



nhppa

NATURAL HEALTH PRODUCTS
PROTECTION ASSOCIATION

There's more than one way of looking at health

Natural Health Products are Under Immediate Threat

Many Canadians rely upon natural health products for their health. These products are endangered and consumers need to act now to save them.

Since 2004 when the Natural Health Product Regulations were introduced, natural health products have been increasingly threatened. The new Regulations were Health Canada's response to consumer demands for the government to protect their access to natural health products. The Regulations have had the opposite effect. To "legally" sell a health product the new Regulations impose a licensing requirement. The problem is that 60% of licence applications have failed. These have been the "easy" applications. Expectations are that 70-75% of applications will fail. **For the NHP Community this means that 75% of NHPs we rely upon for our health will become illegal.**

This creates the following scenario:

- **75% of natural health products will become illegal;**
- illegal products must be voluntarily removed or be subject to Health Canada enforcement;
- Health Canada has publicly announced it is hiring more enforcement officers and is holding recruitment meetings at universities;
- **Bill C-51 gives Health Canada unprecedented enforcement tools to force natural health products off of the market..**

Bill C-51 reads like a Police State Manual

There has never been a death in Canada caused by a natural health product. Considering that there are multiple deaths every year caused by common foods such as peanuts and shellfish, it is clear that natural health products are extremely safe. When you consider the health benefits of natural health products, including that many of us rely upon them for our very lives, it becomes clear that the real danger in regulating them is to "over-regulate" them off of the market.

Bill C-51 gives Health Canada unprecedented power to take natural health products away from us.

Traditionally in Canada we have had the rule of law. This meant that it was not okay for the State to take our property without a warrant and without Court supervision to prevent arbitrariness and abuse. Now to “protect” us the State can seize the property of persons in the natural health product industry, including natural health practitioners, makers of natural health products, and retailers. This would be problematic even if there had to be a realistic safety concern for the seizure, but there does not have to be a safety concern. Under the new law the State can seize without a reason, without a warrant, without limits to what can be seized, without a time limitation, and without reporting the seizure to a Court.

In some cases seized property can be forfeited to the State without Court approval. Owners will have to pay the costs of the seizure, transport and storage of seized things, even if it turns out that there was not a safety risk.

The State still needs to get a search warrant if they are going to search someone’s home, but if it is not a home they do not need a warrant and can trespass on private property without any liability.

Small family businesses are subject to the same maximum \$5,000,000 fines as large corporations. Directors, officers and agents of a company can now be personally charged for the misdeeds of the company.

Even more troubling is that the State does not have to consider the health risk caused by their seizures. When the State seizes our natural health products, they are taking away our right to choose. That is, they are making our health decisions for us. We are then forced to use other treatments such as chemical pharmaceutical drugs which can be dangerous and ineffective. For those of us who only get relief from natural health products, the State forces us to suffer and in extreme circumstances, to die. The seizure of Empowerplus is an example of where deaths resulted from the State seizing a natural health product that is now freely on the market.

There is something wrong with “health” legislation which allows the State to seize health products without considering whether we need the products. There is something wrong with the State making personal health decisions for us. Health decisions are fundamental to our personal autonomy. There is something wrong with the State being able to seize our property without prior Court approval, without clearly defined reasons for the seizure, without time limit, and without Court supervision. There is something wrong with the State being able to trespass on our property without any recourse. Surely we can draft “health” protection legislation that does not read like a police state handbook.

Urgent Call to Action

Bill C-51 was introduced into the House of Commons on April 8, 2008. The Bill is not yet law, but will become law unless Canadians act quickly. It is essential that you let key Members of Parliament know that:

- you are opposed to the police state powers in Bill C-51;
- you want them to vote against Bill C-51;
- you want your access to natural health products protected.

Members of Parliament pay attention to personal efforts by voters you should:

- send a hand written letter to:
 - your local Member of Parliament;
 - Prime Minister Stephen Harper, and
 - Tony Clement, the Minister of Health;
- phone your local Member of Parliament and the Prime Minister's Office to voice your concerns. Stephen Harper's phone numbers are (613) 992-4211 and (403) 253-7990. Tony Clement's phone numbers are (613) 944-7740 and (705) 746-9053. For your local MP's number go to:
<http://webinfo.parl.gc.ca/MembersOfParliament/MainMPsCompleteList.aspx?TimePeriod=Current&Language=E>

You can send your letters without postage to:

Name of person letter is to such as Stephen Harper
House of Commons
Ottawa, Ontario
K1A 0A6.

For more information on Bill C-51 or on threats to Natural Health Products, visit www.nhppa.org