

CRN kicked off its golden anniversary year in 2023 with a productive first quarter. We shared our policy priorities for the year, with activation on these priorities well underway, including developing solutions for state-level age restrictions, creating a legal pathway for CBD, expanding access to dietary supplements, engaging with our regulators at FDA—and much more. Read on for highlights.

See www.crnusa.org/2023-reports to view quarterly reports with links.

Celebrating #50yearsofCRN

CRN announced its 50th anniversary in 2023, noting each week we'd highlight a memory or milestone with a "Throwback Thursday" reflection on LinkedIn and Twitter.

Setting 2023 policy priorities

CRN staff reviewed the association's strategic plan adopted by the board of directors and developed policy priorities that effectuate the goals our members have set. The priorities for 2023 include the following:

1. Expanding access to dietary supplements
2. Making progress toward DSHEA modernization
3. Creating a legal pathway for CBD
4. Addressing drug preclusion
5. Optimizing FDA reorganization
6. Preparing for the final NDI Guidance
7. Developing solutions for state-level age restrictions
8. Engaging on sustainability solutions

Reaching international policymakers with CRN-I symposium

The CRN-International 2023 symposium convened academic experts from Canada, Germany, Italy, Norway, and the U.S. for presentations on advancing nutrition science to meet evolving global health needs, delivered to delegates in Düsseldorf for the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) meeting and other international regulatory officials. As with previous CRN-I symposia, presenters will author a paper reviewing the science presented, slated for publication in the second quarter.

Protecting the global probiotics market from a Codex proposal

CRN, in alignment with the International Alliance of Dietary/Food Supplement Associations (IADSA) has been steadfast in its opposition to a proposal before the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) to create a global guideline for probiotics that could limit use of the word "probiotic."



Staff published bylines

CRN staff authored and co-authored articles published in the first quarter of 2023:

CRN outlines policy priorities for 2023 by Steve Mister, Natural Products Insider, March 2023

Innovation Slowed During the Pandemic: A Wharton Study Tells Us How to Fix It

by Carl Hyland, Nutrition Industry Executive, January 2023



Michelle Stout of Amway, who moderated the event, with presenters Dr. Marina Green, Dr. Lynette Neufeld, Dr. Charalampos Tzoulis, Dr. Emily Ho, Dr. Rima Obeid, and CRN's Dr. Jim Griffiths, who led the symposium program development.

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Developing solutions for state-level age restrictions—Maryland and more

During the first quarter, CRN's government relations team engaged in opposition to several age-restriction proposals in state legislatures, keeping members updated on activity in California, Colorado, Massachusetts, Maryland, New Jersey, and New York. CRN President & CEO Steve Mister testified in his home state of Maryland, referencing a newly published scientific review commissioned by CRN, "Eating Disorders and Dietary Supplements: A Review of the Science," which notes the lack of evidence to suggest a causative role for dietary supplements in eating disorders.

Promoting Congressional action on CBD

CRN applauded the introduction of the Hemp and Hemp-Derived CBD Consumer Protection and Market Stabilization Act of 2023 by Reps. Morgan Griffith (R-VA) and Angie Craig (D-MN) and said the association "remains committed to creating a legal pathway to market safe, non-psychoactive hemp-derived cannabinoids as dietary supplements." A Hemp Roundtable statement included comment from CRN President & CEO Steve Mister saying, "...While FDA delays, a sizable market has grown for CBD—legal or otherwise. Americans know these products are safe because they have been taking them for years. Consumers don't need a new regulatory scheme that will potentially limit consumer choice."

Raising the profile of dietary supplements with new CRN comms lead, Jeff Ventura

CRN hired longtime healthcare communications strategist Jeff Ventura in February to lead the association's communications team. Ventura is developing a communications plan that will capitalize on the fact that 75% of Americans believe in the safety and efficacy of dietary supplements.

Natural Products Expo West 2023 session explores supplements for brain health

CRN's Expo West 2023 educational session, Cognition Supplements for Optimal Performance, moderated by the association's Luke Huber, N.D., featured presentations from Steven Kahn, Onnit; Diana Morgan, Nutrabort; Caroline Davidson, SPINS; and Jeff Brams, Garden of Life.



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Q1 2023 Press Releases

JAN. 3

CRN Applauds NY Governor's Veto of Dietary Supplement Age Restriction Legislation

Supplement Listing Exclusion Missed Opportunity in 117th Congress, But Concept Here to Stay

JAN. 4

Supplements in the Spotlight for National Birth Defects Awareness Month—Choline Critical for Optimal Cognitive Development, Report Shows

JAN. 18

CRN Commemorates 50th Anniversary in 2023—Celebration to culminate in October gala

JAN. 23

CRN Foundation's Economic Report Shows the Potential of Certain Dietary Supplements To Reduce Medical Costs Associated with Coronary Artery Disease—Omega-3s, Magnesium, Vitamin K2 and Soluble Fiber Analyzed

JAN. 26

FDA Response on CBD Fails Consumers and Industry and Highlights Agency's Years of Inaction

CRN Announces Staff Promotions, New Staff Member

FEB. 2

CRN-I Invites Government, Academic, and Industry Stakeholders to Science-based Policy Symposium in Conjunction with Codex

FEB. 8

Trade Associations Commend Senators Lee and Sinema for Highlighting Dietary Supplements and Establishing Natural Products Industry Week

FEB. 16

FDA 'Healthy' Claim Proposal Should Include Supplements and Functional Foods, says CRN

FEB. 23

CRN Hires Veteran Healthcare Strategist to Lead Comms

FEB. 24

CRN Foundation's Economic Report Outlines Value of Lutein and Zeaxanthin in Reducing Medical Costs Associated with AMD

MARCH 27

'WellComms: Ignite!' Event for Health/Wellness Marketing and Communications Professionals

MARCH 31

FDA must prioritize supplements, facilitate stronger collaboration and improved communication

Mister attends White House hunger challenge kickoff event

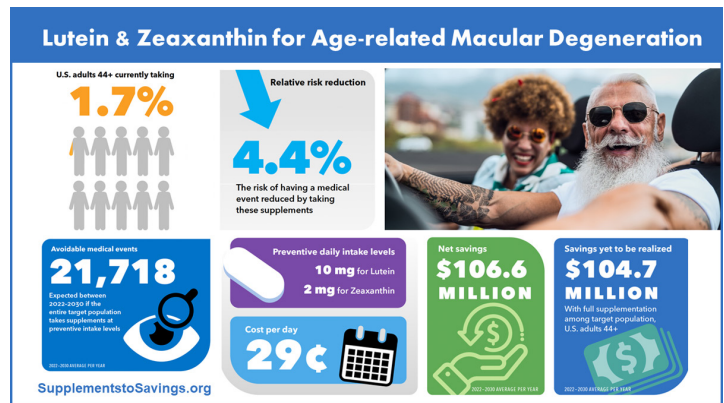
CRN President & CEO Steve Mister in March attended the kickoff event for The White House Challenge to End Hunger and Build Healthy Communities. The event included discussion with dignitaries such as Ambassador Susan Rice and chef José Andrés and follows up on federal and private sector initiatives announced during the historic September 2022 conference.



Expanding access to better nutrition and nutrition education to all Americans is one of CRN's top policy priorities in 2023, as Mister explained in a bylined article for Natural Products Insider. "This year, CRN's efforts to expand access will encompass a renewed push to include dietary supplements in Flexible Spending Accounts (FSAs) and Healthcare Savings Accounts (HSAs). We anticipate the introduction of legislation in Congress and substantive discussions to advance a bill through committee. In support of that effort, CRN's newly released Supplements to Savings economic study demonstrates the monetary value of specific supplement regimens to lower healthcare costs. Additionally, we will invest in research to better understand how consumers leverage their FSAs and HSAs to lower healthcare expenses."

Highlighting 'Supplements to Savings' data

CRN continued to share data from the CRN Foundation's economic report, with first-quarter efforts featuring data from the chapters on optimal cognitive development, coronary artery disease, and age-related macular degeneration.



Pushing back on FDA's overreaching interpretation of the drug preclusion clause

Speaking out against the latest example of drug preclusion over-reach, CRN responded to FDA's announcement that it believes beta-nicotinamide mononucleotide (β-NMN) is not a legal dietary ingredient. CRN criticized the announcement as perpetuating the uncertainty around the drug preclusion issue and advancing FDA's course of plucking individual ingredients out of the supplement marketplace without warning. CRN is evaluating further options in response.

Calling for FDA reform and providing feedback to agency officials

CRN submitted a letter to FDA Commissioner Robert Califf, M.D., in March following a January meeting with agency officials to discuss the Reagan-Udall Foundation report, "Operational Evaluation of the FDA Human Foods Program." CRN called on the agency to prioritize dietary supplements and facilitate stronger collaboration and improved communication among its divisions and with industry stakeholders.

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More

Supplement OWL enhancements update model for listing

The Supplement OWL launched new “product carousel” feature appearing on a product’s page in the registry that allows a business user to display up to three images that site visitors may examine. Typical product carousel images for inclusion are facings of a bottle, product box, product in its packaging, and delivery format as well as delivery format size. The OWL presents a model of dietary supplement listing, which the association frequently points out—most recently in its letter to FDA following up on the Reagan-Udall report. Participation in the Supplement OWL is mandatory for CRN members, who are encouraged to ensure their products are entered and regularly updated to include any new products and remove products that are discontinued.

Keeping members updated on class action risk and regulatory considerations

CRN is monitoring a concerning litigation trend regarding overages, with an increase in class actions targeting this practice. Prior to 2022, we were aware of only a few class actions related to overages. In 2022, however, at least five cases were filed alleging overage amounts for melatonin in dietary supplement products were unreasonable and deceptive to consumers. This is a determination, that should be left to FDA—not for individual courts to interpret under state law—under the legal theory that FDA’s regulations preempt state laws. CRN raised concerns with FDA about courts’ unwillingness to defer to FDA jurisdiction in these and other situations, such as DSHEA disclaimer placement and BCAA calorie labeling. CRN will also continue to discuss class action trends in-depth with its Legal Committee to alert members of emerging risks.

Presenting educational content

In addition to a webinar presentation of CRN’s 2023 policy priorities, the association hosted two educational webinars for its members in the first quarter on:

- **FTC Health Products Compliance Guidance Updates**
- **California’s Plastic Pollution Prevention and Packaging Producer Responsibility Act**

Commenting on regulatory issues affecting dietary supplements

CRN collaborated with members on feedback to FDA and the U.S. Preventive Services Task Force (USPSTF) on the following items:

Investigational New Drug (IND) Applications; Exemptions for Clinical Investigations to Evaluate a Drug Use of a Product Lawfully Marketed as a Conventional Food, Supplement, or Cosmetic

CRN noted its support of FDA’s proposal to formally exempt clinical studies conducted on food and dietary supplements from IND application requirements if they are not intended to support marketing of the products as a drug, but called for clarification on several areas of the proposal, calling on the agency to withdraw all parts of its final guidance on INDs related to food and dietary supplements until rulemaking is completed.

FDA’s Proposed Rule on Food Labeling: Nutrient Content Claims; Definition of Term “Healthy”

CRN emphasized the value of including dietary supplements and functional foods in the final rule and urged the agency to reconsider its “food groups-only” approach, noting an additional approach based on “nutrients to encourage” and “nutrients to limit” is needed to allow the “healthy” claim on a range of formulated foods and dietary supplements can contribute to overall consumption of a variety of nutrients important for maintaining and supporting good health.

USPSTF “Draft Research Plan for Vitamin D, Calcium, or Combined Supplementation for the Primary Prevention of Falls and Fractures in Community-Dwelling Adults: Preventive Medication”

CRN recommended that the proposed analytic framework be modified to reflect vitamin D status as a central component of the research plan, noting vitamin D status as a critical component of any research that is conducted to investigate the relationship between vitamin D and health outcomes.