BILL ANALYSIS

Senate Research Center

S.B. 1351
By: Armbrister
Health & Human Services
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As Filed

DIGEST AND PURPOSE

In 1999 the Texas Department of Health (department) promulgated new regulations setting standards for the formulation, sale, and distribution of dietary supplements containing ephedrine group alkaloids from the herb ephedra. In addition, on July 7, 2000, the department adopted a regulation that will require, as of September 1, 2001, that a dietary supplement product containing ephedra have on its label the toll-free number of the United States Food and Drug Administration MedWatch reporting system. These existing regulations do not establish safe serving or daily intake limits for dietary supplements containing ephedra. As proposed, S.B. 1351 requires a dietary supplement containing ephedrine group alkaloids to have a specified cautionary statement on the product label about the possible side effects from taking too large of a dose of ephedrine and other information relating to the amount of ephedrine per serving and the recommended daily intake of the ephedrine group alkaloids.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 431.081, Health and Safety Code, by adding Subsection (e), as follows:

> [Note: Section 431.081, Health and Safety Code, requires a food to be deemed as adulterated:]
>
> (e) if it is a dietary supplement containing ephedrine group alkaloids, unless the dietary supplement complies with certain requirements.

SECTION 2. Effective date: upon passage or September 1, 2001.