

NSF International Statement Regarding *Consumer Reports* Article on Protein Drinks

NSF International cannot comment on the test results reported in the July 2010, *Consumer Reports* article on protein drinks. It omits critical information about the laboratory that performed the test and its accreditation qualifications. ISO 17025 accreditation is critical for any laboratory testing for heavy metals in dietary supplements and nutritional products. The article also omits the test methods used, analytical preparation, sample size, the basis of their risk assessment, detection limits, quality control data and instrumentation used for this report.

What NSF International Can Tell You

- NSF developed the only American National Standard for Nutritional/Dietary Supplements (NSF/ANSI 173) which was adopted in August 2003. As part of this process, NSF developed a comprehensive risk assessment to develop the maximum tolerable level numbers to set the appropriate limit for metal contaminants.
- NSF reviewed all the available science on metal contaminants--thousands of pieces of data--including guidelines from the National Research Council, Presidential/Congressional Commission on Risk Assessment and Risk Management, Guidelines for Carcinogen Risk Assessment (U.S. EPA), among other important guideline (please refer to this link http://www.nsf.org/business/newsroom/pdf/DS_Metal_Contaminant_Acceptance_Levels.pdf). The risk assessments were based on toxicological data and endpoints.
- NSF also considered the current U.S. EPA, Health Canada and Australia/New Zealand regulatory values for the metals, as well as other regulatory values and guidelines set by the Food and Agricultural Organization (FAO), World Health Organization (WHO), USFDA, ASTSDR (Minimal Risk Levels), European Agency for the Evaluation of Medicinal products, International Pharmacopoeia, United States Pharmacopoeia, American Herbal Pharmacopoeia, British Pharmacopoeia and the California EPA Proposition 65.
- When NSF completed its risk assessment, the maximum tolerable levels adopted were based on Joint FAO/WHO Expert Committee on Food Additives (JECFA) provisional tolerable weekly intake (PTWI) or the U.S. EPA oral reference dose (RfD).
- These maximum tolerable levels were then incorporated into the NSF American National Standard for Nutritional/Dietary Supplements (NSF/ANSI 173), which was developed with participation from public health experts, regulators and industry and is the only American National Standard for dietary supplements. The standard was reviewed and approved by the NSF Joint Committee on Dietary Supplements, which included representation from the FDA, United States National Institute of Health, Health Canada and other regulators and public health experts utilizing NSF's transparent, consensus- based process.
- NSF is very confident that the levels set are conservative and appropriate to protect public health. The heavy metal risk assessment limits are part of the American National Standard and the numbers are periodically reviewed to ensure they remain scientifically valid.
- The NSF lab is accredited to ISO 17025 for dietary supplement testing, including heavy metals, by the Standards Council of Canada.
- NSF developed the Dietary Supplement Certification program based on the NSF/ANSI Standard 173 for dietary supplements. Under this certification program NSF:
 - Tests and certifies that certified products contain the identity and quantity of dietary ingredients declared on the product label and do not contain unacceptable quantities of unwanted contaminants

- NSF International's Nutritional Supplement Certification program:
 - Verifies what is on the label is in the bottle
 - Tests the product to ensure it does not contain undeclared ingredients or unacceptable level of contaminants in the bottle
 - Substantiates marketing claims, and
 - Includes an audit of the manufacturing facility and annual audits to ensure the manufacturer is adhering to Good Manufacturing Practices in producing the product
- *Muscle Milk Chocolate* and *Muscle Milk Vanilla Crème* have been certified to NSF/ANSI Standard 173. The samples analyzed met the maximum acceptable limits of the standard based upon our validated test methods. NSF's maximum limits for finished products are:
 - Arsenic (inorganic), 10 micrograms per day
 - Cadmium, 6 micrograms per day
 - Lead, 20 micrograms per day
 - Mercury, 20 micrograms per day
- NSF uses validated test methods and is confident in its test results and certifications.
- NSF's test results do not reflect the concentrations stated in the *Consumer Reports* article.

The NSF/ANSI Standard 173

The purpose of NSF/ANSI Standard 173 is to serve as an evaluation tool for analyzing dietary supplements. Certification to this standard serves as a communication tool between manufacturers of ingredients and finished product, retailers, healthcare practitioners, and consumers. This standard provides test methods and evaluation criteria to allow for the determination that a dietary supplement contains the ingredients claimed on the label, either qualitatively or quantitatively, and that it does not contain specific undeclared contaminants. In some instances, validated laboratory methods are not yet available for analyzing certain ingredients. In such cases, new methods will be added to this standard as they become available.

This standard contains requirements for dietary supplements that contain one or more of the following dietary ingredients: a vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by man to supplement the diet by increasing the total dietary intake, or a concentrate, metabolite, constituent, extract, or combinations of these ingredients. This standard does not include products represented for use as conventional foods.

About NSF International

NSF International, an independent, not-for-profit organization, certifies products and writes standards for food, water and consumer goods to minimize adverse health effects and protect the environment (www.nsf.org). Founded in 1944, NSF is committed to protecting human health and safety worldwide and operates in more than 120 countries. NSF is a World Health Organization Collaborating Centre for Food and Water Safety and Indoor Environment.

NSF's Dietary Supplement Certification program verifies that what is on the label is in the bottle and that the product does not contain undeclared ingredients or contaminants. NSF's Athletic Banned Substances Certification program builds on the dietary supplement certification program by including screening that ensures the product does not contain banned or prohibited substances.

MLB, the MLB Player's Association, NFL, the NFL Player's Association, PGA, LPGA and the CCES have all chosen NSF's Certified for Sport™ program to help verify the products their athletes use are safer and free of banned substances. NSF GMP for Sport™ certification verifies that the facility, operations and ingredient sourcing are in compliance with GMP requirements via ongoing audits.

Additional NSF services include education and training, safety audits for the food and water industries, organic certification provided by QAI (Quality Assurance International) and management systems registrations delivered through NSF International Strategic Registrations (NSF-ISR).