



TO: Joint Committee on Dietary Supplements

FROM: Paula Brown, Chairperson

DATE: June 18, 2018

SUBJECT: Proposed revision to NSF/ANSI 173 – *Dietary Supplements* (173i80r1)

Draft 1 for NSF/ANSI 173, Issue 80 is presented to the Joint Committee on Dietary Supplements for consideration. Please review the changes proposed to this standard and submit your ballot by **the due date of July 9, 2018** via the NSF Online Workspace (<http://standards.nsf.org>).

When adding comments, please include the section number applicable your comment and add all comments under one comment number whenever possible. If additional space is needed, you may upload a word or .PDF version of your comments online via the browser function.

Purpose

This issue paper is intended to “clean” up two issues within the standard. The first is a simple update of the food code and the second is to remove duplicate text. An explanation of this duplication is below.

Background

In April of 2017 the JC balloted 173i63r1. The suggested deleted text below (in recommended change) was suggested for deletion from section 5.5 because the exact wording was being added to a new sub-section in section 4. This ballot received a negative comment and a revision 2 was created. Somehow in revision 2 the duplicate text was no longer struck-through. This revision did pass but since the text was not struck-through it was not deleted from the final published standard. This issue paper is to formally remove this duplicate text since it now appears in both section 4.1 and 5.5. I have highlighted the duplicate text in yellow.

4.1 Caffeine

Supplements that contain or may contain any amount of added caffeine must declare the total amount of caffeine per serving on the label. Supplements containing 5 mg to 25 mg of naturally occurring caffeine must declare the presence of caffeine on the label. Supplements containing 25 mg or greater of naturally occurring caffeine must declare the total amount of caffeine per serving on the label.

In addition, if the product contains caffeine at greater than 100 mg/serving the following warnings (or equivalent) must be present on the label:

- Do not use if sensitive to caffeine.
- Not recommended for use by children under 18 years of age.
- Not recommended for use by pregnant or nursing women.

5.5 Caffeine



Supplements containing caffeine shall have caffeine content tested and verified. The amount of caffeine consumed shall not exceed 200 mg/serving every 4 hours and 800 mg/day. The product use instructions shall indicate no more than 200 mg of caffeine is to be consumed every 4 hours. In addition, if the product contains caffeine in the amount of 100 mg/serving or greater the following warnings (or equivalent) must be present on the label:

- Do not use if sensitive to caffeine.
- Not recommended for use by children under 18 years of age.
- Not recommended for use by pregnant or nursing women.

Public Health Impact

These changes will have no negative impact on public health.

If you have any questions feel free to contact me.

A handwritten signature in black ink, appearing to read "Paula B.", followed by a horizontal line.

Dr. Paula N. Brown
Chairperson, Joint Committee on Dietary Supplements
c/o Joint Committee Secretariat
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NSF International Standard for Dietary Supplements —

Dietary supplements

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2 Normative references

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FDA, *Food Code 2004* **2017** *Recommendations of the United States Public Health Service Food and Drug Administration*¹¹

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5 Product requirements

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5.5 Caffeine

Supplements containing caffeine shall have caffeine content tested and verified. The amount of caffeine consumed shall not exceed 200 mg/serving every 4 hours and 800 mg/day. The product use instructions shall indicate no more than 200 mg of caffeine is to be consumed every 4 hours. ~~In addition, if the product contains caffeine in the amount of 100 mg/serving or greater the following warnings (or equivalent) must be present on the label:~~

- ~~— Do not use if sensitive to caffeine.~~
- ~~— Not recommended for use by children under 18 years of age.~~
- ~~— Not recommended for use by pregnant or nursing women.~~

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