



# Law shields consumers from dodgy products

Many myths about nutrition and health have persisted for centuries despite scientific knowledge to the contrary. Some unethical marketers of dietary supplements use these myths and other misinformation to make a great deal of money. In 2006 the U.S. supplement industry was worth \$22.5 billion. Although good science supports the proper use of many dietary supplements, numerous overly creative marketing claims are completely discounted by solid scientific facts that "they" (the less scrupulous marketers) don't want you to know about.

The Dietary Supplement Health and Education Act of 1994 (DSHEA) prohibits dietary supplement companies from making claims that their products treat, prevent or cure a specific disease or condition. This act, however, has not stopped a number of companies from making illegal promises. Nor does DSHEA ensure that dietary supplements are safe.

**Question:** Are many companies violating DSHEA?

**Answer:** Over the last few years, there have been a significant number of issues with weight loss supplements as well as products that

claim to cure cancer, osteoporosis, heart disease and even Parkinson's disease. Other popular supplements have claimed illegally that they protect against catching colds or the flu.

**Q:** Have any of these dietary supplements been dangerous for consumers?

**A:** Using the weight loss products as an example, there have been numerous tainted products on the market that actually posed great risk to public health. Although these products claimed to be "natural" or to contain only "herbal" ingredients, some actually contained potentially harmful ingredients not listed on the product labels. In some cases, prescription drugs were present in amounts actually exceeding maximum recommended dosages.

**Q:** Who is responsible for ensuring the safety of a dietary supplement?

**A:** Before a dietary supplement is marketed, DSHEA states that manufacturers are responsible for ensuring the safety of their products. However, after a dietary supplement is marketed, the U.S. Food and Drug Administration is responsible for establishing that a dietary

supplement is "unsafe." As you might expect, removing a product from the market can be an extremely difficult and time-consuming task.

**Q:** Does the Federal Trade Commission enforce dietary supplement marketing regulations?

**A:** Yes, the FTC regulates dietary supplement advertising. Although the FTC does not resolve individual consumer complaints, it does monitor trends of complaints and will act if the evidence supports illegal marketing. Recently the FTC charged the marketers of "Supreme Greens" and "Coral Calcium" with deceptively marketing these products. A federal judge ordered the defendants to pay nearly \$70 million for deceiving consumers about their products' effectiveness and safety. A process to refund consumers has not been finalized.

**Q:** Where can consumers file complaints about fraudulent claims and questionable products?

**A:** Both the FTC and the FDA have online complaint systems for consumers and health professionals to file complaints.

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