



# CAFTA-DR Facts

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## The CAFTA-DR and Dietary Supplements

The Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) does not limit consumer access to dietary supplements in any way, nor does it change the way the federal government or U.S. states regulate dietary supplements.

Chapter Six of the CAFTA-DR (Sanitary and Phytosanitary Measures – SPS), which some have claimed could limit access by American consumers to dietary supplements, does *not* create any substantive rights or obligations. It merely:

- Says the seven governments do not intend the CAFTA-DR to change their existing SPS rights and obligations under the World Trade Organization (WTO).
  - Note: WTO rules, in effect since 1995, have had absolutely no impact on the regulation or availability of dietary supplements in the United States.
- Establishes an inter-governmental committee to discuss SPS issues of mutual interest.
  - The SPS committee does not seek to harmonize national SPS regulations governing dietary supplements or any other type of SPS regulation. In fact, Chapter Six does not require, recommend, or even mention harmonization.
  - The committee simply works to assist the seven governments in carrying out their obligations under the WTO SPS Agreement.

Contrary to assertions some have made, the CAFTA-DR does *not* require the United States to:

- apply the recently adopted Codex Alimentarius *Guidelines for Vitamin and Mineral Supplements*. In fact, the CAFTA-DR imposes no obligations regarding Codex standards or guidelines.
- change the *Dietary Supplement Health and Education Act of 1994* (DSHEA), which regulates dietary supplements in the United States.

The Codex *Guidelines* provide voluntary guidance to governments relating to the composition of vitamin and mineral supplements and criteria for establishing maximum amounts of vitamins and minerals per daily portion of supplement consumed.

The *Guidelines* do *not* establish upper limits for vitamins and minerals in supplements.

Nothing in the WTO SPS Agreement requires the United States to adopt the Codex *Guidelines*.