

The ethics of herbal folklore

By **Lindsay Moore, PhD**

I used to work at a dietary-supplements company. We read the authoritative herbals and identified herbs that the traditional knowledge of herbal folklore believed were efficacious in treating health conditions that were commonly served by modern over-the-counter (OTC) products. We reasoned that natural herbal solutions to widespread conditions such as the common cold, sleeplessness and lack of vitality could provide millions of consumers with a more natural lifestyle.

We also reasoned that even a small share of such large OTC markets could represent millions of dollars of revenue. The then-recent DHSEA legislation released our imagination and we mined herbal folklore to create new health and wellness potions that fulfilled consumer demand.

Occasionally we'd hear reports of adverse effects associated with dietary supplements. Fortunately, they never implicated our products. We had faith in herbal folklore, it was legal under DSHEA, and the market was booming. However, millions of dollars later, scientists, regulators, and consumer activists began to ask two questions – “are they safe?” and “do they do anything?”

While not entirely on point, the ethical intuition across the industry was that it was good to make the herbal tradition available to those consumers who understood the value of the herbs in their life.

Today companies are still faced with these questions. Best industry practices provide guidance to manufacturers in saying that it is unethical or even illegal to sell products that are not safe and health-and-wellness producing. But the use of “push marketing” techniques to sell supplements may fly in the face of ethical industry responsibility. While presenting no ethical issue when used with traditional food and beverage markets, “push marketing” in herbal or dietary-supplements markets invites over-consumption and consumerism.

Why? The reason lies with the hybrid nature of most supplements. Supplements are marketed as foods in retail outlets, and yet, by virtue of their enhanced health claims, they are *quasi-medicinal* products as well. Can we imagine Pfizer selling Prozac or any other regulated substances online in a ‘two for one’ sale? It would be irresponsible.

There is, of course, generally no ethical problem with marketing food and beverage products with either push or pull marketing. However, as dietary-supplements consumption increases, the ethical question is not about selling supplements per se, but whether it is ethical to “push” dietary-supplements products onto consumers or to encourage their frequent consumption.

It is one thing to market bottled water, the consumption of which poses no health risk or efficaciousness concerns, and another thing to market concentrated and enhanced supplements products. When used with hybrid food-medicinal products, push marketing unfairly capitalises on the power of marketing to cre-

ate sales where there may not have been any, and to encourage consumption.

It isn't that there is a safety problem with selling peppermint herb tea or even a matter of efficaciousness with drinking chamomile tea for an upset stomach, but there *is* an ethical problem with teaching people to take ginseng every day to remain vital. It wouldn't be an issue if we were sure it was *safe and efficacious*, but we are not. The folklore tells us that ginseng is a tonic greatly revered, but it is marketing that “prescribes” we take it every day to remain vital.

This kind of marketing, when used with this kind of product, drives excess consumption. The shift from pull to push marketing may trigger a tipping point in the ethics of herbal supplements. The vast majority of herbal products available today in the market are ethical, but *driving* the consumption of hybrid quasi-medicinal products to make the numbers may put the consumer, and the industry as a whole, at risk.

So the ethical question, then, is: is it appropriate to drive the consumption of quasi-medicinal products employing techniques that have been shown to encourage consumerism? I believe that the answer is a clear “no.”

Lindsay Moore, PhD, is the founder and CEO of KLM, a management consultation firm in Boulder, Colorado, and co-author of *Intellectual Capital in Enterprise Success: Strategy Revisited*, published by Wiley. She also is a professor of law at George Washington University Law School in Washington, DC. Respond: Imoore@klmnc.com

The opinions expressed here are those of the author and do not necessarily reflect those of *Functional Ingredients* or the editor. If you would like to respond or contribute an opinion piece, please contact jtowndsend@newhope.com