



CRN MEMBER WEBINAR | FEB. 15 2 PM ET



With President & CEO Steve Mister

CRN's Policy Priorities for 2023



1

Expanding Access

CRN efforts to expand access will encompass:

- Inclusion of Certain Dietary Supplements in Flex Spending Accounts/Health Savings Accounts
- Expansion of SNAP to Allow Multivitamin Purchases
- Industry Initiatives to Expand Access for Low Income Americans – **#Act4Access**
- Consumer Education To Expand Understanding of Nutrient Gaps and Role of Nutrition for Better Health



CRN will work to expand access to better nutrition and nutrition education to all Americans through gov't programs, industry initiatives and consumer education.

2

Make Progress Towards DSHEA Modernization

On the table:

- Enact Dietary Supplement Listing
- Address the Inspection Deficit
- Revise the Drug Preclusion Provision
- Update Claims Dissemination / Proximity Limits for Online Claims & Research
- Clarify the NDI Requirements
- Protect Grandfathered Ingredients

... what else should be on this list?



CRN will advance changes to DSHEA that preserve the balance between access and safety but update the law with new tools, better clarity and industry protections that assure a level playing field for responsible firms and preserve consumer access.

3

Creating a Legal Pathway for CBD

It's clear that FDA is not going to solve this problem – it has punted the issue to Congress to address.

FDA has called for a new regulatory category for cannabis-derived ingredients – but a dietary supplement pathway would work.

A new regulatory regime could undermine the DSHEA framework, limit CBD access and leave consumers worse off.



CRN will work with Congress to legislate a pathway for CBD as a dietary ingredient—being weary of a new regulatory category that could undermine DSHEA and set precedent for other ingredients.

4

Addressing the Drug Preclusion Provision

“Drug preclusion” language in DSHEA creates a race to market between supplements and drugs; it rewards drug firms with a monopoly over the ingredient if the article is sold first as a drug or clinically investigated before it is sold as a supplement.

The provision was intended to balance supplement and Rx interests, not stifle innovation in the supplement market. Retroactive application, changes in decisions at FDA and broad interpretations of the provision have weaponized it against the industry.

CRN will examine revisions to the drug preclusion provision, advocate for changes in FDA’s interpretation, and advocate for Congress to revise the section to clarify its limited scope. We will address impacts on specific ingredients and its application generally to the supplement marketplace.



5

Optimizing FDA Reorganization

FDA Announced a Re-envisioning of the Human Foods Program

These changes provide opportunities for enhanced attention to dietary supplement and functional food oversight:

- Improved Communication, Coordination and Collaboration between ODSP (policy development) and Office of Reg. Affairs (where inspections occur)
- Program alignment of investigators trained specifically for each regulated category (e.g., food, supplements, cosmetics, drugs)
- Accountability for all food (and supplement) operations to one Deputy Commissioner

CRN will use this opportunity to advocate for more appropriate attention and resources directed to dietary supplement oversight that appropriately prioritizes public safety issues and efficiently deploys FDA resources for more effective regulation of the industry.



6

Preparing for the Final NDI Guidance(s)

Final Guidance was promised by end of 2022

The Final Guidance may be released in multiple smaller Guidances (as CRN recommended)

CRN is poised for review and response if necessary – regulatory, legislative or judicial

CRN is ready for member education and compliance training when it is released

CRN will prepare for the release of these materials, assist our members with compliance, and advocate for changes as appropriate with the direction from our members.



7

Developing Solutions for State-Level Age Restrictions

Multiple states are proposing to restrict sales of certain dietary supplements to those < 18

Age restrictions = restricted access for *all* consumers

Facts, science and reason on our side, but emotions and paternalism may overcome – may require compromise

Develop reasonable solutions that inflict the least impact on legitimate products

CRN will oppose restrictions that are not scientifically supported, but engage to achieve rational measures where necessary.



8

Engaging on Sustainability Solutions

CA SB 54 is already law – it's a matter of implementation

Other states will follow with their own recyclable packaging requirements

Shareholders, consumers and other stakeholders are demanding more attention to sustainability

Issue is much bigger than our industry (like Prop 65)

CRN will monitor; align with other CPG stakeholders for fair solutions and will address proposals specific to our products

CRN will provide our members with resources to implement their ESG goals and to comply with federal, state and local requirements. Following their direction, we will advocate on these issues on their behalf.

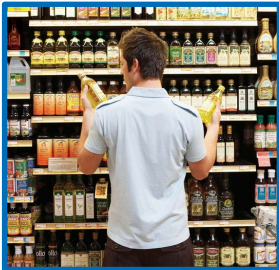




Other Issues We Are Working On



- Codex – *Yes, what happens around the world impacts all of us!*



- Country-specific trade barriers

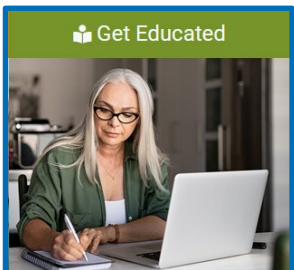
- Dietary Guidelines for Americans 2025

- Harmonizing Retailer Imposed Standards on Supplements

- CRN's Voluntary Guidelines & Best Practices

- Dietitian education: AND module

- Consumer education: *Vitamin D & Me!; What's Inside is Alive*



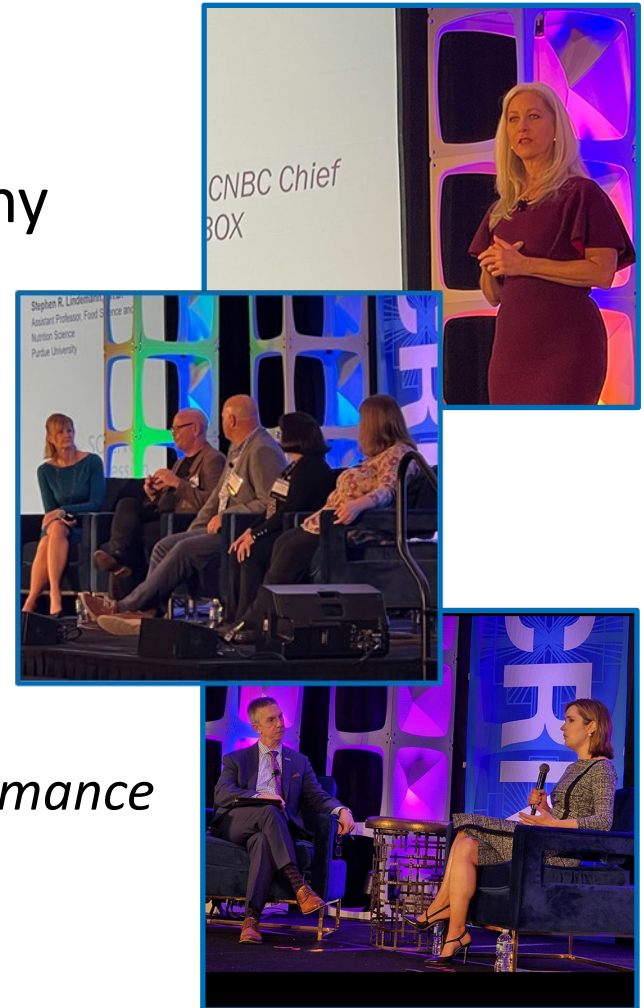
Member Engagement: *GET INVOLVED!*

- Standing Committees
 - Senior Scientific Advisory Council
 - Regulatory Affairs
 - Legal
 - Government Relations
 - Communications & Media Outreach
 - Int'l Trade & Market Dev.
- Forums:
 - Healthcare Practitioner Channel Forum
 - Retail Relations Forum
 - India Trade Forum –NEW!
- Working Groups and Task Forces



Upcoming Events

- **CRN-Int'l Symposium** – March 5, 2023, Düsseldorf, Germany
- **WellComms** – May 5, 2023, Washington, D.C.
- **Day on the Hill** – June 21, 2023, Washington, D.C.
- **Legal Conference** – June 28-29, 2023, New York City
- **Science in Session** – October 3, 2023, Dana Point, CA
- **Industry Education Session at Expo West** –
 - Wednesday, March 8th – *Cognitive Supplements for Optimal Performance*
- **Webinars throughout the year**



RITZ-CARLTON, LAGUNA NIGUEL
Dana Point, California

OCTOBER 3-6, 2023



SAVE THE DATE FOR CRN'S 50TH ANNIVERSARY



Thanks. Questions?



Council for Responsible Nutrition

The Science Behind the Supplements

CELEBRATING **50 YEARS** 1973-2023