

September 15, 2023

Submitted via email

The Honorable Patty Murray
Chair, Senate Committee on Appropriations
Room S-128
The Capitol
Washington, D.C. 20510

The Honorable Susan Collins
Vice Chair, Senate Committee on Appropriations
Room S-128
The Capitol
Washington, D.C. 20510

Re: Deference to Homeopathy (S. Rept. 118-44)

Dear Chair Murray and Vice Chair Collins:

The Center for Inquiry (CFI) writes to you regarding a recent report from the Senate Committee on Appropriations that gives undue deference to the homeopathy industry. The committee should be aware that homeopathic products are pseudoscience and junk medicine, robbing Americans of their money every year, and that homeopathy is owed no credence from federal lawmakers.

In fact, on the marketing of homeopathic products, the Federal Trade Commission (FTC) has formally stated that such marketing is not deceptive only if it “effectively communicates to consumers that: (1) **there is no scientific evidence that the product works** and (2) the product’s claims are based only on theories of homeopathy from the 1700s that are **not accepted by most modern medical experts**” (emphases added).¹

The FTC plainly states that homeopathic products do not work and consumers must be made aware of that or it is deceptive marketing.

That stands in stark contrast to the committee’s report (S. Rept. 118-44) regarding the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 2024” (S. 2131):

Homeopathy.--The Committee understands the importance of homeopathic medicines for millions of users. Consumers access and safety to these products are best ensured by **implementing a legal pathway that includes homeopathic**

¹www.ftc.gov/system/files/documents/public_statements/996984/p114505_otc_homeopathic_drug_enforcement_policy_statement.pdf



specific standards for the regulation of these medicines. The Committee understands FDA is limited to enforcing pharmaceutical specific standards when taking enforcement action against products labeled as homeopathic. The FDA’s interpretation of the law that all homeopathic medicines are unapproved new drugs that are illegally marketed has created confusion both for the homeopathic community and enforcement officials. **The Committee directs the FDA to work with the homeopathic community with regards to the regulation of these medicines** (emphases added).²

It is difficult, from CFI’s perspective, to overstate the harm of lax federal regulation of homeopathy.

As an organization dedicated to defending science and rational thought, CFI has for many years demonstrated that homeopathic products and practitioners are not based at all on medical science. **Rather, homeopathy is a roundly rejected field of “alternative medicine” centered on the eighteenth-century pseudoscientific idea that “like cures like.”**³ Homeopaths tout their services and products as being based on the “principle” that that which a substance is capable of causing, it is likewise capable of curing.

More specifically, homeopaths use ingredients such as poison ivy, liver extract, arsenic, and deadly nightshade, which are heavily diluted to amounts so miniscule that no trace of the original ingredient exists in the final product. In fact, homeopaths paradoxically believe that the more dilute a solution is, the greater the solution’s potency, healing abilities, and strength. They then claim that their products ably treat conditions such as colds, flu, headaches, migraines, arthritis, joint pain, shingles, and anxiety.

There is no medical basis for these types of claims, and no valid scientific study has ever demonstrated the effectiveness of homeopathy in curing any ailment beyond a placebo effect.

Yet the committee report’s section on homeopathy begins by proclaiming the committee “understands the importance of homeopathic medicines for millions of users.” The fact that too many Americans have already been duped of their money by the homeopathy industry—to say nothing about those consumers foregoing proper medical attention in the process—is not a reason to continue affording deference to homeopaths. Rather, federal lawmakers should be doing all they can to crack down on the purveyors of this pseudoscience.

More alarmingly, the committee report directs the FDA to work hand-in-hand with the homeopathy industry with respect to the regulation of homeopathy, using “homeopathic specific standards.” This is a dangerous recommendation. **By essentially inviting self-regulation by the homeopathy industry in partnership with the federal government, this recommendation undermines public health.** Homeopaths are already given considerable deference in maintaining the *Homeopathic Pharmacopoeia of the United States (HPUS)*. Through a quirk in federal law, the Homeopathic Pharmacopoeia Convention of the United States, a

² www.congress.gov/congressional-report/118th-congress/senate-report/44/1

³ <https://centerforinquiry.org/learning-resources/explaining-homeopathy>



private organization, along with various homeopathy trade groups and manufacturers, get to decide which materials will make up homeopathic products.⁴

This a regulatory free ride, plain and simple. To extend this further by directing the FDA toward “implementing a legal pathway” based on homeopathy-specific standards would be a colossal mistake.

For all the above reasons, CFI urges the Senate Committee on Appropriations to revisit its recommendation in S. Rept. 118-44 with respect to FDA regulation of homeopathy. The federal government needs to do more in this area, not less, and we invite your committee to set the record straight on this issue.

Sincerely,

Azhar Majeed
Director of Government Affairs
Center for Inquiry

cc:

⁴ <https://centerforinquiry.org/blog/whats-in-this-homeopathic-product-its-gonna-cost-2000-to-find-out>

