

香港保健食品協會就草案提出的意見書

本會認為現有的不良醫藥廣告條例已涵蓋了規管保健食品的醫療聲稱，加入附表四是劃蛇添足的做法。以規管治病聲稱的不良醫藥廣告條例來禁制保健聲稱是極不恰當亦極不合理。保健的目的只是為了增進健康。並無助人治病的含意。

立法監管保健聲稱並無實際需要

政府了無實質數據作為基礎去進行立法禁止有選擇性的保健聲稱，原因只是認為保健聲稱可能鼓勵市民有病而延醫，但又舉不出確實延醫個案來支持這個假設。事實上，立法會秘書處於零一年五月發表長達三十三頁有關健康食品規管報告中第六頁提及一位中大學教授的研究指出大部份使用保健食品的人士是受過教育的中產家庭，政府應相信這群人士的智慧，他們那會使用保健食品作治病用途而不求醫呢！說出來才是荒謬。政府引用這條法例監管保健聲稱，最終是過度監管。

過度監管將會嚴重打擊保健食品行業

香港市民近年愈來愈關注自身的健康。世界其他發達國家的經驗顯示，保健食品行業的發展通常與人民的健康意識共同前進。保健食品行業有機會成為本港一個重要新興行業。政府過度監管的作法，會把這個行業扼殺在搖籃之中。

保健食品行業最近籌備成立香港保健食品協會，是業界走向成熟的一步。協會已計劃制定業界守則，以自律方式維護消費者的權益、並提高業界質素。政府急不及待地立法，對業界數以萬計的從業員來說無疑是個嚴重打擊，他們並對業界的未來發展感到徬徨。

過度監管將會剝奪消費者的知情權和選擇權

保健食品是消費商品，消費者如何選擇保健食品，建基於能否獲得關於有關食品的足夠資訊。若保健食品的宣傳只能局限於枯燥、難明和含糊的資訊，消費者的知情權和選擇權會被削弱。

政府立法監管保健食品，限制其所能提供的產品資料，潛意識是低估消費者的智慧。香港是一個自由的商業社會，每天消費者接收無數關於不同商品的資訊，自會作出精明判斷。現代社會的大趨勢是減少政府對商品資訊的審查，提高商品資訊的質與量，方便消費者作出選擇。政府立法監管保健食聲稱，妨礙資訊流通，

是違反時代潮流的做法。

結論

頭痛醫頭腳痛醫腳的做法是徒勞無功的，儘管這草案最終獲得通過，但肯定亦難以制止這類問題的重現，消費者仍然會繼續投訴。

本會建議政府鼓勵業界推行自律及進行公眾教育，同時成立專家委員會專責監察及審核失實、誤導或誇張的保健聲稱。委員會應包攬相關的專業人士，業界代表、社會人士及消費者代表等。長遠的通盤策略是展開研究保健食品在基層健康架構中所能發揮的角色而不應將它拒於門外。


此致

全體 2004 年不良醫藥廣告(修訂)(第 2 號)條例草案委員會議員

香港保健食品協會

二零零四年十一月二十三日

附註：請參閱附件有關健康食品對減低醫療開支及增進市民健康的資料




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Articles and News

- [New Study Finds Use of Calcium and Folic Acid Could Save \\$15 Billion in Health Care Costs](#) - Wednesday, September 22, 2004

Washington, DC – September 22, 2004 – A study released today shows that daily use of calcium would prevent 734,000 hip fractures and save \$13.9 billion in health care costs over the next five years. Daily use of folic acid by women would prevent 600 cases of neural tube birth defects yearly, saving \$1.3 billion in lifetime medical costs over five years.

Omega-3 fatty acids, glucosamine and saw palmetto supplements showed substantial promise for improving health and quality of life and potentially reducing health care costs.

The study, commissioned by the Dietary Supplement Education Alliance and conducted by The Lewin Group, included a systematic literature review of the most rigorous scientific research available.

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How Many Americans Take Supplements on a Regular Basis?

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FACT SHEET - Improving Public Health, Reducing Health Care Costs: An Evidence-Based Study of Five Dietary Supplements - Wednesday, September 22, 2004

Surveys of dietary intake and physical and laboratory data reveal that the typical American diet does not always provide a sufficient level of nutrients to support optimal health. Some individuals may need a vitamin and/or mineral or other supplement to meet specific nutrient needs.

The Lewin Group, Inc. was commissioned by the Dietary Supplement Education Alliance (DSEA) to conduct an evidence-based study of five dietary supplements. The purpose of this study is threefold: (1) to critically review the research literature for consistency, validity (closeness to the truth), and impact (size of the effect), (2) to develop estimates of the potential health care expenditure savings that could result from daily use of two of the supplements, and (3) for supplements where there is emerging evidence, to suggest areas of future research that would fill existing knowledge gaps. Supplements covered in this study include (1) calcium (with Vitamin D), (2) folic acid, (3) omega-3 fatty acids, (4)

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Net Savings Resulting from Reduced Hip Fractures Among Adults Over Age 65 Taking Daily Calcium Supplements



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Net Savings Resulting from Reduced Neural Tube Defects Among 10 Million Women Taking Daily Folic Acid Supplements



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What Claims Can Be Made About The Health Benefits Of Dietary Supplements?

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Executive Summary

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Surveys of dietary intake and physical and laboratory data reveal that the typical American diet does not always provide a sufficient level of nutrients to support optimal health. Many clinicians also acknowledge that some Americans may need a vitamin and/or mineral or other supplement to meet specific nutrient needs.[1]

Recent studies have also found health benefits associated with dietary supplements. For example, a Johns Hopkins study noted trauma patients who received vitamins E and C spent less time in Intensive Care Units and were “less likely to experience organ failure.” [2] Progression of Alzheimer’s disease may be slowed by high doses of vitamins according to a Georgetown University pilot study with additional therapeutic trials underway. [3] In a longitudinal study, high doses of vitamin supplements were beneficial to individuals with Age-related Macular Degeneration (AMD).[4] A recent, limited Carolinas Medical Center study noted that adults with type-2 diabetes who take supplements reported fewer infections than those who did not take supplements.[5]

The Lewin Group, Inc. was commissioned by the Dietary Supplement Education Alliance (DSEA) to conduct an evidence-based study of five dietary supplements that could potentially improve users’ health. The purpose of this study is threefold: (1) to critically review the research evidence for each supplement, (2) to develop estimates of the potential health care expenditure savings that could result from daily use of two of the supplements, and (3) for supplements where there is emerging evidence, to suggest areas of future research that would fill existing knowledge gaps. Supplements covered in this study include (1) **calcium (with Vitamin D)**, (2) **folic acid**, (3) **omega-3 fatty acids**, (4) **glucosamine**, and (5) **saw palmetto**.

Lewin was asked to develop estimates of potential cost savings that could result from daily use of only those supplements for which the highest standard of evidence exists at this time, and for which the Food and Drug Administration (FDA) has approved health claims. Cost estimates were developed for calcium (with Vitamin D) and folic acid, for which there is significant scientific agreement as to the improvement in health status and subsequent health expenditure reduction. Conservative estimates of savings were developed for specific relevant outcomes: for calcium, estimates of savings for avoided hip fractures among over age-65 were developed. For folic acid, estimates of savings from avoided incidences of babies being born with neural tube defects (NTD) were developed, keeping in mind that not all NTDs are nutritionally related.

[1] US Department of Agriculture, US Department of Health and Human Services. (2000). *Dietary Guidelines for Americans*. Washington DC.

[2] Nathens AB, et al. (2002) Randomized prospective trial of antioxidants supplementation in critically ill surgical patients. *Annals of Surgery*, 236:814-822.

[3] Aisen PS, et al. (2003). A pilot study to lower plasma homocysteine levels in Alzheimer disease. *American Journal Geriatric Psychiatry*. 11:246-249.

[4] Age-Related Eye Disease Study Research Group. (2001) A Randomized, Placebo-Controlled, Clinical

Trial of High-Dose Supplementation with Vitamins C and E, Beta Carotene, and Zinc for Age-Related Macular Degeneration and Vision Loss. *Archives of Ophthalmology*; 119:1417-1436

[5] Barringer TA, et al. (2003) Effect of multivitamin and mineral supplement on infection and quality of life. *Annals of Internal Medicine*, 138(5):365-371.

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New Study Finds Use of Calcium and Folic Acid Could Save \$15 Billion in Health Care Costs

Wednesday, September 22, 2004 - DSEA

Lewin Group Findings Show Cost Savings, Health Benefits for Five Selected Dietary Supplements: Calcium, Folic Acid, Omega-3 Fatty Acids, Glucosamine and Saw Palmetto

Washington, DC – September 22, 2004 – A study released today shows that daily use of calcium would prevent 734,000 hip fractures and save \$13.9 billion in health care costs over the next five years. Daily use of folic acid by women would prevent 600 cases of neural tube birth defects yearly, saving \$1.3 billion in lifetime medical costs over five years.

Omega-3 fatty acids, glucosamine and saw palmetto supplements showed substantial promise for improving health and quality of life and potentially reducing health care costs.

The study, commissioned by the Dietary Supplement Education Alliance and conducted by The Lewin Group, included a systematic literature review of the most rigorous scientific research available.

Key study findings include:

- **Calcium:** The estimate of the five-year (2005-2009) net savings in hospital, nursing facility, and physician expenditures resulting from a reduction in the occurrence of hip fractures among those over age 65, through daily intake of 1200 mg of calcium with vitamin D is \$13.9 billion. Approximately 734,000 hip fractures could be avoided over the five year period.
- **Folic Acid:** If just 10.5 million women of childbearing age began taking 400 mcg of folic acid daily, approximately 600 fewer babies would be born with neural tube defects per year, saving as much as \$321,853,000 as a result. Taking into account the very low cost of the supplement, \$1.3 billion in lifetime medical costs could potentially be saved over the next five years.
- **Omega-3 Fatty Acids:** Recent studies have shown that omega-3 fatty acids can have beneficial effects on cardiovascular disease (CVD), and Lewin's review found consistent evidence that omega-3 fatty acids help reduce deaths from CVD. The research literature contains many promising studies concerning the health benefits of omega-3 fatty acids for a wide number of chronic conditions (e.g., depression, renal disease, rheumatoid arthritis and asthma). Additional research is warranted to verify these preliminary suggestions.
- **Glucosamine:** Glucosamine has been shown to have anti-inflammatory effects and is believed to repair and maintain cartilage. Recently the use of complementary and alternative therapies in the treatment of osteoarthritis has become more widespread, and particular interest has focused on glucosamine.
- **Saw Palmetto:** Preliminary findings on the effectiveness of saw palmetto for alleviating the symptoms of benign prostatic hyperplasia (BPH) indicate that use

of the herb yields slight to moderate improvement in symptoms for men with this chronic urinary syndrome.

"Many studies over the years have demonstrated the positive effects of calcium and folic acid. This report reinforces those findings by demonstrating the cost savings that could be achieved by taking these two supplements," said Allen Dobson, Ph.D., senior vice president at The Lewin Group. "The results on omega-3 fatty acids, glucosamine and saw palmetto were also extremely encouraging in their ability to offset health problems and costs associated with chronic conditions."

Noting the implications of the study, the U.S. House Committee on Government Reform's Subcommittee on Human Rights and Wellness held a Congressional hearing on September 22 to review the results. Witnesses included:

- Paul Coates, Director, Office of Dietary Supplements, National Institutes of Health
 - Al Dobson, Ph.D., Senior Vice President, The Lewin Group
 - Jeff Blumberg, Ph.D., Professor, Friedman School of Nutrition Science and Policy and Associate Director of the Jean Mayer USDA Human Nutrition Research Center on Aging at Tufts University
 - Barbara Levine, Ph.D., Associate Clinical Professor of Nutrition in Medicine and Director of the Nutrition Information Center at Weill Medical College of Cornell University
 - Elliott Balbert, Chief Executive Officer, Natrol and President, DSEA
 - Marilu Henner, actress and author

"As our country faces an ever-growing crisis in health care, it is important to recognize the role that dietary supplements can play in reducing our burden of disease and the costs to manage it," said Jeffrey Blumberg, professor at the Friedman School of Nutrition Science and Policy at Tufts University.

"Many industry experts have long believed that dietary supplements provide consumers with long-term health benefits by reducing the incidence of debilitating health problems, and this study proves it," said Elliott Balbert, chief executive officer of Natrol and president of the Dietary Supplement Education Alliance. "The findings provide evidence to support both the cost savings and quality-of-life benefits of these particular supplements."

For more information about the study, visit www.supplementinfo.org.

The Lewin Group, a wholly owned subsidiary of Quintiles Transnational, is a nationally recognized health care and human services consulting firm in Falls Church, Va. The firm specializes in helping public and private sector clients solve complex problems in healthcare and human services with policy analysis, research and consulting.

The Dietary Supplement Education Alliance is a coalition of industry leaders whose mission is to educate consumers, media and policymakers on the benefits of dietary supplements for optimizing health and prevention of disease, with a focus on their safety, efficacy and regulation. Its membership includes nutritional and dietary supplement suppliers, manufacturers, retailers and publishers.

For more information, or to speak with the spokespersons outlined above, please contact:

Deb Knowles - (941) 349-9044 / debknowles@supplementinfo.org

Source: DaVanzo, J. et al, "Improving Public Health, Reducing Health Care Costs: An Evidence-Based Study of Five Dietary Supplements," September 22, 2004.

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November 22, 2004

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Congressional Hearing Examines Supplements' Impact on Health Care

Posted on: 09/23/2004

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WASHINGTON--Rep. Dan Burton (R-Ind.), chairman of the House Government Reform Subcommittee on Human Rights & Wellness (<http://reform.house.gov>), held an oversight hearing on Sept. 22, entitled "Dietary Supplements: Nature's Answer to Cost Preventive Medicine." Testimony focused on dietary supplements' ability to serve a preventive role in individual health care, as well as the possible cost savings to the U.S. health care system from such use.

"I, along with millions of Americans, firmly believe that dietary supplements have been shown through credible scientific research and historical use to be of immeasurable benefit to human health," Burton said. "I believe when used responsibly, and in consultation with a primary care physician, these products can greatly enhance an individual's overall personal health."

The hearing set the stage for the release of a study conducted by the Lewin Group, a market research firm, that demonstrated more than \$15 billion in potential health care cost reductions with supplement use. The study was sponsored by the Dietary Supplement Education Alliance (DSEA), a non-profit industry organization. (Detailed results on the study: www.naturalproductsinsider.com/hotnews/49h22143258.html.)

Additional testimony was provided by Paul Coates, Ph.D., director of the Office of Dietary Supplements (ODS) at the National Institutes of Health (NIH), who described research and education initiatives underway at NIH; Jeff Blumberg, Ph.D., associate director of the Jean Mayer U.S. Department of Agriculture's Human Nutrition Research Center on Aging at Tufts University, and Barbara Levine, Ph.D., associate clinical professor of nutrition in medicine and director of the Nutrition Information Center at Weill Medical College of Cornell University, discussing the scientific research behind dietary supplement use; and Elliott Balbert, president of Natrol and DSEA chairman, who spoke about the importance of educating Americans about dietary supplements and the need for full implementation of the Dietary Supplement Health and

Breaking News

11/22/2004

Cocoa Compound Benefits Chronic Cough
Theobromine appears to be more effective against persistent coughs than codeine, currently the top choice in the field.

11/19/2004

Industry Groups Launch Vitamin E Info Centers
DSEA, NNFA and CRN all launched online information centers about vitamin E in the wake of an analysis released Nov. 10 that posited that the vitamin increased all-cause mortality risk.

Settlement OK'd in Wheeler Case

A federal judge approved a \$100,000 settlement between three dietary supplement companies and the family of a Northwestern University football player who died during a preseason drill in 2001.

Zinc, Copper, Antioxidants Do Not Affect Cognition in Elderly

A new study suggests supplementation with antioxidants, zinc and/or copper has no benefits on cognitive function in elderly subjects.

11/17/2004

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Education Act (DSHEA).

Testimony concluded with actress, author and health advocate Marilu Henner. Henner described why she believes consumers should have access to more information about dietary supplements and why the products should be made more accessible through government initiatives and private health plans. "I believe it is important for consumers to have information about dietary supplements and to have access to supplements through their government and private health plans," Henner said. "I believe dietary supplements should be part of a campaign to improve our nation's health."

A pooled analysis suggests higher intakes of selenium appear to reduce the risk of colorectal cancer.

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Note: Marilu Henner will be the keynote speaker at SupplySide West, Sept. 30, in Las Vegas. For more information, visit www.supplysideshow.com.

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