous. Because of this, the proposed *Charter* creates a separate Ministry of Wellness. This proposed Ministry is given more powers than Health Canada currently has to protect consumers against real dangers such as fraud and adulteration. At the same time, the proposed Ministry is tasked with protecting and promoting access to treatment options such as natural health products and traditional medicine.

Under the proposed *Charter*, traditional medicines and practices such as First Nation, Chinese, or Ayurvedic have the same protections as other natural health products. The right of all cultures to access traditional medicines are respected providing the treatments are safe. Similarly, access is protected to most of the treatment devices that we, or our health practitioners, use. ➤

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Health groups, such as the one I am a part of (the Natural Health Products Protection Association), often ask consumers to react to threats to our natural treatments. This is important. At the same time, these efforts are focused on preventing things from getting worse, but do not offer a solution. The proposed *Charter* is a positive solution that, if passed into law, would protect

our right to make personal health decisions. It would also require the government to take the safest course possible when legitimate risks are identified.

The proposed *Charter* needs your support. Because it creates a new ministry, it must be a government bill supported by Parliament. There are more than 89,000 signatures on the petition at press time, gathered by

caring people who want to make a difference.

Get involved to ensure that you continue to have health options and to ensure that people like my father can keep dancing.

Shawn Buckley is a lawyer who works to protect access to natural health products. He is also president of the Natural Health Products Protection Association. nhppa.org

GET INVOLVED

To read and learn about the proposed *Charter* go to charterofhealthfreedom.org. There is a "Get Involved" section which guides you through options such as downloading the support petition, calling and meeting with your MP, holding meetings, and creating videos. 