

Thursday, May 16th, 2024

Mr Stephen Norman
Director of the Natural and Non-Prescription Health Products Directorate
Health Canada

Mr,

Last August, we demonstrated the impact of the first cost recovery proposal on the homeopathic pharmacopeia available for Canadian homeopathic practitioners and for Canadian citizens. Although we do realize and appreciate the efforts made to deal with some of the issues raised by Canadians and by the Industry, we are still highly concerned about some of our issues that were not heard and addressed and that we voiced at the March 27th meeting.

The practitioners that CHA represents are still very much worried and they asked to reiterate figures that substantiate our concerns. Indeed, in spring 2023, Boiron, one of Canada's leading suppliers of homeopathic medicines, had estimated based on previous year's sales, that 90% of the homeopathic catalog would disappear, because right to sell (RTS) fees would exceed sales revenues for a large number of homeopathic medicines. We had similar information provided by Schmidt & Nagel, a Swiss manufacturer based in Quebec.

The 2nd cost recovery proposal hasn't resolved this neuralgic issue for the survival of homeopathy in Canada. The reduction in RTS from \$542 to \$317 (after 7 years), means that we will still be facing the loss of 75% of the catalog of homeopathic remedies now available, according to the new figures we have received, adjusted to the new RTS fees. If a manufacturer such as Boiron, who supplies the majority of HM's to consumers, decides to close operations in Canada, then almost 100% of the retail products will be lost and homeopathy will essentially be inaccessible to the majority of Canadians. The foundation of homeopathy is being slowly eroded. In 2014 the Homeopathic manufacturer, HEEL, stopped doing business in North America as they could not support the legal costs involved in fighting the skeptics' lawsuits, and last summer Hylands stopped operations in Canada as a result of the HC labeling requirements and the subsequent costs involved.

The integrity of the practice of homeopathy, as a therapy favored by 10.3 million Canadians in 2022¹, remains in jeopardy, and it is essential to find a solution that will preserve the integrity of this practice. Indian communities, which are very present in Ontario; European communities, particularly those in France and Eastern Europe; Mexican, Colombian, Brazilian and Argentinian communities, to name those few, know and use homeopathy and consult practitioners for both acute and chronic illnesses on a regular basis. The disappearance of 75% of the practitioner's daily tools is an affront to their right to choose, or any other Canadians', and this cannot be an acceptable outcome for the Health Minister's will to recoup the operating costs of the Natural Health Products program. These unintended consequences must be considered.

¹ [Harris Interactive \(2022\)](#)

Some examples of products that would currently be eliminated, as they are low-selling products, include remedies that may be needed in acute and urgent situations. For practitioners, these include remedies for people with acute diarrhea, whooping cough, torticollis, bronchitis, and vertigo to name a few that could be recommended in the context of a homeopathic consultation. If the remedies needed in those cases are not readily available then it puts the patients health at risk. With the Canadian Border Services Agency increasingly delaying by many weeks, or in some cases seizing completely, remedy orders being imported by practitioners for compounding, it is even more crucial that these remedies be available for purchase in Canada.

We have, at the very least, 2 very clear requests for the survival of homeopathy in Canada.

The first is the creation of a category of “**low demand essential products, necessary to maintain the integrity of a therapeutic modality**”. In French, we coined it as : « **produits essentiels à faible demande, nécessaires au maintien de l’intégrité d’une modalité thérapeutique.** » These products should be exempted from the Right to Sell fee. The threshold that would permit the submission of a product in this category couldn’t certainly be below 1000 \$ yearly sale by DIN-HM, since the manufacturer, apart from the RTS cost for each DIN-HM, needs also to cover expenses associated with fabrication, packaging, labeling, etc... A more suitable threshold, both for the Industry and Health Canada, could be determined if need be.

This request is based first and foremost on the unequivocal necessity to protect the integrity of the homeopathic practice, not only for the regulated profession in Ontario, but also for other practitioners across Canada. We explained at length in our comments sent August 2023 to Mrs Natalie Page, that the loss of so many homeopathic medicines will encourage a huge black market, where practitioners will be unable to guarantee the quality of the remedies they order or recommend to their patients while it is also mandatory for the Health care practitioners to ensure the safety and quality of the materials used to compound. Moreover, the inevitable delay in care will inadvertently turn more consumers to the conventional health system, already burdened and overwhelmed.

Our request is also based on the reality of what we call the “market” of low-demand products which, in fact, does not represent a market in a pecuniary sense for manufacturers, but rather, a commitment on their part to provide practitioners and consumers with specific, more niche products that are necessary to the therapeutic response capacity addressing the full range of health issues that motivate **Canadians to turn to a homeopath to treat chronic and debilitating health problems** where conventional medicine had no satisfying outcome for them. Even if these products are available without medical prescription, they are usually only sought by consumers following the recommendation of a well-trained homeopath.

In this regard, it is interesting to mention that Harris Interactive survey conducted in 2022 in Canada confirms what practitioners see in their practice/office : 23% of Canadian consumers had used homeopathy as a result of ineffective conventional treatment, 30% had used it in the context of chronic disease treatment and 35% to care for a child.²

² Ibid.

Distinguishing general self-care and professional homeopathy

We consider it important to distinguish two “domains” of homeopathic usage that are at stake. Firstly, there exists what we might call “**general self-care**” homeopathy, which can be compared to the offer of OTC drugs in conventional medicine. These are mostly well marketed products with therapeutic claims, easy to spot and requiring no real knowledge of homeopathy in order to choose and use.

Then there is the “**professional**” homeopathy, which can be compared to prescription drugs in conventional medicine, in terms of the knowledge necessary to select and recommend them. These homeopathic medicines are reasonably less requested, not because they are not just for symptomatic relief of everyday ailments, but primarily because they are recommended in the context of a deeper, more global therapeutic relationship, calling on the knowledge of a homeopathic practitioner. And also because they are highly “individualized”, meaning that they are selected, tailored to a specific individual as opposed to a specific disease. There are not 10, 20, or 30 homeopathic remedies suited for fibromyalgia. There are hundreds of remedies for individuals who suffer from this ailment.

It is this scope of professional homeopathy that the cost recovery program, even in its second version, undermines and directly jeopardizes in its integrity and viability.

And it is in this perspective of preserving a long-standing non-conventional medicine practice, that we are asking for the creation of this product category and the exemption of the Right to Sell fee. From a historical viewpoint, homeopathy was legalized in Canada through the Montreal Homeopathic Association in 1865 – just after the medical doctors and the lawyers - and as such everything must be done to protect its usage as a traditional medicine in Canada.

Our second request is to apply **RTS to the medicinal ingredient regardless of whether it is marketed in different galenic forms**. That would divide by three the number of RTS on a number of homeopathic products, still low sellers, who are provided in granules, single use globules or drops, all different DIN-HM’s relating to the same medicinal ingredient.

This would also simplify the administrative processes and financial burden tied to it, for both the industry and Health Canada.

We believe that homeopathic products are already distinguished as unique NHP’s by the DIN-HM category, so to create variances within this category for the cost recovery program would not be extraordinary.

We have witnessed the efforts being made to reduce by half the first proposition concerning cost recovery. Nevertheless, from what we have heard, and even if the Industry is on board with supporting the costs from operating an NHP program to ensure Canadian’s safety and quality of NHP’s, this second proposition still goes beyond what the Industry and the consumers are capable of affording. Taking into account as well the costly changes they have to face with the PLL changes, **we finally ask, before sending this proposition to CG2, to make real impact studies on the global financial burden of all those proposed**

changes and the consequences of transferring those to Canadian consumers or even more regretful, of having to deal with business closures, loss of jobs and increases of health deterioration not being met with overloaded health systems everywhere in Canada.

In summary, Canadian Homeopathic Association files two requests:

The creation of a category of ***“low demand essential products, necessary to maintain the integrity of a therapeutic modality” / « produits essentiels à faible demande, nécessaires au maintien de l’intégrité d’une modalité thérapeutique »***

These products should be **exempted from the Right to Sell (RTS) fee.**

Applying RTS fees only to the single homeopathic ingredient, whether marketed as granules, drops or globules.

Kind regards,

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Director of Canadian Homeopathic Association

Paul Labrèche, homéopathe
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