



Date May 7, 2025

Re: Section 232 National Security
Investigation of Imports of Pharmaceuticals
and Pharmaceutical Ingredients

Docket Number: 250414-0065

Dear Deputy Secretary Longnecker,

Pharmavite LLC, a California limited liability company (Pharmavite), the maker of Nature Made® dietary supplements - the #1 Pharmacist Recommended Vitamin and Supplement Brand in the U.S. and the leading broadband brand in the U.S.¹, appreciates the opportunity to submit these comments in response to the Department of Commerce's request regarding the Section 232 National Security Investigation of Imports of Pharmaceuticals and Pharmaceutical Ingredients (Federal Register Notice 2025-06587, April 16, 2025).

Annex II to Executive Order 14257 of April 2, 2025, contains a variety of Harmonized Tariff Schedule (HTS) codes and associated descriptions that we presume are intended for inclusion in this Section 232 investigation. We respectfully request the HTS Codes set forth on Exhibit A, which codes capture inputs used in dietary supplements and not just pharmaceutical products, be excluded from the Section 232 investigation, and from reciprocal tariffs in general, for the reasons set forth below.

I. Dietary Supplements are Essential for Nation's Health and Well-Being

Dietary supplements play a crucial role in supporting the health and wellness of U.S. consumers. In combination with a balanced diet and active lifestyle, supplements address specific nutritional needs that may not be met through food alone. They provide essential vitamins, minerals, and

¹ Based on sales in 2024.



other nutrients that help maintain optimal bodily functions, enhance immune response, and support overall well-being.

Examples of critical nutrients for American's health found in supplements include:

- folic acid, calcium, magnesium, iron, zinc, vitamin A, vitamin B6, vitamin D, Omega-3 fatty acids and choline for healthy pregnancies;
- fiber, calcium, potassium and vitamin D, which have been identified as nutrients of concern by the Dietary Guidelines for American for 2020-2025 due to their underconsumption in the general U.S. population;
- vitamin B12, Vitamin D3, Omega-3 fatty acids, iron, calcium, zinc and iodine as these key nutrients may be lacking in a vegan diet; and
- fiber, potassium, calcium, magnesium, choline, zinc, vitamins A, C, D, E, and K are lacking in the older American diet (51-99 years old).

NHANES data² show that consumers are not meeting the recommended daily allowance for many key nutrients. Specifically, Americans are not consuming enough of the following nutrients from foods: fiber, potassium, calcium, magnesium, choline, vitamins A, C, D, E, and K^{3,4}. Additionally, 68% of older Americans (>50 years old) living below the poverty line have inadequate calcium intake and 46% of such American have inadequate intake of vitamin D, which puts them at increased risk of osteoporosis⁵.

It is therefore no surprise that approximately 75% of American adults, or roughly 251 million people, report using nutritional supplements to support their overall health and wellness.⁶ As the U.S. population ages and dietary habits evolve, dietary supplements offer a convenient, affordable and effective way to ensure that these consumers receive the necessary nutrients to lead healthy, active lives. Among those supplement users, 91% of them affirm that supplements are essential to maintaining their health, and nearly eight in ten supplement users report that

² The National Center for Health Statistics (NCHS), part of the Centers for Disease Control and Prevention (CDC), produces the National Health and Nutrition Examination Survey (NHANES) data. NCHS conducts NHANES, which is a nationally representative survey of adults and children in the United States.

³ Reider CA, Chung RY, Devarshi P, Grant RW, Mitmesser SH. Inadequacy of immune health nutrients: Intakes in US adults, the 2005-2016 NHANES. 2020; 12:1735.

⁴ Devarshi P. Nutrient gaps in US adults by age and gender: Vitamin A, D, E, K, C, magnesium, calcium, choline, and dietary fiber. J Acad of Nutr and Diet. 2020; A27.

⁵ Marshall K, Teo L, Shanahan C, Legette L, Mitmesser SH. Inadequate calcium and vitamin D intake and osteoporosis risk in older Americans living in poverty with food insecurities. PLoS One. 2020; 15(7):e0235042

⁶ <https://crnusa.org/newsroom/crn-survey-shows-consistent-supplement-usage-increase-specialty-product-use-over-time>.

they prefer using supplements over over-the-counter or prescription medications whenever appropriate⁷.

Dietary supplement use by Americans can also help lower overall healthcare spending. Evidence demonstrates that the use of certain dietary supplements by specific populations can dramatically reduce our country's direct and indirect medical costs through health maintenance support⁸. For example, regular supplementation with calcium and vitamin D to reduce the risk of osteoporosis already generates over \$179 billion in savings through lower incidences of falls and fractures from the disease and has the potential to nearly double that savings with more adherence to this supplement regimen⁹.

II. Economic Impact

Significant manufacturing of finished dietary supplements already occurs in the U.S. due to favorable regulatory scheme and manufacturing requirements imposed by the Dietary Supplement Health & Education Act of 1994 ("DSHEA")¹⁰, and consumer sentiment that has made the U.S. the largest dietary supplement market in the world. The market for dietary supplements in the U.S. is estimated to be twice the size of that in any other country in the world¹¹.

As a case in point, Pharmavite manufacturers roughly 98% of its Nature Made dietary supplement finished products in the U.S. using U.S. and globally sourced ingredients. Pharmavite, together with its subsidiaries, employs nearly 2500 employees in the U.S. Pharmavite, founded in 1971, has long had manufacturing, research and development, and distribution facilities in California. In the early 2010's, Pharmavite expanded its U.S. manufacturing footprint by building a 330,000 square foot manufacturing facility in Opelika, Alabama, which now employs approximately 650 people. Pharmavite has further expanded its manufacturing footprint by investing more than \$250 million in a new 225,000 square-foot manufacturing facility in New Albany, Ohio, slated to begin production in the Spring of 2025. This new facility will initially create 225 new jobs. Additionally, our subsidiary FoodState Inc., whose brand is MegaFood, is investing more than \$6 million in its new manufacturing facility in New Hampshire.

The U.S. dietary supplement industry is a major driver of American jobs, economic growth, and public health. A 2023 economic impact study revealed the dietary supplement industry supports more than 616,762 American jobs and generates nearly \$158 billion in total economic output

⁷ *Id.*

⁸ CRN's Supplements to Savings, <https://www.crnusa.org/resources/supplements-savings>.

⁹ *Id.*

¹⁰ <https://www.congress.gov/bills/103rd-congress/senate-bill/784/text>

¹¹ Nutrition Business Journal's *Global Supplement Business Report 2024*.

annually¹². The industry generates \$6.76 billion annually in state and local taxes—money that helps build and supply schools, police and fire departments, roadways and other projects—and \$10.7 billion in federal taxes¹³. These contributions to American jobs, growth and wealth have resulted from the existing balance of imported ingredients and finished product manufacturing, packaging and labeling that occurs here in the U.S.

Accordingly, Pharmavite respectfully urges the Department to not levy any Section 232 tariffs on the dietary ingredients found on Annex II to protect the U.S. dietary supplement industry's role in supporting the health, jobs, and economy for Americans.

Sincerely,

Signed by:

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Jeff Boutelle
Chief Executive Officer

¹² <https://crnusa.org/resources/economic-impact-study-dietary-supplement-industry>.

¹³ *Id.*

Exhibit A

HTSUS	Description
25199010	Fused magnesia; dead-burned (sintered) magnesia, whether or not cont. small quant. of other oxides added before sintering
25309080	Other mineral substances, not elsewhere specified or included
28049000	Selenium
28332951	Other sulfates nesoi
29146200	Coenzyme Q10 (ubidecarenone (INN)
29161930	Unsaturated acyclic monocarboxylic acids, nesoi
29181650	Salts and esters of gluconic acid
29181960	Malic acid
29211961	N,N-Dialkyl (methyl, ethyl, N-Propyl or Isopropyl)-2-Chloroethylamines and their protonated salts; Acyclic monoamines and their derivatives, nesoi
29224100	Lysine and its esters and salts thereof
29224250	Glutamic acid and its salts, other than monosodium glutamate
29224910	m-Aminobenzoic acid, technical; and other specified aromatic amino-acids and their esters, except those with more than one oxygen function
29224980	Non-aromatic esters of amino-acids, other than those containing more than one kind of oxygen function; salts thereof
29231000	Choline and its salts
29232020	Lecithins and other phosphoaminolipids, nesoi
29239001	Quaternary ammonium salts and hydroxides, whether or not chemically defined, nesoi
29241911	Acyclic amides (including acyclic carbamates)
29241980	Acyclic amide derivatives; salts thereof; nesoi
29252990	Non-aromatic imines and their derivatives; salts thereof
29309049	Nonaromatic organo-sulfur acids, nesoi
29321951	Nonaromatic compounds containing an unfused furan ring (whether or not hydrogenated) in the ring
29329961	Aromatic heterocyclic compounds with oxygen hetero-atom(s) only described in additional U.S. note 3 to section VI, neso
29329990	Nonaromatic heterocyclic compounds with oxygen hetero-atom(s) only, nesoi
29339912	6-Bromo-5-methyl-1H-imidazo-(4,5-b)pyridine; 2-sec-butyl-4-tert-butyl-6-(benzotriazol-2-yl)phenol; 2-methylindoline; and other specific
29362100	Vitamins A and their derivatives, unmixed, natural or synthesized
29362200	Vitamin B1 (Thiamine) and its derivatives, unmixed, natural or synthesized
29362300	Vitamin B2 (Riboflavin) and its derivatives, unmixed, natural or synthesized
29362401	Vitamin B5 (D- or DL-Pantothenic acid) and its derivatives, unmixed, natural or synthesized

29362500	Vitamin B6 (Pyridoxine and related compounds with Vitamin B6 activity) and its derivatives, unmixed, natural or synthesized
29362600	Vitamin B12 (Cyanocobalamin and related compounds with Vitamin B12 activity) and its derivatives, unmixed, natural or synthesized
29362700	Vitamin C (Ascorbic acid) and its derivatives, unmixed, natural or synthesized
29362800	Vitamin E (Tocopherols and related compounds with Vitamin E activity) and its derivatives, unmixed, natural or synthesized
29362910	Folic acid and its derivatives, unmixed
29362916	Niacin and niacinamide
29362920	Aromatic or modified aromatic vitamins and their derivatives, nesoi
29362950	Other vitamins and their derivatives, nesoi
29369001	Vitamins or provitamins (including natural concentrates) and intermixtures of the foregoing, whether or not in any solvent
30019001	Glands and other organs for organotherapeutic uses, dried, whether or not powdered
32030080	Coloring matter of vegetable or animal origin, nesoi
39123100	Carboxymethylcellulose and its salts
39129000	Cellulose ethers, other than carboxymethylcellulose and its salts, in primary forms