

AAOM Herbal Medicine Committee Report

September 2004 By Dr. Atara Noiade

AAOM Herbal Medicine Committee

Chair: Atara Noiade, AAOM BOD
Will Morris, AAOM BOD
Dave Molony, AAOM BOD
Burt Pettis, AAOM BOD
John Scott, CEO, Golden Flower Chinese Herbs
Gene Bruno, AAOM BOD
Claudette Baker, ISAA
John Chen, CEO, Evergreen Herbs
Mark Thoman, AAOM Attorney



The long-term agenda of the AAOM Herbal Medicine Committee (HMC) is to facilitate the creation of a separate regulatory division for the Oriental Medicine (OM) herbal pharmacy. The FDA ruling on ephedra (ma huang) in April of this year accelerated this goal.

AAOM attorney, Mark Thoman, created a compilation paper early this year to better outline and explain what the profession faces with the FDA ruling. In his report, Mr. Thoman suggested that the first objective was for the AAOM to meet face to face with the FDA as soon as possible to get a clear sense of the available options:

Option 1: The FDA creates rules that exempt OM practitioners from bans, such as in the case of Suffolk County, NY and California.

Option 2: The FDA works with the OM community to creation a separate category for herbal medicine. For example, John Scott presented to the Herb Committee an outline referencing the Canadian Natural Health Product Directorate; other models can be used from the European Union and Australia.

In April, the AAOM and the American Herbal Products Association (AHPA) attorneys met with the FDA. Mr. Thoman, of the AAOM, reported that the meeting was very positive and productive; however, the changes would take time.

As Mark continues to meet with the FDA, he will bring to their attention the ongoing problems manufacturers experience with their herbs at the American border. The Department of Health and Human Services and the FDA issued a final regulation declaring dietary supplements containing ephedrine alkaloids adulterated under the Food, Drug and Cosmetic Act. However, despite an *exemption* in the FDA ruling that allows for ephedra use by practitioners of Asian Medicine, importation issues continue. The HMC has determined that this importation difficulty is likely the result of communication that is bureaucracy laden between the FDA administrative offices and the border patrol; this speculation is based on our positive interactions with the FDA.

In his next meeting, Mr. Thoman will also address individual herbs issues such as pinellia (ban xia) and bitter orange. Bitter orange (zhi shi) is the latest herb under fire. The FDA had incorrectly reported to the New York Times that there had been at least 7 deaths related to bitter orange. In fact, there had been no deaths; the New York Times retracted its article, but the FDA has not retracted this statement.

The HMC has decided to look at the creation of a separate regulatory division for the Oriental Medical herbal pharmacy on behalf of our profession. Creating a new category would involve either legislative or administrative rule. The administrative rule, as a beginning became the clear alternative. Dave Molony proposed the creation of an advisory commission to the White House, which he had already begun to work on. The committee agreed, based on Dave's report of progress, that this idea seemed not only practical and beneficial, but also financially feasible. The details of the proposal are in the HMC update, which was sent out to our AAOM membership, and may also be viewed on the AAOM web site.

In the interim, all AAOM members are encouraged to contact the AAOM legislative committee if they have any connections to legislators or governmental personnel who might contribute to the strength of our mission. Please see the AAOM web site www.aaom.org.

Dr Atara Noiade
Chair, Herbal Medicine Committee