



How to prepare and file a brief to the Standing Committee on Health in support of Bill-224

Rules about submitting briefs

Parliament has guidelines for submitting briefs. They can be found here:

<https://www.ourcommons.ca/procedure/guides/brief-e.html>

Each committee may set its requirements for the content and format of briefs, but generally:

- Briefs must contain factual information and support the views expressed and claims made in a clear and concise manner.
- Recommendations to the committee must be as specific as possible, especially suggested amendments to bills. They must also be summarized at the end of the brief.
- A brief should not exceed 10 pages in length, but please check with the clerk of the committee or on the committee's website for possible specific requirements. A brief that is longer than 10 pages must be accompanied by a summary of no more than 500 words. A committee may decide to translate and distribute to committee members, or publish on the committee's website, only that summary.
- The name of the author or organization must be clearly indicated on the cover page of the brief.
- Organizations must provide a general description of themselves at the end of the brief.
- All quoted or referenced materials must be clearly indicated either in footnotes or in a bibliography at the end of the brief.
- Photographs, logos, line drawings, graphics, tables and charts should be rendered in black and white only and provided in both official languages, if possible.

How to submit a brief

Briefs to the Standing Committee on Health can be sent by email to the Clerk of the Committee. The Clerk is:

Catherine Ngando Edimo, Clerk of the Committee

The email to send the brief to is:

HESA@parl.gc.ca

Personal contact information (address, email address, phone number) should be provided in the email, *not on the cover page* or in the text of the brief. The reason for this is that the briefs are published and they want to avoid disclosing your personal contact information.



Confirm that your brief has been accepted

The last time the NHPPA submitted a brief to a Committee, the brief did not appear in the list of briefs. When we followed up with the Committee we were told by the Clerk that they did not realize we wanted the brief considered by the Committee. We were clearly being gamed but learned we have to watch and push if our brief is not published on the Committee site.

The Standing Committee on Health should publish your brief on this page:

<https://www.ourcommons.ca/committees/en/HESA/StudyActivity?studyActivityId=13397598> .

If your brief does not appear, contact the Clerk to have it published.

Why am I writing a brief?

Explanation of what Bill C-224 does

- There are different categories of drugs. The most dangerous drugs are in a class called *therapeutic products*. This dangerous class of drugs carries \$5 million dollar a day fines because it is meant for large pharmaceutical companies. This dangerous class of drugs gives Health Canada powers that may be justified for dangerous chemicals. They are not in any way appropriate for our vital nutrients and natural remedies.
- Natural health products (NHPs) include our vital nutrients and our natural remedies. Recently our NHPs were moved into the class of drugs reserved for dangerous chemical drugs. This is the *therapeutic product* category of drugs. Vital nutrients such as *Magnesium* and *Vitamin D* are essential for health. They should be promoted. They should not be put into the restrictive *therapeutic product* category. ***This is morally wrong.***
- The *therapeutic product* category of drugs has the following sordid history:

In February 2008, Assistant Deputy Minister Meena Ballantyne shared that the Food and Drugs Act was going to be ***amended for the purpose of further regulation of Natural Health Products***

(<https://rumble.com/v71dpwq-meena-ballantyne-links-bill-c-51-to-natural-health-products.html>);

In March 2008, the amendments were introduced in Bill C-51. Bill C-51 introduced for the first time, what are now the *therapeutic product* provisions of the *Food and Drugs Act* (increased fines and new Health Canada powers *over therapeutic products*);

The Citizens of Canada banded together to defeat Bill C-51, ***making it clear that they did not want their natural health products subject to the therapeutic product provisions;***



In 2014, the *therapeutic product* provisions were re-introduced in “Vanessa’s Law” (Bill C-17). Canadians did not rebel against Vanessa’s Law because the *therapeutic product* provisions in Vanessa’s Law did not apply to NHPs;

In the 2023 Budget Bill (Bill C-47), the Food and Drugs Act was amended so that the therapeutic product provisions would apply to NHPs. ***This change was snuck into the Budget Bill because Health Canada knew that Citizens would oppose the amendments. The Budget Bill was passed before citizens had time to react.***

Bill C-224 reverses the harm done by the 2023 Budget Bill, which clearly goes against the wishes of Canadians.

Bill C-224 is a very simple Bill. It’s goal is simply to take us back out of the *therapeutic product* category of drug.

A copy of Bill C-224 is found here: <https://www.parl.ca/DocumentViewer/en/45-1/bill/C-224/first-reading> .

What to put in your brief?

We will be listing different points and themes below that you can choose to include if you wish.

If you are an individual who relies on natural remedies:

- Tell your health story. Make this personal and compelling. The Committee Members do not understand that many of us are only alive and/or well because of NHPs. Explain your prior suffering. Explain that the chemicals did not work. Explain how you are better with NHPs. Health Canada wants the Committee to focus solely on managing “risk”. You need to make it clear that there are benefits. You need to make it clear that ***the real risk is restricting our access to NHPs***;
- Tell the Committee that you want them to focus on the benefits of NHPs. Over-regulation puts Canadians at risk by removing the benefits of NHPs by restricting our access and making them too expensive for disadvantaged Canadians;
- If you have lost access to some NHPs, or have to order them from the U.S. because they are not available in Canada, include this;
- Explain that you are concerned about the over-regulation of essential nutrients and natural remedies;
- Say that you want Bill C-224 to pass the Committee ***without being amended***, and
- If you would like to talk about any of the themes listed below, talk about them.



If you are a practitioner:

- Explain who you are and your training;
- Give examples of a patient or of patients that have been helped by NHPs. Make the stories personal and compelling. The Committee Members do not understand that many of us are only alive and/or well because of NHPs. Explain the prior suffering. Explain that the chemicals did not work. Explain how your patients are better with NHPs. Health Canada wants the Committee to focus solely on managing “risk”. You need to make it clear that there are benefits. You need to make it clear that ***the real risk is restricting our access to NHPs***;
- Tell the Committee that you want them to focus on the benefits of NHPs. Over-regulation puts Canadians at risk by removing the benefits of NHPs by restricting our access and making them too expensive for disadvantaged Canadians;
- If you have lost access to some NHPs, include this;
- Explain that you are concerned about the over-regulation of essential nutrients and natural remedies;
- Say that you want Bill C-224 to pass the Committee ***without being amended***, and
- If you would like to talk about any of the themes listed below, talk about them.

If you are a manufacturer:

- Explain who you are and the history of your business;
 - If you or your family started the business because an NHP was life-saving or necessary to restore health, tell this story. Make this personal and compelling. The Committee Members do not understand that many of us are only alive and/or well because of NHPs. Explain your prior suffering. Explain that the chemicals did not work. Explain how you are better with NHPs. Health Canada wants the Committee to focus solely on managing “risk”. You need to make it clear that there are benefits. You need to make it clear that ***the real risk is restricting our access to NHPs***;
 - Tell the Committee that you want them to focus on the benefits of NHPs. Over-regulation puts Canadians at risk by removing the benefits of NHPs by restricting our access and making them too expensive for disadvantaged Canadians;
 - If you have cut NHPs from your product line because of the regulations, share this.
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- If you are concerned about cutting products or ceasing to do business in Canada altogether because of the regulations, share this;
- If you are concerned about not being able to share truthful health information about your products share this;
- Share the details of any unreasonable dealings with Health Canada;
- Explain that you are concerned about the over-regulation of essential nutrients and natural remedies;
- Say that you want Bill C-224 to pass the Committee *without being amended*, and
- If you would like to talk about any of the themes listed below, talk about them.

Themes that can be included

This is a life and death issue

The Natural Health Product Protection Association (NHPPA) just held the *World's Greatest Health Show*. This show featured Canadians sharing how they are only alive today because of natural health products, or how they would be disabled without NHPs. The Show makes it clear that access to natural health products is an issue of life and death. The video evidence from the show can be viewed at nhppa.org.

We can no longer get the vital nutrients we need in our food. We must supplement to get the nutrients we need to be healthy. The Government should be protecting and promoting our access to vital nutrients. It is a moral failure that we are having to fight Health Canada to obtain access to nutrients that we need to be healthy.

Classing vitamin C and vitamin D in the same drug category as dangerous chemical drugs like vioxx and thalidamide is wrong and misguided.

Essential nutrients and natural remedies should not be treated as dangerous chemical drugs

Natural health products are natural remedies and essential nutrients we need to be healthy.

Natural health products should not be classed as drugs. Before 2004 they were not classed as drugs. It is only with the ill-advised *Natural Health Product Regulations* that for the first time it became illegal for Canadian companies to sell vital nutrients without Health Canada permission.



Natural health *products are classed by law as food in the U.S.* They are deemed by law to be safe in the U.S. There is no requirement for government pre-approval in the form of a licence in the U.S. This is because Congress passed the *Dietary Supplement Health and Education Act, 1994.*

We should go back to being foods like we were before 2004, and like the same products are in the U.S.

NHPs should not be classed as therapeutic products. The *therapeutic product* class of drugs is meant for dangerous chemical drugs. At the *World's Greatest Health Show*, Professor Alan Cassels shared that chemical drugs, taken as directed, are the third leading cause of death in *Canada* (<https://www.youtube.com/watch?v=w1yVeglSERY>). You can also read: (<https://brownstone.org/articles/prescription-drugs-are-the-leading-cause-of-death/>). Chemical drugs are regulated as *therapeutic products* because they are so dangerous.

NHPs were already over-regulated. The U.S. market which is unregulated (NHPs are classed as food and are deemed by law to be safe) is as safe as the Canadian market. To put it another way, Canadian products which have been strictly regulated since 2004 are not demonstrably better or safer than U.S. products. Canadian products are not demonstrably better or safer than Canadian products before the 2004 regulations were imposed.

Moving NHPs into the therapeutic product category with dangerous chemical drugs has already led to the censoring of truthful health information and will discourage investment in the Canadian marketplace.

Ginger Tea and *Vitamin C* should not be regulated in the same way as *therapeutic products* such as *Thalidomide* and *Vioxx*.

The five million dollar a day fines are inappropriate for natural health products

The five million dollar a day fines in *the therapeutic product* provisions may be pocket change for large pharmaceutical companies, but they are excessive for natural health practitioners and natural health companies. They are inappropriate.

No natural health company or practitioner could withstand even a fraction of a \$5 million dollar a day fine. These fines are grossly inappropriate.

The fear of these fines has already caused many companies and practitioners to withhold truthful health information from the public. The natural health community is being bullied into censoring truthful health information. This must stop.



There is a double standard – Health Canada says they need significant fines to protect Canadians from vital nutrients – yet at the same time no pharmaceutical company has ever been charged by Health Canada – Health Canada actions tell us that pharmaceutical companies are immune from Health Canada prosecution

There is also a double standard going on. *Did you know that in all of Canadian History no large pharmaceutical company has been charged with even a minor violation under the Food and Drugs Act?* Natural Health Companies and practitioners have been charged with violations under *the Food and Drugs Act*. Small chemical companies have been charged, but *no large pharmaceutical company has ever been charged*.

At the *World's Greatest Health Show*, Professor Alan Cassels spoke on how anti-depressant chemical drugs, taken as directed, are the third leading cause of death in Canada (<https://www.youtube.com/watch?v=w1yVeglSERY>).

There have been infamous drug scandals, including those related to *Thalidomide* and *Vioxx*. Despite this, there has never been a big pharmaceutical company ever charged under the Food and Drugs Act in Canada. *It is like large pharmaceutical companies have a built in immunity from charges.*

How can it be that, never in history has a large pharmaceutical company been charged with even a minor violation, when one class of pharmaceutical drugs is the third leading cause of death in Canada? Small pharmaceutical companies have been charged, usually when there is a patent violation. None of the large pharmaceutical companies has ever been charged.

How can it be that Health Canada has subjected NHPs to the therapeutic product penalties?

How can it be that natural health manufacturers and practitioners can now be destroyed for providing Canadians with vital nutrients essential for health? *Our drug laws are now adversarial against the citizen.*

Health is Our Greatest Asset

Over 70% of Canadians rely on natural health products.

Health Canada is over-regulating safe, time-tested natural health products by treating them like pharmaceutical drugs, that often come with lengthy lists of dangerous side effects.

Canadians can no longer get the vital nutrients they need to stay healthy from their food. We must supplement to be healthy. Our laws should promote our access to vital nutrients we need so survive.



How can persons providing vitamin D and ginger tea be subject to greater penalties than violent offenders or persons selling chemical street drugs?

We deserve the freedom to choose how we care for our health and our families.

Bill C-224 simply moves natural health products back to how they were regulated prior to June 2023

The 2023 Budget (Bill C-47) moved NHPs into the *therapeutic product* class of drugs. This was done without any Parliamentary debate on whether this was appropriate.

Bill C-224 moves NHPs back into the regular drug category that NHPs were in before the 2023 Budget Bill.

Bill C-224 simply restores us to where we were at in 2023 before the change was hidden in the Budget Bill. We did not have a regulatory problem before the Budget Bill. We have a regulatory problem now that Bill C-224 will fix if passed without amendments.

Recalls for NHPs without Court supervision are inappropriate

Health Canada has the power to order recalls for *therapeutic products* without any Court supervision. This is inappropriate.

The problem with bureaucrats being able to order recalls for regulatory violations is that the bureaucrats are interfering with medical decisions. Recalls interfere with the management of patients by doctors and other health care practitioners.

Health Canada bureaucrats are not trained doctors. When they order a recall they have no idea how many people are being successfully managed with the recalled product. They have no idea of the health consequences of the recall. It must be understood that a recall is a medical decision in that it interferes with the medical treatment of Canadians. ***Recalls have health consequences*** that are not managed under the therapeutic product recall provisions.

The current recall provision does not require the health consequences of the recall to be taken into consideration.



There is no provision in the current recall power for the concerns of doctors and patients to be taken into account. In the Court decision involving Truehope Nutritional support, Health Canada was found to have caused deaths by restricting access to a NHP that is commonly available in health food stores. If a Court had been supervising access to this product the deaths could have been avoided.

If a product poses a real danger, a Court will order a recall. If some Canadians rely on the product, a Court will manage the risk in such a way as to protect health as much as possible. A Court will be able to do this because it will hear both sides. It will hear Health Canada's concerns. It will hear the concerns of doctors for their specific patients. This protects Canadians.

Not only should there not be recalls of NHPs without Court supervision, ***but there should not be recalls of dangerous drugs without Court supervision.*** The recall provision in the Food and Drugs Act should be removed or re-worded to protect Canadians.

A reasonable recall power is found in section 13 of the Charter of Health Freedom which reads in part:

13 (1) Subject to subsection (2), when the Minister has substantial and compelling evidence:

- (a) a treatment poses a significant health risk, and
- (b) that interfering with access to the treatment will not create a more significant health risk than is posed by the treatment itself, the Minister may apply to a court for an order under this section.

13(2) When applying for an order, the Minister shall seek the least restrictive order necessary to address any significant health risk.

13(3) Subject to subsections (4) and (5) and section 14, if on the application of the Minister, a court is satisfied there is substantial and compelling evidence:

- (a) a treatment poses a significant health risk, and
- (b) that interfering with access to the treatment will not create a more significant health risk than is posed by the treatment itself,

the court may, to address any significant health risk:

- (c) order any person to comply with this Act or regulations;
- (d) order any person to provide any information necessary to address the health risk;



- (e) order any person to take reasonable measures to address the health risk;
- (f) issue an injunction ordering any person from refraining to do anything as may be necessary to address the health risk.

The Nicotine Issue

The Bloq Quebecois is focussed on protecting youth from nicotine products such as pouches and vaping products.

Essential nutrients and natural remedies should not be regulated like tobacco products. If there is a concern with a couple of specific products like nicotine pouches, they should be separated from NHPs.

Bill C-224 as it is currently written permits nicotine products to be separated and treated differently than essential nutrients and natural remedies. There do not need to be any amendments.

NHPs used as smoking cessation aids should not face greater penalties than tobacco and vaping products face under the *Tobacco and Vaping Products Act*. This makes no sense. If NHPs used as smoking cessation aids are to be therapeutic products, the penalties should be the same as in the *Tobacco and Vaping Products Act*.

Additional Resources

Visit the NHPPA site for additional materials - <https://nhppa.org/bill224/>