

## Wheeler Derrick

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**From:** Ingrid Lebert <ILEbert@crnusa.org>  
**Sent:** Tuesday, February 07, 2017 6:30 AM  
**To:** Raszka Shelley  
**Subject:** RE: Comments: OR HB 2256, Relating to State Department of Agriculture regulation of dietary supplements

Thanks, Shelley! I also meant to include a small note regarding the order in which the definition of a dietary supplement was described. Certainly not a major issue, but it may help to have Oregon's definition of a dietary supplement mirror that of federal statute (instead of being alphabetized, as seen in the HB 2256):

A "dietary ingredient" may be one, or any combination, of the following substances:

- a vitamin
- a mineral
- an herb or other botanical
- an amino acid
- a dietary substance for use by people to supplement the diet by increasing the total dietary intake
- a concentrate, metabolite, constituent, or extract

Cheers,  
Ingrid

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**From:** HAGNR Exhibits [mailto:HAGNR.Exhibits@oregonlegislature.gov]  
**Sent:** Monday, February 06, 2017 3:13 PM  
**To:** Ingrid Lebert <ILEbert@crnusa.org>  
**Subject:** RE: Comments: OR HB 2256, Relating to State Department of Agriculture regulation of dietary supplements

Thank you for your submission; it has been received and will be distributed to the committee members, posted on OLIS, and submitted for the record. If you plan to testify in person there is no need to bring paper copies.

SHELLEY RASZKA | Executive Support Specialist  
[Legislative Policy and Research Office](#)

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Salem, OR 97301  
503-986-1502

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**From:** Ingrid Lebert [<mailto:ILEbert@crnusa.org>]  
**Sent:** Monday, February 06, 2017 6:58 AM  
**To:** HAGNR Exhibits <[HAGNR.Exhibits@oregonlegislature.gov](mailto:HAGNR.Exhibits@oregonlegislature.gov)>  
**Subject:** Comments: OR HB 2256, Relating to State Department of Agriculture regulation of dietary supplements

Hearing Notice (2/7/17): <https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeAgenda/HAGNR/2017-02-07-08-00?guid=47082a20-3459-1bb8-e054-02082091f14b>

Dear Sir or Madam,

Stephanie Page, with the Oregon Department of Agriculture, and I have worked together to ensure language in OR HB 2256 is clear, complies with federal statute, etc. Edits found below and Ms. Page's info enclosed. I will not be able to attend the hearing tomorrow (currently sitting in a jury pool waiting room), but I may have one of CRN's members attend. Once he confirms his availability, I will follow up with another email to provide his name and contact information.

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(6) "Dietary ingredient" means one or more of the following or a concentrate, constituent, extract or metabolite of one or more of the following:

- (a) An amino acid;
- (b) An herb or other botanical;
- (c) A mineral;
- (d) A **dietary** substance specifically intended **to supplement** ~~for supplementing conventional food~~ in the human diet by increasing total dietary intake; or
- (e) A vitamin.

(7) "Dietary supplement" means an article, not including any tobacco product, that:

- (a) Is subject to dietary supplement labeling requirements ~~or supplement facts box declaration requirements~~ under 21 C.F.R. 101.36;
- (b) ~~Is intended to supplement conventional food in the diet of humans and~~ contains **one or more** a dietary ingredients; and
- (c)(A) Is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form; or
- (B) Is not represented to be a conventional food or to be for use as the sole item of a meal or diet.

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(2) "Dietary ingredient" means one or more of the following or a concentrate, constituent, extract or metabolite of one or more of the following:

- (a) An amino acid;
- (b) An herb or other botanical;
- (c) A mineral;
- (d) A **dietary** substance specifically intended **to supplement** ~~for supplementing conventional food~~ in the human diet by increasing total dietary intake; or
- (e) A vitamin.

(3) "Dietary supplement" means an article, not including any tobacco product, that:

- (a) Is subject to dietary supplement labeling requirements ~~or supplement facts box declaration requirements~~ under 21 C.F.R. 101.36;
- (b) ~~Is intended to supplement conventional food in the diet of humans and~~ contains **one or more** a dietary ingredients; and
- (c)(A) Is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form; or
- (B) Is not represented to be a conventional food or to be for use as the sole item of a meal or diet.

Stephanie Page, REHS  
Director of Food Safety and Animal Health & ID Programs  
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Please don't hesitate to contact me if you have any questions or concerns.

Thank you,  
Ingrid

**Ingrid Lebert**  
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No trees were harmed in the transmission of this email, although a few electrons were mildly inconvenienced.