



For Immediate Release

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***SENATE APPROVES BILL TO IMPROVE  
DIETARY SUPPLEMENT AND OVER THE COUNTER REPORTING***

**Washington, DC** – U.S. Senator Mike Enzi (R-WY), Chairman of the Senate Health, Education, Labor and Pensions Committee (HELP Committee), today applauded the Senate for passing the “Dietary Supplement and Nonprescription Drug Consumer Protection Act,” a move that will help the Food and Drug Administration (FDA) better understand the adverse affects of supplements and non-prescription drugs. The bill will require manufacturers and distributors of dietary supplements and over the counter (OTC) drugs to report all serious adverse events associated with use of their products to the FDA.

Senator Enzi hailed passage of the bill, saying, “Most OTC drugs and supplements are safe. But by requiring manufacturers and distributors to report serious adverse events, the FDA will have good information to decide when to act and what to do if serious problems arise,” Enzi said. “This bill will not only ensure that the FDA is properly informed, but will also preserve access to dietary supplements that are safe and properly labeled.”

The bill, S. 3546, represents months of work across party lines on the parts of Senator Orrin Hatch (R-UT), Senator Richard Durbin (D-IL), Senator Tom Harkin (D-IA) , as well as Chairman Enzi, and the Committee’s Ranking Member, Senator Edward Kennedy (D-MA). It contains the following major provisions:

- **Adverse Event Reporting:** The bill would require manufacturers and distributors of supplements and OTC drugs to report all serious adverse events, such as death, life-threatening conditions, hospitalization, a persistent or significant disability or incapacity, or a congenital anomaly or birth defect, to the FDA. This reporting is an entirely new requirement for dietary supplements. Some OTC drug manufacturers are already required to report serious adverse events.
- **Recordkeeping:** The bill requires manufacturers to keep all adverse event records for six years, and allows the FDA to inspect these records. It also sets a

15-day time limit for manufacturers to give the FDA the reports of serious adverse events they receive. Records of less serious adverse events would have to be maintained, but not submitted to FDA.

- **State Responsibilities:** States will continue to work with the FDA on safety concerns. The new, mandatory, Federal reporting requirement would replace a potential patchwork of state requirements.
- **False Reports:** The bill prohibits making a deliberately false adverse event report to a manufacturer or to the FDA.

“Passing this bill is an important step to ensuring that the millions of Americans who use non-prescription drugs and dietary supplements have confidence that government officials are aware of any serious problems with these products,” Enzi said. “I encourage the House of Representatives to act quickly on this legislation so that we can send the bill to the President for his signature.”

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