



Testimony of Kyle Turk
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Natural Products Association

Re: Rhode Island Senate Committee on Commerce SB 2774
Opposition to Rhode Island SB 2774

Founded in 1936, the Natural Products Association (NPA) is the nation's oldest and largest trade association representing the natural products industry. We represent more than 700 member organizations committed to providing consumers with access to safe, high-quality products that support health and wellness.

For nearly 90 years, NPA has been a leader in advancing rigorous quality standards and regulatory compliance. NPA was the first organization to establish a third-party Good Manufacturing Practices (GMP) certification program for dietary supplement manufacturers, incorporating all requirements under FDA regulations at 21 C.F.R. Part 111, along with additional industry best practices.

We respectfully oppose Rhode Island SB 2774.

Dietary Supplements Are Already Subject to a Comprehensive Federal Framework

Congress established a uniform national regulatory framework for dietary supplements through the Dietary Supplement Health and Education Act (DSHEA) in 1994. That framework balances consumer access with strong federal oversight under the U.S. Food and Drug Administration (FDA).

DSHEA:

- Defines dietary supplements as a distinct category under the Federal Food, Drug, and Cosmetic Act
- Preserves FDA authority to remove unsafe products from the market
- Requires pre-market notification and safety data for new dietary ingredients
- Mandates compliant labeling and ingredient disclosure
- Requires adherence to federal current Good Manufacturing Practices (cGMPs)
- Subjects labeling to FDA oversight and advertising to the Federal Trade Commission

Additionally, the Food Safety Modernization Act (FSMA) expanded FDA inspection authority and facility registration requirements for supplement manufacturers.

This is not an unregulated marketplace. It is a nationally uniform, science-based federal regulatory system that has governed dietary supplements for over 30 years.

No Federal Evidence Linking Lawful Supplements to Eating Disorders



Supporters of Rhode Island SB 2774 have suggested that certain weight-management and muscle-building supplements contribute to eating disorders among minors. That claim is serious. It also requires serious evidence.

In 2019 and 2022, NPA submitted Freedom of Information Act (FOIA) requests to the FDA seeking adverse event data relating to eating disorders and the categories of products targeted by similar state legislation. FDA's records did not establish a causal connection between lawful dietary supplements and eating disorders.

FDA's post-market surveillance systems, including the Adverse Event Reporting System (AER) and MedWatch, are specifically designed to detect emerging safety signals. If these products were driving eating disorders, those signals would appear in federal surveillance data. They have not.

Public policy should be grounded in evidence, not inference, media narratives, or theoretical risk.

Scientific Standards for Establishing Causation

FDA relies on recognized causality assessment methodologies, including the Challenge–Dechallenge–Rechallenge (CDR) model, when evaluating adverse events.

This approach examines:

- Temporal relationship
- Withdrawal effects
- Reintroduction response
- Clinical plausibility

No such causality framework has established that the ingredients commonly targeted in these bills, such as creatine or amino acids cause eating disorders.

Without credible scientific evidence of harm, broad retail restrictions are disproportionate and unwarranted.

The Inconsistency Problem

Rhode Island SB 2774 would restrict the sale of products containing ingredients that are:

1. Naturally present in everyday foods
2. Extensively studied
3. Widely used by responsible consumers

Examples include:

1. Creatine – naturally found in red meat and among the most studied performance ingredients in the world



2. Essential and branched-chain amino acids – foundational nutrients
3. Lipotropic compounds – found in dairy, eggs, and lean meats

Prohibiting these ingredients in supplement form while permitting them in conventional food form is inconsistent and undermines regulatory coherence.

Fragmenting a National Marketplace

DSHEA established a national framework precisely to avoid a patchwork of state-level restrictions that would:

- Confuse consumers
- Burden small businesses
- Create compliance chaos for retailers operating across state lines
- Undermine federal regulatory authority

When individual states begin redefining categories of lawful federally regulated products, it destabilizes the uniform system Congress intentionally created.

If there is a safety issue, the FDA already has the authority to act, and it has demonstrated that willingness in past enforcement actions.

Impact on Small Businesses

Rhode Island SB 2774 would disproportionately burden:

- Independent health food stores
- Pharmacies
- Convenience retailers
- Small regional chains

These businesses rely on lawful supplement sales and would be forced to implement age-verification systems and compliance protocols without clear evidence of public health benefit.

Responsible retailers should not be penalized for selling federally lawful products.

A Solution in Search of a Problem

Rhode Island SB 2774 represents a regulatory response in search of substantiated harm.

We strongly support enforcement against illegal, adulterated, or misbranded products. We support science-based regulation. We support responsible retail practices.



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But restricting access to lawful dietary supplements without credible evidence of causation will not protect minors and may unintentionally stigmatize safe, widely used products.

For more than three decades, dietary supplements have operated under a robust federal regulatory framework administered by the FDA. That framework is comprehensive, science-based, and nationally uniform.

There is no federal evidence establishing that lawful weight-management or muscle-building supplements cause eating disorders.

For these reasons, the Natural Products Association respectfully urges the Committee to reject Rhode Island SB 2774.

Thank you for your consideration.

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