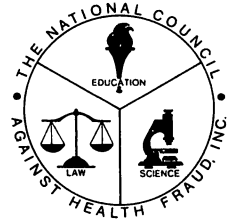


NCAHF NEWSLETTER

QUALITY IN THE HEALTH MARKETPLACE



JANUARY / FEBRUARY, 1988

NCAHF NEWSLETTER

VOL 11, NO. 1

BOOK EXPOSES FAITH HEALERS

Magician James "The Amazing" Randi's book *The Faith Healers* (Prometheus Books, 1987) is an exceptional expose of more than a dozen well-known self-proclaimed faith healers. Included are Oral Roberts, Peter Popoff, A.V. Grant and even Presidential hopeful Pat Robertson. Randi's book is loaded with fascinating details on the sordid backgrounds, methods used to create illusions of miracles, financial dealings, abuse of people, and much more, engaged in by various faith healing celebrity personalities. Even experts on faith healing will find this 305-page volume rich with new information. Novices will discover a comprehensive review of faith healing's past and more traditional forms such as the shrine at Lourdes in France. One would be hard pressed to improve on Randi's thorough expose.

HOXSEY CANCER TREATMENT DESCRIBED

During the 1950's the "Hoxsey Treatment" was what Laetrile was to the 1970's. Although its creator, Harry Hoxsey, died in 1973, the Hoxsey treatment is still available beyond the reach of U.S. law enforcement in Tijuana, Mexico. NCAHF Vice-President James Lowell, PhD, describes his visit via the tour bus provided by proponents of dubious cancer treatments in connection with one of the conventions they sponsor annually at the Ambassador Hotel in Los Angeles in the December, 1987 issue of *Nutrition Forum*.

CONSUMER REPORTS ATTACKS MAIL-ORDER ALLERGY TESTS

"The Shot Doctors" (Consumer Reports, Feb. 1988, pp.96-100) is a caveat about doctors who send patients' blood samples through the mail for allergy diagnosis, and then treat alleged allergies with shots instead of recommending medications or referring to qualified allergy specialists. The authors found significant discrepancies between samples sent to different labs offering similar services. Not only are readers warned about this mail-order scam, but the article contains a nice primer on the realities of allergies. The personal belief that one has allergies to a variety of things generally undetectable by regular means is one of the ripest areas for quackery. A large portion of the practitioners who exploit this field are licensed physicians. Several guilds have been formed which allow such practitioners to bind together and advance their practices. We've reported on so called "clinical ecologists" in

"FOOD TERRORISM"

Terror: to frighten; one that inspires fear; a cause of anxiety : worry.

The dictionary defines "terrorism" as: "the systematic use of terror as a means of coercion." Coercion is to "nullify human will" in decision-making. We generally associate "terrorists" with political warfare, but "food terrorism" may be aptly applied to the tactics of people with ulterior motives who create unnecessary fear, anxiety and worry about conventional foods.

Food terrorism is a major factor in the problem of nutrition quackery. The psychology of quackery is more often linked to selling false hope than eliciting unnecessary fear, however, quacks employ both hope and fear by undermining confidence in conventional food, water, health care, and public health measures in order to create a need for the "alternatives" they promote.

The health foods industry is founded upon food terrorism. It justifies its very existence on the false notion that supermarket foods are unhealthful. The latest focus of food terrorism among the health food ilk is food irradiation. Some health food advocacy groups are clamoring for laws to ban irradiated foods. Ironically, these are the same groups that constantly cry for "freedom of choice." They reveal their true coercive character when they reject simply labeling irradiated foods so consumers may choose.

Some consumer groups also engage in food terrorism by launching ill-founded attacks on the safety of the American food supply. They apparently feel that in order to justify their existence they must create the illusion that they are protecting the public from a poisoned food supply. They exploit the media by appealing to public cynicism. Consumers are always posed as victims in a "we" vs. "they" scenario. Health behaviorists generally recognize that it is individual tastes and choices that determine the healthfulness of people's diets. The food terrorists teach that some political solution is necessary. Lobbyists for "organic" farming legislation have engaged in food terrorism in pursuit of their political goals.

Closely related to the politically oriented consumer groups are the antitechnology environmentalists. Food technology has often been targeted as the focus of their strident scare tactics. Biologist Bruce Ames recently observed that he was a hero to the environmentalists when his Ames Test was used to show that some man-made substances were mutagenic (therefore, potentially carcinogenic), however, now that he has shown that naturally occurring substances are even more often mutagenic, he is no longer held in such high favor. Adverse truths about Mother Nature runs counter to their deeply-held world view. It is this romantic view of nature that ties together the health foods devotees, strident consumerists and environmental extremists.

Of course, there is a need for credible consumer and environmental watchdogs in our system. There are many legitimate issues to be addressed from the consumer perspective. It is for this very reason that public advocacy groups should not engage in food terrorism. The "Chicken Little" approach undermines the credibility such groups must have in order to be effective. NCAHF is committed to consumer protection law and science. It is also committed to a proper perspective when it comes to the use of fear-eliciting messages. It must be stated that as a consumer organization, NCAHF's overall message is "buyer beware" and will, therefore, be negative. However, there must be justification for warnings. As long as the trade organizations are the only ones that complain, we can feel that NCAHF is warning without engaging in the terrorism we deplore.

the past, but now it appears that we can add "otolaryngic allergists" to our list of suspicious practitioners.

SUNTANNING DEVICE MANUFACTURER CHARGED

The Federal Trade Commission (FTC) has charged one of the country's largest manufac-

turers of artificial tanning devices with making false claims that its products do not pose the risk of skin damage, including skin cancer, eye injury and skin aging. The FTC has issued a consent agreement for public comment that would require Sun Industries, Inc. of Jonesboro, Arkansas, to include the following statement in all ads and promotional materials for its

The NCAHF NEWSLETTER is published bimonthly by The National Council Against Health Fraud, Inc., an all volunteer, nonprofit, tax-exempt organization. It is intended for members and others the Council wishes to keep informed. Individual subscription rate, \$15 per year; Libraries, \$12 per year. Annual membership categories and costs are: Student \$10, Regular \$20, Professional \$30, Supporter \$100 and Patron \$1000. Applications are subject to approval by the Membership Committee. Request applications from: Membership Chairman, P.O. Box 1276, Loma Linda, CA 92354. Donations are tax deductible under IRS Tax Code Section 501 (c) (3). Donors may request to receive the NEWSLETTER. Items may be reprinted without permission if suitable credit is given. Back issues are available for three years at \$2.50 per issue, \$12.50 for an entire year of 6 issues. (Index included free with set of a year.) Order from NCAHF Newsletter, P.O. Box 1276, Loma Linda, CA 92354. Edited by: William Jarvis, Ph.D., Professor of Health Education, Department of Preventive Medicine, School of Medicine, Loma Linda University.

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tanning devices: "NOTICE — Read the mandatory FDA warning label found on every tanning machine for important information on potential eye injury, skin cancer, skin aging and photosensitive reactions" for one year. After that, the notice would have to appear in any ads that claim its tanning devices are safe. Anyone wishing to make comments to the FTC on the proposed consent agreement should write to the Office of the Secretary, FTC, 6th St. and Pennsylvania Ave, N.W., Washington, D.C. 20580. From *FTC News Notes* 12/28/87.

A LESSON FROM HISTORY

Ethical pharmacists, faced with the dilemma posed by having to stock dietary supplements that they realize are unneeded by their customers, might want to follow the example of Topeka, Kansas druggist George (Pop) Stansfield. Prior to the 1906 Pure Food & Drug Act when patent medicines were the archetypes of today's dietary supplements rip-offs and drug stores were the main source for their marketing, Stansfield hung a large sign in his store, "We sell patent medicines, but do not recommend them." Stansfield received nationwide attention for his honesty. (Carson. *One For A Man, Two For A Horse*, Doubleday, 1961)

YEAST INFECTION ABUSE

Stephen Barrett, MD, ties together misdiagnoses of yeast infections and the promotion of products in his article "Candidiasis Hypersensitivity" which appeared in the November, 1987 issue of *Nutrition Forum*. Barrett notes that before *Redbook* magazine published an article advancing the dubious theories of medical promoters, Nature's Way notified retailers that an ad would appear in the same issue which would "specifically instruct the consumer to go to their local health food store to purchase Control"—their product for "a complete program to fight yeast infections." Dr. Barrett also describes the potential dangers connected with the drug nystatin which is used so generously by the physicians engaged in the misdiagnosis and mistreatment of patients. This two-page article can be easily adapted to a single sheet patient hand-out.

MORE ON YEAST INFECTION

Current Diet Review reviewed *The Yeast Connection* by William Crook, MD, (Vantage Books, 1986) in its November/December, 1987 issue. CDR does not recommend the book because "it is based primarily upon anecdotes and unreliable nutrition sources. Although the author carefully chooses his words by saying that yeast is not the cause of various health problems, Crook misleads the reader by 'demonstrating' that candida is at the root of most (if not all) ailments. He capitalizes on the 'hot' issues such as AIDS and ear tubes for children. Furthermore, Crook offers false hope to desperate people, such as those who are victims of AIDS."

FOOD IRRADIATION

Food irradiation has become an issue for many people engaged in health fraud, misinformation and quackery. To inform yourself on this technology several sources are recommended. Schweigert, "Food Irradiation: What Is It? Where Is It Now? Where Is It Going?" *Nutrition Today*, November/December, 1987; *Irradiated Foods: A Report by the American Council on Science and Health*; and the *FDA Consumer*,

May, 1984. (We request that you order the ACSH report directly; send \$2 to ACSH, 47 Maple St., Summit, NJ 07901).

QUACKERY AND AIDS

Marian Segal describes some of the practices, products and personalities involved in quackery aimed at AIDS sufferers. Her article "Defrauding the Desperate: Quackery and AIDS," which appeared in the October, 1987 *FDA Consumer* provides a brief but useful commentary on the problem.

HOTLINE ON DRINKING WATER QUALITY

Anxiety over media reports of contaminated drinking water has not gone unnoticed by quackery. All sorts of filters, distillers and other substitutes are being promoted based on "hydrophobia." The U.S. Environmental Protection Agency now provides a toll-free hotline for general and technical information about the quality of drinking water. The number is (800) 426-4791 (382-5533 in the District of Columbia).

WHY ADOLESCENTS TAKE SUPPLEMENTS

A study of 163 Iowa adolescents aged 14-18 residing in rural areas, small and medium-sized towns, answered a questionnaire designed to assess descriptive characteristics and variety of beliefs and behaviors regarding the use of vitamin/mineral supplements. Eighty-six of the subjects had used V/M supplements during the current school year (1984-85), but only 16% reported "almost daily" use. Overall the adolescent's beliefs about V/M supplements was a blend of facts and fallacies despite the finding that 64% reported having received classroom instruction about supplements. While most subjects seemed to believe that large doses of supplements may be dangerous, uncertainties and misconceptions about the need for supplements were common. Parental influence played a significant role in supplement use among the study group. Leading reasons for taking supplements were "They make me healthy" (45%), "My doctor tells me to take them" (39%), "They help give me energy" (38%), "They help cure my colds" (31%), "They help my complexion" (29%), "I don't eat right" (25%), "They help me perform better in sports" (23%). The researchers believe that dietitians should routinely address appropriate supplement use with their adolescent clientele. (From *J. American Dietetic Association*, 87:1063-5, August, 1987.)

UNLICENSED MIDWIFE FACES CHARGES

Vicky Newman, 37, of Bethany, Indiana, has been charged with unlicensed medical practice and involuntary manslaughter in the death of a baby she helped deliver. Newman claims to have assisted in nearly 400 births. Newman belonged to the Indiana Midwives Association until about five years ago when she developed views against state licensure—including marriage and driver's licenses. She has continued to assist in home births on the grounds that she has been called by the Lord to such a ministry. The baby, Titus Rumble, died of interventricular hemorrhage due to a streptococcal infection suggesting unsterile delivery conditions. It is also charged that the baby was taken to a doctor in another city known to be sympathetic to home birth instead of a nearby hospital. Newman attends the Barrister School of Common Law in Indianapolis where students study the nation's founding documents as the "only binding law" on citizens. Her request for counsel from the school was denied when her choice, Jeff Weekly, refused to tell the judge whether he was

he was accredited to practice law in Indiana. (From *C.H.I.L.D.*, Fall, 1987.

CLINICAL ECOLOGY CRITIQUE

"Clinical Ecology: Science or Delusion?" reviews the shaky claims upon which the pseudoscience of clinical ecology is based. This article provides a synoptic picture of the dubious practices, speculative theories, and rejection by the scientific community (i.e., official statements by the California Medical Association, Ministry of Health in Canada, and the American Academy of Allergy and Immunology) of clinical ecology. (Source: *ACSH News & Views*, Nov/Dec, 1987).

HEALING CRYSTALS DISCREDITED

Writing in the Nov/Dec, 1987 issue of *The Rocky Mountain Skeptic*, George Lawrence, PhD, research scientist at the University of Colorado, Boulder, discredits fundamental claims being made by proponents of crystal healing. Dr. Lawrence points out that the price of crystals has doubled in the past year thanks to Shirley Maclaine and the media coverage of the New Age crystal mania. He says, "The New Age thinker attaches magic and emotion to crystals partly because he is vaguely aware of the near-perfect technical properties of quartz crystals" (they vibrate at precisely 32,768 times per second when activated), and the belief is that science supports the mystical claims. "In fact," says Lawrence, "quartz crystals did not vibrate and resonate until 20th century science found the way to make them." Left to themselves, quartz crystals just sit there. Lawrence states that "The ideas of harmonics, vibration and resonance show up in the most dangerous theme of New Age crystalology: healing." He goes on to describe healing claims that fit into today's mind over matter themes of healing. He also reports on his first-hand encounter with a chiropractor who used "kinesiology" (i.e., muscle-testing) to diagnose and crystals to treat various organs. The DC claimed that when the appropriate crystal "resonates" with the diseased organ the "toxins" are carried out of the body, into the crystal, and thus into the universe. When asked what the resonant frequency of the liver was, the DC answered that he didn't concern himself with technical details. When asked how he knew which crystals to use, he said that "I keep in touch with the universe."

COMMENT: The crystal healing theories are indistinguishable from Radionics which was propounded by the late Albert Abrams, MD (who has been called the "Dean of Machine Quacks"). The crystal healing fad has been featured in the national media and according to one report the late Andy Warhol was wearing crystals for his heart when it quit.

QUACKERY'S SAD APPEAL

"It Beats The Truth" is a first-person account by Samuel Uretsky, PharmD, of his experiences with several AIDS patients who he has come to know in his work at New York University Medical Center. His poignant account strikes at the sensitivity that we all must have for the desperate victims of quackery. AIDS patients don't merely like to talk, says Uretsky, they have to talk. AIDS patients collect facts and try to fit them together like pieces of a jigsaw puzzle in the hope that enough facts will make a truth. He tells of having saved one patient from financial exploitation by the promoters of RNA/DNA capsules, but wonders if the truth gave him as much as it took away by the sadness exhibited by the patient. After helping another patient

NCAHF

THE BULLETIN BOARD

JANUARY / FEBRUARY, 1988

NATIONAL HEALTH FRAUD CONFERENCE SITE SCHEDULE, SUNDAY, March 13

- 9:00 AM: NCAHF Board of Directors meeting
- 1:30 PM: NCAHF Annual Membership Meeting
- 3:00 PM: Registration begins
- 3-6:30pm: Quack Medical Device Display and Demo
- 5:30 PM: Reception
- 6:30 PM: Welcome & evening program NHFC

Location: Allis Plaza Hotel
200 West 12th Street
Kansas City, MO 64105
(816) 421-6800

Arrangements: Call Linda Strub
(800) 821-6671
(816) 753-5700, Ext.2545

NOMINATIONS FOR OFFICERS AND BOARD OF DIRECTORS FOR 1989-90

One of the important items for business at the NCAHF Annual Meeting will be nominations for officers and board of directors for the next two years. Nominations may be submitted by mail or made on the floor at the upcoming annual meeting.

QUACKBUSTER T-SHIRTS, BUTTONS & POSTERS

NCAHF has a full stock of T-shirts and buttons available for purchase at prices advertised on flyers.

T-SHIRTS

SHORT SLEEVES:

Four colors: light blue, beige, yellow and grey;
Four sizes: small, medium, large & extra large;
Members \$8.49 + \$1.00 postage & handling;
Nonmembers \$9.44 + \$1.00 postage & handling.

LONG SLEEVES:

Grey only; small, medium & large.
Members \$9.75 + \$1.00;
Nonmembers \$10.75 + 1.00.

QUACKBUSTER BUTTONS: 1-9 buttons are \$1.50 ea.;
10-24 are \$1.25 each;
25 or more are \$1.00 ea.;

QUACKBUSTER POSTERS: 1 poster (postage paid) \$3;
2 posters in same package are \$5.50;
3 posters in same package are \$7.50;
(Add \$2 for each additional poster in single order)

Order from: NCAHF, P.O. Box 1276, Loma Linda, CA
92354. Payment must accompany orders. California
residents add 6% sales tax.

NCAHF NAMES AWARD FOR CLAUDE PEPPER

The "NCAHF Claude Pepper Award for Investigative Reporting on Quackery and Health Fraud" will be presented to reporters from various kinds of mass media for exceptional features during 1987 at the National Health Fraud Conference. NCAHF decided to honor Mr. Pepper for his outstanding contribution of calling the nation's attention to the extent of the quackery problem.

1987 FINANCIAL SUMMARY

INCOME:

Dues & Subscriptions	\$39,560.48
Contributions	4,255.16
Sales	3,205.20
Refunds	69.85
Interest	<u>1,675.03</u>
Total	\$48,765.72

EXPENSES:

Rent & Contractors	\$23,500.00
General Operating	16,267.60
Public Information	1,989.97
Research & Investigation	425.00
Legal Action & Defense	270.00
Promotion	4,231.79
Directors Expenses	<u>2,960.40</u>
Total	\$49,644.76

Balance for year: (\$ 879.04)

Not included in the income above is an additional \$882.50 that was collected for rebate to NCAHF chapters and divisions (25% of the dues paid by members who designate that they belong to local chapters or divisions is returned to their local organizations).

COMING EVENTS

Following is a partial listing of events where NCAHF President William Jarvis will speak on health fraud.

<u>Date</u>	<u>Location</u>	<u>Contact</u>
3/14-15	Kansas City	John Renner, MD(800)821-6671
3/18-21	Atlanta	Ed Sugarman, DDS(404)355-4604
4/18	Kent, OH	Bill London, EdD (216)672-7977
4/29	Houston	Nancy Pate, RD (713)460-1400

HERBERT ANTI-QUACKERY LITIGATION FUND

Victor Herbert has filed a major lawsuit against the American Quack Association, Kurt Donsbach, P.J. Lisa, Clinton Miller, Kirkpatrick Dilling, Catherine Frompovich, Maureen Salaman, Michael Evers, William Moore, Michael Culbert, Roy Kupsinel, Richard Passwater, Frank Wiewel, International Institute of Natural Health Sciences, Inc., National Health Federation, Health Alternatives Legal Foundation, Coalition for Alternatives in Nutrition and Health Care, Inc., The Committee For Freedom of Choice in Medicine, Inc., I.A.T. Patients Association, WFC, Inc., Alternatives, The Choice, Healthcare Rights Advocate, Health Consciousness, Whole Foods, and Health Freedom News.

The suit alleges that the defendants made defamatory false statements about Dr. Herbert, without legal justification or excuse, with actual knowledge of the falsity or with reckless disregard of the truth regarding such statements. Further, that the false statements were made with ill will, wrongful motives, deliberately, maliciously with an intent to injure Dr. Herbert's personal and professional reputation. These false statements were intended to attack Dr. Herbert's integrity and moral character. (There are more terms describing the defamatory nature of the false statements, but by now you undoubtedly get the picture).

The alleged libel involves false, defamatory statements written by P.J. Lisa in his book The Great Medical Monopoly Wars (International Institute of Natural Health Sciences, Inc.: Huntington Beach, CA, 1986) and their further dissemination by others named above. It is not possible to provide all of the details of the 71-page complaint in this limited space. Suffice it to say that this lawsuit is a major attack on what Dr. Herbert characterizes as "the quackery mafia" (i.e., "mafia" with a lower case "m" denotes "A group of people with similar interests or backgrounds prominent in a particular field or enterprise: CLIQUE." Webster's 9th New Collegiate Dictionary, Merriam-Webster, 1987). The success of this lawsuit would be a boon to the antiquackery movement. The case against the defendants is very strong, and was the major focus of attention of the 1988 National Health Federation Convention in Pasadena in January. The NHF has started a defense fund which raised more than \$20,000 during the three days of their convention.

A fund has been established to help Dr. Herbert finance this important lawsuit. Send contributions to: The Herbert Anti-Quackery Litigation Fund, c/o Michael Botts, Esq., P.O. Box 33008, Kansas City, MO 64114.

Contributions to legal funds are not tax-deductible, but Dr. Herbert hopes to win enough to refund all contributions and finance further litigation against organized quackery.

CANADIAN MEMBERS

NCAHF is pleased to have a substantial number of members in Canada. Differences in coping with the problems of health fraud, misinformation and quackery across the northern border (and from province to province) are no different than the diversity found across various state lines in the USA. We are particularly fond of our Canadian neighbors because of personal ties some of us have in Canada, and we are also sensitive to the rude double-standard that often exists when conducting business between our two nations. Incredibly, it costs NCAHF at least \$7.50 in service charges for each Canadian check deposited through our regular banking! Canadian banks seem to be quite used to handling US accounts, but the same is not true of US banks. Perhaps, the new trade agreement will alter this unwieldy situation. Let's hope so. Until the situation changes, we request that Canadians pay for dues and purchases by money order or by checks drawn on US banks. Thank you for enduring this inconvenience.

RENEWAL POLICY

In times past, NCAHF has been very lenient about keeping members who are in arrears on the mailing list. Tight budgets now require that we become more efficient. The policy NCAHF is now following on renewals is to notify, by first-class mail, everyone who's membership expires within the upcoming two months, the current month and two past months. Those who have not renewed within two months past the due date, which appears on their mailing labels, are removed from the mailing list and placed in an inactive file. Experience has taught that many people inadvertently fail to renew and are sometimes shocked to find that their membership has expired. However, the cost of mailing repeated notices can become excessive relative to the modest dues rates charged by NCAHF. We request that members help by renewing early.

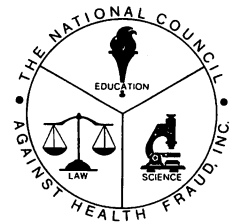
HEALTH HOAXES & HAZARDS

In the November/December NCAHF Bulletin Board we advertised that articles from Jim Lowell's series "Health Hoaxes & Hazards" are available. Available are 43 different titles which may be used as master copies for one-sheet handouts, or the complete set of 80+ articles bound into a single volume. We neglected to make it clear that the master copies are to be ordered from the main office in Loma Linda.

PLEASE SEND ITEMS OF POSSIBLE INTEREST TO NCAHF MEMBERS IN THE BULLETIN BOARD, OR READERS OF THE NCAHF NEWSLETTER, TO WILLIAM JARVIS, P.O. BOX 1276, LOMA LINDA, CA 92354. PLEASE PROVIDE THE MOST COMPLETE REFERENCES THAT YOU CAN.

NCAHF NEWSLETTER

QUALITY IN THE HEALTH MARKETPLACE



MARCH / APRIL, 1988

NCAHF NEWSLETTER

VOL 11, NO. 2

BIZARRE MUMMY CASE LINKED TO FOOD FADDISM AND HOLISTIC DENTISTRY

The mummified body of a man whose family kept his death a secret for 8 1/2 years was recently discovered in a Chicago, IL suburb. The bizarre story apparently began with the conversion to food faddism of the mummy's attorney brother, Roger Stevens. It is believed that Roger became involved with holistic dentist Richard Kunce and helped convince his diabetic brother Carl that vitamins could replace his insulin. Carl's attempts to substitute vitamins for insulin resulted in his death in 1979. However, Carl's wife Carole, a registered nurse (!), would not accept the reality of his demise and kept his body in the house. The body was regularly bathed, changed, and its joints mobilized. It is said that Carole and her two children (now 14 and 17) communicated with Carl via "channeling." When Carl's employer became concerned, Roger Stevens used his legal skills to keep authorities from investigating the status of his deceased brother. Roger, aged 43 and weighing only 89 lbs., died in 1985 of gastrointestinal hemorrhage and hepatic cirrhosis. A nurse who cared for him is quoted as saying that "it was his diet that killed him" (said to be exclusively cabbage and garlic). Roger's law partner described him as "an avid dieter and health advocate." After Roger's death Dentist Kunce moved in with the Stevens family and served as their dietary counselor and spiritual leader. The whole bizarre story became known when a trusted relative working with the police gained the family's confidence and was able to view the corpse. The relative, Curt Poutsch, and Detective Shearer appeared on the Oprah Winfrey Show on March 10 along with other victims of quackery. NCAHF Board Member, Dr. John Renner also appeared and provided some warnings on holistic health quackery for viewers. (Ref. York Daily Record, February 14, 1988).

NATIONAL HEALTH FRAUD CONFERENCE

The National Health Fraud Conference held at Kansas City March 13-15 was a great success. Over 400 attended, including 66 media representatives. The program included demonstrations of old time quack devices, psychic surgery by James "The Amazing" Randi, plenary sessions and workshops on how to combat quackery in the community. Special awards were given for the best newspaper and television reporting on health fraud. The 1987 NCAHF Claude Pepper

NCAHF TASK FORCE ON VICTIM REDRESS

Victims of quackery often have difficulty obtaining redress through the courts. Many are afraid of lawyers. Some are embarrassed at having been fooled. All too often the victim does nothing, simply dismissing the fraud as one of life's lessons. Health and nutrition frauds are new subjects for most attorneys. Although the same general law applies, most lawyers have had no experience in dealing with such cases. Because this practice is a specialty, dedicated, knowledgeable attorneys can be difficult to find.

The NCAHF Task Force on Victim Redress will help victims of quackery obtain the competent legal assistance they need. It will also serve attorneys as a clearinghouse for available information on the latest frauds and the experts who can help them prove their cases. Help will also be available to insurance companies and law enforcement agencies.

Services offered by the NCAHF Task Force on Victim Redress include:

- * A lawyer referral service for the public (i.e., a nationwide listing of attorneys interested in representing victims of quackery).
- * A listing of unproven, fraudulent and potentially dangerous treatments.
- * A registry of expert witnesses.
- * Information on defense witnesses.
- * Reports on cases adjudicated, settled, and in progress.
- * Class action suits by defrauded victims.

The NCAHF Task Force on Victim Redress will be a powerful force for public education. Increased legal action will call attention to the problem, help those who have been harmed, and send a message to charlatans that quackery will no longer be tolerated.

Those wishing to register with the task force as attorneys, victims seeking redress, victims willing to serve as witnesses against quacks, expert witnesses in some aspect of quackery, or to supply useful information, please contact: Stephen Barrett, MD, P.O. Box 1747, Allentown, PA 18105; (215) 437-1795, OR Michael Botts, Esq., P.O. Box 33008, Kansas City, MO 64114; (816) 444-8615.

Award for Newspaper Reporting went to Jerriane Hayslett and the Las Vegas Review-Journal for its expose of homeopathy in Nevada, and the 1987 NCAHF Claude Pepper Award for Television Reporting went to Tom Meyer of WJW-TV, Cleveland, Ohio, for its expose of the exploitation of senior citizens by promoters of dubious "medi-gap" insurance coverage. Plans are to make the National Health Fraud Conference an annual event. Kudos to Dr. John Renner and his staff for a job well done in organizing and executing this superb event.

DR. VICTOR HERBERT LAUNCHES MAJOR LAWSUIT AGAINST AMERICAN QUACK ASSOCIATION, ET AL.

On December 16, 1988, in the U.S. District Court, Northern District of Iowa, Victor

Herbert, MD, JD, filed a landmark lawsuit (Civil No. C87-3169) against the American Quack Association, Kurt Donsbach, P.J. Lisa, Clinton Miller, Kirkpatrick Dilling, Catherine Frompovich, Maureen Salaman, Michael Evers, William Moore, Michael Culbert, Roy Kupsinel, Richard Passwater, Frank Wiewel, International Institute of Natural Health Sciences, National Health Federation, Health Alternatives Legal Foundation, Coalition for Alternatives in Nutrition and Healthcare, The Committee for Freedom of Choice in Medicine, IAT Patients' Association, WFC, Inc., Alternatives, The Choice, Healthcare Rights Advocate, Health Consciousness, Whole Foods, and Health Freedom News.

Herbert vs. AQA et al. may demonstrate to the Justice Department and other relevant Federal agencies that one can effectively go

continued to next page

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after organized quackery in the United States. The information obtained in discovery may enable the Justice Department to finally go after organized quackery using RICO (the Racketeer Influenced Corrupt Organization) Act as was suggested by Rep. Claude Pepper in 1984.

The suit alleges five corporations are "sham corporations organized and operated to accomplish illegal purposes," and alleges their corporate entities should be disregarded and the officers and directors thereof held personally liable for malicious defamation of Dr. Herbert with the aim of damaging his credibility as a witness against quackery.

The suit alleges personal profit from malicious defamation, from portraying Dr. Herbert in an objectionable false light, from appropriation of Dr. Herbert's name for their advertising and trade purposes, from intentional interference with Dr. Herbert's advantageous business relationship with the Veteran's Administration and others and continuing conspiracy to defame, appropriate Dr. Herbert's name, invade his privacy, publish statements portraying him in a false light and intentionally interfere with his advantageous business relationship.

The aim of the suit is injunctions against all defendants, award of just and reasonable damages equal to the unjust enrichment of the defendants as a result of their tortious conduct, and punitive damages sufficient to deter them and others from engaging in similar conduct in the future.

Dr. Herbert's attorney in this matter, Michael K. Botts, Esq., is former Assistant Attorney General for the State of Iowa with particular expertise in prosecuting quackery-promoting operations.

Defendant NHF was sufficiently frightened by this suit that they devoted much of their attention at their January 15-17, 1988 convention in Pasadena, CA, to talking about it and raising defense funds. Defendant Clinton Miller's speech, entitled "Don't let Dietitians Outlaw Nutritionists," ignored his stated subject and was devoted almost entirely to the suit.

NHF claimed to have raised more than \$22,000 toward the \$75,000 Dilling wanted to defend himself and NHF. They also announced that a Washington, D.C. law firm had asked for retainers of \$100,000 for each of the 26 defendants (i.e., \$2.6 million).

The defendants, with their unlimited funding, are attempting to make this a very expensive law suit for Dr. Herbert. For example, 23 defendants failed to respond to the mail service of papers requiring the expense of hiring process servers. Since Dr. Herbert is not a wealthy man or bankrolled by the AMA, as organized quackery fraudulently misrepresents him to be (Herbert is not even a member of the AMA). Contributions to the "Herbert Anti-Quackery Litigation Fund" will be gratefully received. All donations will be considered as loans to be repaid if the court awards sufficient funds to do so. Also, excess awards will be used as an Anti-Quackery Litigation Fund against the merchants of deceit and death who exploit the vulnerable suffering from cancer and other chronic ills.

Send contributions to: **HERBERT ANTI-QUACKERY LITIGATION FUND**, c/o Michael Botts, Esq., P.O. Box 33008, Kansas City, MO 64114. (NOTE: For a more complete description of Herbert v. AQA et al, send a stamped, self-addressed, business-size envelope to the address above.)

GEORGIA SUPREME COURT MAKES LANDMARK RULING AGAINST CHIROPRACTORS' USE OF FOOD SUPPLEMENTS AS DRUGS

The Georgia Supreme Court ruled September 7, 1987, that a chiropractor is not authorized to utilize nutritional treatment under that state's scope of practice statutes. Of major question was whether vitamins, minerals and food supplements should be treated as drugs. The Court held that "drug" means "article intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man." In addition, the Georgia Pharmacy Act states: "an article that happens to be a food but is intended for use in the treatment of diseases fits squarely within the drug definition." (From: American Journal of Chiropractic, Nov. 1987, p.16).

COMMENT: NCAHF has stated that many self-styled "drugless" practitioners are misleading the public. "Drug" can be defined either by substance (i.e., controlled substances) or application. In the above case, the court has simply applied the legal and scientific definition of "drug" from the perspective of application bringing some much needed rationality to the health marketplace.

CHIROPRACTIC'S READERS DIGEST PROMOTION REVEALS HOW LITTLE IT HAS CHANGED

The American Chiropractic Association spent \$800,000 to have Readers Digest include a public relations insert in their April, 1988 edition. The detachable insert represents the ACA's latest attempt to sell DCs as family doctors. (see "Inside the American Chiropractic Association: Selling the Chiropractor As A Family Doctor," by Eric Baizer, former ACA Public Relations Consultant, CCAHF Newsletter, 6:(1):5-6, Jan/Feb, 1983--available from NCAHF).

Chiropractic propagandists have been trumpeting their antitrust victory over the AMA and claiming that the case proved that DCs were the victims of unjustified persecution by organized medicine. Their legal win was based largely upon the fact that their attorneys managed to convince Judge Susan Getzendammer that DCs have abandoned the "one-cause, one-cure" theory, and therefore no longer deserve to be labeled as an "unscientific healthcare cult." However, this pamphlet clearly demonstrates that chiropractic has not abandoned D.D. Palmer's imagined subluxation theory which was, in fact, the basis for the aforementioned "one-cause, one-cure" dogma and the basis for labeling chiropractic an "unscientific healthcare cult" (i.e., One standard definition of a "cult" is "A system for the cure of disease based upon dogma set forth by its promulgator." Webster's New Collegiate Dictionary).

Palmer stated that "95% of diseases are caused by displaced vertebrae, the other five per cent...from luxated joints other than those of the backbone." Although few DCs today are willing to acknowledge the theory as broadly as originally proposed, the chiropractic guild has never abandoned imagined subluxations as a significant factor in disease etiology or the basis for clinical practice as the 1988 pamphlet reveals.

The pamphlet's cover pictures DCs engaged in five different medically-related activities and asks: "Which of these doctors are chiropractors?" The answer appears in bold print at the top of the second page:

"They All Are." Following this headline is the unfounded accolade: "Chiropractic is an effective method of treatment for many different types of health problems which originate in the spine and nervous system." Just what "types of health problems" these might be is not specified.

Two paragraphs later it is stated that:

"Chiropractic's primary concern is with the integrity of the nervous system. Its approach is to establish and maintain optimal physiological activity by correcting abnormal structural relationships..."

Another descriptive reference to subluxations is found on the fourth page where it is stated:

"The chiropractor is concerned about the spine's relationship to the nerve system, which controls important body functions. The chiropractor knows that a malfunctioning spinal joint can not only cause excruciating back pain or headaches, it can also interfere with the nerves leading from the spine, thereby affecting other portions of the body." (Emphasis ours).

Clearly, the promotional pamphlet is describing none other than chiropractic's unique and unfounded subluxation theory which has branded it a cult and a pseudoscience since its inception. (NOTE: If anyone doubts that the pamphlet promotes the discredited subluxation theory, the insert titled What Is An "Adjustment"?, plus the illustration on page 7, should dispell all doubt). Thus, in 1988 chiropractic stands exposed by its own words as still adhering to its original unscientific basis.

Scientific criticisms of the subluxation theory written years ago remain valid today. For instance, the 1963 scientific brief against chiropractic of the Physicians and Surgeons of the Province of Quebec stated that despite the fact that "Neurophysiologists have developed methods of recording the passage of impulses in nerves," and that:

"Exceptionally sensitive apparatus is available to anyone wishing to use it. No scientific study has been published on the subject by a chiropractor. No chiropractor has ever defined, either quantitatively or qualitatively, what chiropractic means by perturbation of nervous impulses. Is it their number, their amplitude, their frequency, the speed of their propagation, or their wave patterns which are affected? All of these qualities can be identified, recorded and studied."

The brief continues:

"Chiropractors affirm that alterations in the distribution of nervous impulses to tissues and cells disturb the state of health and provoke the illnesses which they treat. By what experimental proof have they demonstrated a causative relationship between disturbances of nerve flow and the development of illnesses they claim to cure? Here again, absolutely none...It is indeed astonishing that there has been such a lack of effort, or of concern for scientific truth, especially if one considers the effort which has gone into selling the theory to the general public--when the world to be convinced was the scientific world. Let the theory gain

acceptance in the world of scholars, and all the troubles of the chiropractor will vanish." (The New Physician, September, 1966).

The pamphlet also makes misleading statements about drugs DCs have a long history of using to promote chiropractic's alleged superiority to medicine. It states: "While a drug may be helpful in alleviating symptoms, it does not necessarily address the cause of those symptoms." The implied message is the traditional notion that chiropractic does address causes (i.e., subluxations) while MDs primarily treat only symptoms "allopathically." This is astounding given the fact that while subluxations have never been shown to cause anything many drugs are aimed at the causes of a disease (c.g., antibiotics, insulin, anti-inflammatory agents).

Other misleading information in the pamphlet includes the misstatement that "chiropractors, by choice, (emphasis ours) do not utilize drugs or surgery." These are prohibited by law, and DCs regularly employ vitamins, minerals, herbs and useless glandulars as drugs (see: Georgia Supreme Court Makes Landmark Ruling Against Chiropractors' Use of Food Supplements as Drugs" in this issue), and references to "potentially harmful" food additives.

This 1988 promotional effort is a disappointment to those of us who had hoped that chiropractic was about to move toward science as it approaches its 100th anniversary year in 1995.

PSEUDOSCIENTIFIC CRANIAL THERAPY FOR DEVELOPMENTALLY DISABLED CHILDREN CAUSES OUTRAGE

School authorities in Crescent City, California, sponsored a research project that allowed irregular chiropractors to squeeze children's skulls in an attempt to rid them of learning disabilities. Parents were told their children would be cured of learning problems with free treatments by DCs from Berkeley, (Calif) and New York. Forty-eight children, ages 4 to 16, with such afflictions as Down's syndrome, cerebral palsy and epilepsy participated. Encouraged by the school psychologist, parents said, they signed consent forms that warned only of possible "momentary and temporary discomfort." However, the treatments turned out to be much more painful and, although some children may have been helped, others were apparently physically and emotionally damaged. It is reported that at least one child went into seizures and others have undergone adverse personality changes as a result of the painful treatments. The major proponent of the cranial technique is New York chiropractor Carl A. Ferreri who advertises a breakthrough for dyslexia and learning disabilities. Ferreri claims 600 DCs have been trained in his Neural Organization Technique (NOT) which he says has been attempted on 8,000 children. Dr. Larry Silver, Director of the National Institute of Dyslexia says that NOT has been rejected categorically. Many parents are outraged at the method and its results and are joining in a law suit against the DCs. The California State Board of Chiropractic Examiners is expected to take action against the New York DC who is unlicensed in California. It is reported that in Texas, the license of the founder of a company using NOT has been suspended for five years by the state Chiropractic Board for claiming to cure dyslexia. The whole sordid story is

NCAHF PRESIDENT'S MESSAGE FOR 1988

Presented at the 1988 Annual General Membership Meeting
March 13, 1988, Allis Plaza Hotel, Kansas City, MO

The fact that we are meeting at Kansas City for the 1988 National Health Fraud Conference with many NCAHF members present, is one of the most hopeful signs of progress in the war against health fraud, misinformation and quackery in recent years. As attorneys say in legalese, Res Ipsa Loquitur (the thing speaks for itself).

I believe NCAHF has turned an important corner in its existence. 1988 will see NCAHF become more aggressive in the legal arena than in the past. It has become clear to many of us that education, which has been NCAHF's main activity, has its limitations. If we are to effectively combat quackery we must use legal processes much more. One way this can be done is through the activities of the Victim Redress Task Force by bringing private practice attorneys and victims together for the purpose of holding the perpetrators of consumer health fraud to account.

Another avenue for NCAHF to bring legal action is against regulatory agencies that are failing in their responsibilities to enforce consumer protection laws. The policy of many agencies that economic loss to health consumers should be ignored and only that which causes physical harm should be prosecuted is to apply an unacceptable double-standard to law enforcement. Why should economic misdeeds be important in Wall Street's financial marketplace but ignored in the health marketplace. Since there is no mechanism for systematically reporting physical harm done by quackery much physical harm goes unreported ipso facto. Presently, the scoundrels have to make a pretty big mess before attracting the attention of law enforcement. It is time for us to realize that it is not reasonable for us to expect quacks to be responsive to our criticisms, but it is reasonable to expect duly constituted regulatory agencies to be responsive if we hold them accountable for not adequately performing their sworn duties.

Finally, there are individual legal actions to be brought against the propagandists who promote the Big Lies against persons associated with NCAHF. Victor Herbert, Stephen Barrett, John Renner, myself, and others have been victims of defamation by publicists writing in the yellow journalism organs and speaking at convocations of anti-consumer protection organizations. Thanks to the dedicated and committed legal professionals associated with NCAHF, those of us who have sound cases against such slander and libel will now be able to take actions to protect our good names and the image of the anti-quackery movement.

It is our intention not to let legal actions dilute or deter us from the important educational efforts for which NCAHF is best known. These will continue and improve. My message to you, the loyal membership of NCAHF, for 1988 is that we shall be exercising more fully the legal aspect of the three-part foundation of science, education and law upon which NCAHF is based. We solicit your continued support and guidance in these efforts.

exceptionally well-reported by reporter Lynn Ludlow in the March 6, 1988 San Francisco Examiner. NCAHF has taken a special interest in this case and will offer whatever assistance it can.

USPS OBTAINS RESTRAINING ORDER ON THE "FAT-MAGNET" DIET PILL

A widely promoted product dubbing itself the "Fat-Magnet" diet pill has become the target of action by Los Angeles Postal Inspector W.J. Maisch. On February 12, 1988, Maisch obtained a temporary restraining order on mail being received by a Beverly Hills company promoting the "Fat-Magnet." The USPS alleges that the solicitations contain false representations, three of which are:

(1) Overweight people can continue to eat in excess and can lose weight; (2) Body fat is secreted into the intestines; and (3) Substance can attract, bind and flush out body fat. Case No. 515-0583155-F(1); LAC ISCOM NO. 1/2-2-12-88.

ACSH REPORTS ON ANTI-CONSUMER PROTECTION GROUPS

The American Council on Science and Health (ACSH) has just released a 16-page report, titled The Unhealthy Alliance, on the National Health Federation (NHF), Health Alternatives Legal Foundation (HALF),

American Quack Association (AQA), and Coalition for Alternatives in Nutrition and Health Care (CANAH). Important information is provided on more than forty individuals who have played a role in opposing consumer protection through these organizations. This is required reading for anyone wishing to become informed on the anti-consumer protection movement and its supporters. Order from ACSH, 47 Maple St., Summit, NJ 07901 or NCAHF (either Main Office or Resource Center). Price \$2; please include a double-stamped, self-addressed, business-size envelope.

FILM REVIVES HOXSEY CANCER CURE CLAIMS

"Hoxsey: Quacks Who Cure Cancer?" is a new film playing around the country which purports to be an expose on the American medical establishment's suppression of "alternative" cancer treatments since the 1920s. Using old footage and the testimonials of surviving patients, it tells the story of Harry Hoxsey who, in his heyday 35 years ago, operated 17 cancer clinics throughout the United States. Legal actions eventually forced him to close his clinics in the US, but one still operates in Tijuana. Hoxsey himself died of cancer in 1974. The film was directed by Ken Ausubel and is

continued to next page

narrated by Max Gail ("Bamey Miller"). Ausubel's father and Gail's wife both died of cancer. According to reviews (we've seen three) the film makes a one-sided case for Hoxsey and claims that Hoxsey's remedy didn't get a fair hearing.

COMMENT: Quacks die but the hope they engender often doesn't result in resurrections such as the one described above. For a detailed account of the Hoxsey case see The Medical Messiahs, by Young (Princeton University Press, 1967). On pages 376-377 it is reported that at Hoxsey's trial the government selected "16 cases--nine of them persons whose testimony had been given in Hoxsey's pamphlet considered for labeling--the government called to the stand the patients or their survivors, diagnosticians, pathologists, surgeons and

other scientific experts. Hoxsey's claimed 'cures' of internal cancer...fell into three classes. Either the patients had never had cancer...had been cured by proper surgical or radiation treatment before consulting Hoxsey. Or they had had and either still were afflicted or had died.... Cancer specialists did not deny Hoxsey might cure some cases of skin cancer with his tissue-eating chemicals. The method, however, was outdated and unnecessarily painful and hazardous." This seems to be another case of unqualified people in the entertainment business abusing their medium to proffer their pet ideas before a public ill-equipped to evaluate them. We believe this to be "celebrity-sell" at its worst!
 *New York Times, 2/3/88, Newsday, 2/3/88, and San Francisco Chronicle, 3/1/88.

DENTAL AMALGAM TOXICITY CLAIMS DISCREDITED

Proponents of the notion that mercury in dental fillings pose a health hazard continue to receive publicity despite their own lack of evidence and rebuttals from both the scientific community and consumer organizations. The most complete article we've seen yet on the basic science of mercury compounds and the fallacious techniques of the anti-amalgam dentists has been published by John Dodes, DDS, in Operative Dentistry (Vol.13, pp.32-36, 1988). This readable and informative article provides the essential information needed to evaluate the dental amalgam issue. Dr. Dodes is a member of the NCAHF Board of Directors and is President of NCAHF's New York Chapter.

Readers unable to locate articles cited in the Newsletter may obtain free copies from the **NCAHF Resource Center**, 2800 Main St., Trinity Lutheran Hospital, Kansas City, MO 64108. Postage and Handling: \$1 members, \$2 nonmembers for each article. Payment must accompany order.

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[Chapters are governed by the by-laws of The National Council Against Health Fraud, Inc.; Affiliates share NCAHF's beliefs in science and consumer protection. Consumers may contact any of these organizations for aid.]

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 13000 W. Bluemound Rd.
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American Oral Health Institute, Inc.
 P.O. Box 151528
 Columbus, OH 43215-8528
 (614) 447-0038

Children's Health is a Legal Duty, Inc.
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Committee for the Scientific Investigation of Claims of the Paranormal
 Central Park Station Box 229
 Buffalo, NY 14215
 (716) 834-3223

Greater Dallas-Ft. Worth Area Council Against Health Fraud, Inc.

1200 Main Tower, Rm. 2100
 Dallas, TX 75202
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 Kansas City, MO 64108
 (800) 821-6671

Lehigh Valley Committee Against Health Fraud, Inc.

P.O. Box 1747
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National Association for Chiropractic Medicine

940 Gemini, Suite 101
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Ocean County Task Force on Senior Victimization and Elderly Abuse

2 Hospital Drive
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 (201) 349-0100

Quackery Action Council

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The National Council Against Health Fraud, Inc.

NEWSLETTER

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MARCH / APRIL, 1988

NCAHF ANNUAL MEMBERSHIP MEETING

NCAHF's annual meeting held on March 13 in Kansas City was attended by more than 40 members from across the nation. NCAHF Board Chairman Dan Oliver, DDS addressed the group by reviewing 12 years of progress since he first attended the organizational meeting held at LLU in 1976. Secretary Jeanne Wieseeman reported that NCAHF membership now stands at 2237, with the overall list including complementary recipients in the media and elsewhere totaling 2964 (these numbers do not reflect NCAHF's actual growth since in the past we tended to keep expirations on the mailing list for up to a year instead of the two months time limit we now observe).

For the first time physicians constitute the largest subset of NCAHF members at 357 (15.9%). Registered dietitians are a close second at 345 (15.4%). Others include: doctorates 102; Dentists 40, miscellaneous health professionals 43, and attorneys 14. The majority of NCAHF members list no letters after their names. The average NCAHF pays a little over \$17 in dues. These figures stand as evidence that NCAHF is a broadly-based, independent consumer organization, and not, as its antagonists contend, a front for "the AMA" or the "pharmaceutical industry."

NCAHF President Jarvis presented his message to the membership emphasizing a more aggressive litigious role to be played by NCAHF in the future. Next, attendees each introduced themselves and some gave brief, spontaneous presentations regarding their experiences dealing with quackery. This part of the program was inspirational to hear. NCAHF members have many outstanding stories to tell--far more than we can possibly ever relay in the limited publication space we have. Those present were most impressed by reports given by courageous reformist chiropractors (DCs) who presently live in a kind of limbo between the profession they reject (in its present form) and scientific health care which has not yet fully accepted them because they bear the label (and liabilities) of chiropractic. NCAHF provides these valiant individuals with a place while they work to reform their guild.

Nominations for the coming biannual term were invited and received. It was suggested from the floor that one of the DCs present be nominated to serve on the Board of Directors, and one of the six DCs present, Charles DuVall, Sr., was selected as a candidate.

Lastly, the group was treated to a video exhibition of an investigational journalism project conducted by a Sacramento television crew which was guided by NCAHF Board member Alison Lowell (formerly Rasmussen) [NOTE: Congratulations to newly-weds Jim and Alison Lowell who were married March 11 in Tucson, AZ; Jim and Alison met at a health fraud conference in Pennsylvania.] The video report was on border clinics in the San Diego-Tijuana area and concluded with an on-the-spot filming of the unexpected arrest of self-styled "naturopath" Gary Young.

THE NATIONAL HEALTH FRAUD CONFERENCE

Its difficult to restrain our enthusiasm for the experiences at National Health Fraud Conference (NHFC). Its also frustrating not be able to give a complete report on what all transpired there. The importance of this conference to the antiquackery movement cannot be overstated. The most optimistic aspect is that it will become an annual event. With more time to plan there is not reason why the attendance next year can be doubled or tripled.

We can be sure that its success and visibility was noticed by organizations with a vested interest in suppressing the application of science and consumer protection in the health marketplace. We can expect the health foods industry, supplement trade associations, nonscientific health care practitioner guilds and others to make an attempt to be included on future programs in order to sanitize themselves and still perpetuate their marketing interests. It is doubtful if the government, with its necessary egalitarian posture, could prevent this from happening--its not unlike the apparent contradiction of the government both fighting smoking on one hand while supporting tobacco production on the other. Despite the popular caricature of "Uncle Sam" as a kindly but resolute old gentleman, the government is not a personality with characteristic morals, feelings and the singleness of purpose each of us projects as individuals. Rather, it is a conglomeration of divisions, agencies, departments, policies and programs operated by bureaucrats and politicians. As people, they are no better or worse than the rest of us, but they are part of a complex democratic governmental establishment which often seems more occupied with its on mechanisms than serving the nation at-large.

Quackery is well entrenched within society, well-funded, and has all of the trappings of legitimacy. Organized quackery has its political friends and its vociferous activists who campaign for their cause employing the pretensions of patriotism and piety which have been traditionally used by scoundrels. For these reasons, some of us believe that it is impossible for the government to successfully lead out in the antiquackery movement. On the other hand, such a movement would not be possible without the support of the agencies charged with consumer protection responsibilities. We believe that the FDA deserves a great deal of credit for its role in sponsoring the NHFC. The Consumer Affairs Department under Alexander Grant deserve special commendation for bringing the NHFC about.

However, in the future it is our belief that the NHFC should be a completely independent, privately sponsored event with limited governmental participation so that the principles of science and consumer protection will guide it, keeping the NHFC free from political subversion.

QUACKERY'S DEFENDERS WERE AT KANSAS CITY

A number of the leaders of the proquackery organizations were present in Kansas City carrying their placards and holding news conferences decrying the government's involvement in fighting quackery. An example of the bizarre mentality of these people was a TV news conference at which one bimbo was dressed in jail clothes with her mouth taped closed. The display was meant to convey the idea that they were being silenced by the FDA. (They falsely claimed that they had been barred from the conference). The obvious contradiction of holding a news conference to announce the claim that you're being silenced is about as silly and illogical as anything imaginable. It is apparent that these people don't know what real oppression is. Their antics trivialize the causes of those with legitimate claims to being victims of repression.

The presence of quackery's supporters was a very positive development. It gave flesh and blood to the enemies of consumer protection making our job easier. Presenting the illogical positions of the proquackery movement has always been difficult because even an understatement of their arguments can appear to be an exaggeration to reasonable people. But, when they show up in clown suits, with placards and oppose antiquackery efforts (all in the name of "consumerism"!) they expose themselves in a manner that only they could do.

DO YOU KNOW SOMEONE WHO DESERVES AN AWARD FOR COMBATING HEALTH FRAUD MISINFORMATION, OR QUACKERY?

NCAHF members may nominate journalists or others for consumer service awards. NCAHF has two kinds of awards. The "Consumer Service Award" is given for combating health fraud, misinformation or quackery on the local level. The "National Consumer Service Award" is given for similar activities that have a national scope. These awards are intended to give recognition to someone as an encouragement to continue efforts which further the goals of NCAHF. If you would like to nominate someone, send your letter of nomination along with a copy of their work (e.g., reprint of an article(s), video or audio tape cassette) to Vala Stults, PhD, RD, NCAHF Awards Committee, 5054 Raton Circle, Long Beach, CA 90807.

Submissions will also be eligible to receive NCAHF's Annual Claude Pepper Award either in newspaper or television journalism which was presented for the first time at the National Health Fraud Conference.

Members may be interested to know that although Mr. Pepper was unable to attend the NHFC personally, one of his aides was there to assist in the presentations and Mr. Pepper prepared a special video message for the conference that was projected on a large screen before the audience at the luncheon awards ceremony. The awards were walnut mounted, gold plated plaques displaying both the NCAHF logo and Mr. Pepper's likeness. These handsome trophies are objects recipients can display with pride.

NEXT NCAHF BOARD MEETING SET FOR SEPT. 23

The Board of Directors voted to eliminate one of its three annual meetings and meet next on September 23 at the Ontario (CA) Airport Hilton. This is to reduce operating costs. Although most of the board members who attended the Kansas City meeting had their travel expenses covered by virtue of the fact they were participants in the NHFC, six were subsidized by NCAHF. This caused a greater than usual drain on the funds allocated for board meeting expenses necessitating the action.

Members may be interested to know that board members are not fully reimbursed for travel costs to board meetings. Only those traveling more than 200 miles one-way may receive travel assistance. These are reimbursed on the basis of a deduction of the first \$25 (meant to equate the out-of-pocket costs of those who travel less than 200 miles) with a limit of \$200 maximum reimbursement. NCAHF provides lunch for board members at meetings.

This information is provided to you at this time because nominations for officers and the Board of Directors are being received for the next biannual period. Please do not hesitate to nominate yourself if you would like to serve. Send nominations either to the main office or directly to the Chairman of the Nominating Committee, Alison Lowell, 255 N. Granada, Tucson, AZ 85701; (602) 628-9413.

COMING EVENTS

Following is a partial listing of events where NCAHF President Jarvis will speak on health fraud. Members in the area may wish to attend or make contact.

<u>Date</u>	<u>Location</u>	<u>Contact</u>
4/18	Kent, OH	Bill London EdD (216)672-7977
4/28	Lexington, KY	J. Drummond, DDS UK Dental
4/29	Houston, TX	Nancy Pate, RD (713)460-1400
5/13	Albuquerque	Jan Newquist, RD (505)877-3111

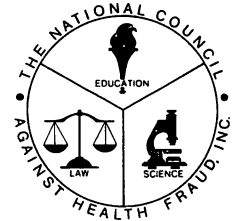
DALLAS-FT.WORTH COUNCIL AGAINST HEALTH FRAUD

An independent organization has been formed in the Greater Dallas-Ft. Worth area patterned after NCAHF. The DFWCAHF was originated by individuals at the regional FDA office and others in the community who are concerned about health fraud. DFWCAHF has affiliated with NCAHF and is exploring the possibility of merging and becoming a chapter. Interested parties may contact H. Frank Newman, MD, President, 1200 Main Tower, Room 2100, Dallas, TX 75202; (214)263-8989 (metro).

PLEASE SEND ITEMS OF POSSIBLE INTEREST TO NCAHF MEMBERS IN THE BULLETIN BOARD, OR READERS OF THE NCAHF NEWSLETTER, TO WILLIAM JARVIS, P.O. BOX 1276, LOMA LINDA, CA 92354. PLEASE PROVIDE THE MOST COMPLETE REFERENCES THAT YOU CAN.

NCAHF NEWSLETTER

QUALITY IN THE HEALTH MARKETPLACE



MAY / JUNE 1988

MEMBER SUPPORTED

VOL 11, NO. 3

FDA MISLED US ON ITS HEALTH CLAIMS ON FOOD LABELS POLICY PROPOSAL

The Human Resources and Intergovernmental Relations Subcommittee, a panel of the Committee on Government Operations of the U.S. House of Representatives declared that the recent solicitation by FDA for comments on proposed policy changes that would permit health claims on food labels was inappropriate because such a policy change is not within FDA's prerogative. Health claims automatically make products "drugs" by definition thus requiring prior evidence of safety and effectiveness for their intended purposes. This concept is so fundamental to food and drug law that any attempt to alter it would result in chaos.

The panel issued a report on April 6, 1988 entitled, Disease-Specific Health Claims on Food Labels: An Unhealthy Idea, which contained scandalous revelations about how FDA has behaved in this matter. Startling facts included that FDA actually put the new health claims policy into effect the same day that it was submitted for public comment as a new proposed regulation. The report concludes that this undermined the rulemaking process.

Further, the report concludes that the Office of Management and Budget (OMB) inappropriately intervened in the affair by forcing FDA to propose revocation of the agency's regulatory prohibition on making disease-specific health claims. This clearly was political meddling by what the report describes as pro-deregulation ideologs. OMB is described as "foisting upon FDA officials the task of defending proposals they did not conceive and, in large measure, do not embrace." Most disturbing was the fact that FDA officials unlawfully failed to maintain an adequate record of OMB's pivotal role in the development of the health claims proposal. The subcommittee obtained the documentation from OMB only after it threatened it with a subpoena.

It seems quite clear that the belief in deregulation runs very deep within the current administration. Many people agree that deregulation of certain segments of the economy are appropriate; however, no one has ever shown public support for deregulation in the area of consumer protection, particularly in matters involving health and safety. Former FDA Commissioner Donald Kennedy published an important monograph on this topic in Health Affairs in 1983 entitled, "Health Science, and

continued to next page

LETTERS OF WARNING A USEFUL ANTIQUACKERY TOOL

One of the most difficult aspects of fighting quackery is preserving First Amendment rights of free speech while protecting consumers from exploitation via books, magazines, newsletters, broadcast media and so forth. Freedom of speech is no absolute. One cannot deliberately cause harm to others by yelling "fire!" in a crowded theatre. Advertising, which is legally classified as "commercial language," does not enjoy the extent of freedom as does "noncommercial" language. Publishers and producers can be held liable for harm resulting from someone acting upon false information they have knowingly disseminated. Once they become aware that they have placed the public at risk, they have a duty to warn potential victims. This is where "letters of warning" fit in as a useful tool in bringing pressure for more responsible behavior on the part of mass media sources.

For example, Victor Herbert, MD, JD, wrote to Carol Fein Ross, Vice President of Warner Publishing on August 31, 1987 stating: "Should Warner and the Diamonds be sued by a party injured by the advice in the book [Fit For Life], so that neither may claim a defense of ignorance, enclosed find my 41-page review of the book, putting Warner and the Diamonds on specific notice as to specific harms the advice may produce. I am submitting this to Warner for reading by all Warner people involved in accepting, publishing and promoting the Diamond book. It is not submitted to you as an attorney for Warner. It was not solicited by you, and if Warner does not produce it when plaintiffs seek discovery of Warner culpable knowledge, I will send a copy to the plaintiffs." (Note: A slightly edited version of Herbert's 41-page review is available from NCAHF; it has been reduced to 14-pages by reformatting it to a proportional print style).

Even the National Health Federation recently responded to a letter of warning. In August, 1987, Health Freedom News ran an letter by Mr. Charles Mraz in which he promoted feeding honey to babies. Stephen Arnon, MD, Senior Investigator and Chief of the SIDS-Infant Botulism Prevention Program in the California Department of Health Services, wrote to Editor Maureen Salaman pointing out that following Mr. Mraz's advice could lead to infant botulism, a life-threatening, paralytic disease. Dr. Arnon pointed out that even the Sioux Honey Association--the world's largest producer--has recommended that honey not be fed to babies. Arnon also noted that Mr. Mraz had hidden the fact that he was the operator of Champlain Valley Apiaries of Middlebury, Vermont, whose corporate motto is "New England's largest beekeeper." HFN printed Dr. Arnon's entire letter in its March/April, 1988 issue.

From a strategic point of view, Dr. Arnon's letter was less explicit than Dr. Herbert's that it was a letter of warning. He didn't state that his communication constituted a letter of warning; however, Dr. Arnon's letter put HFN on notice that they had disseminated dangerous information. Failure to warn their readers would have violated the concept of "a duty to warn" which constitutes negligence.

The style that one chooses to follow in a letter of warning will vary according to the nature of the source and the sender. However, the duty to warn concept gives consumer protection advocates a tool to help balance the excesses now being perpetrated under alleged First Amendment rights to free speech by adding an element of responsibility to the equation. Sending the letter by registered mail will provide evidence that it was received. NCAHF will aid in publicizing and disseminating letters of warning.

WILLIAM JARVIS WILL BE UNAVAILABLE FROM JULY 8 TO AUGUST 15; PLEASE DIRECT INQUIRIES TO EITHER JAMES LOWELL, PHD, (602) 628-9413 OR JOHN RENNER, MD, (800) 821-6671.

The NCAHF NEWSLETTER is published bimonthly by The National Council Against Health Fraud, Inc., an all volunteer, nonprofit, tax-exempt organization. It is intended for members and others the Council wishes to keep informed. Individual subscription rate, \$15 per year; Libraries, \$12 per year. Annual membership categories and costs are: Student \$10, Regular \$20, Professional \$30, Supporter \$100 and Patron \$1000. Applications are subject to approval by the Membership Committee. Request applications from: Membership Chairman, P.O. Box 1276, Loma Linda, CA 92354. Donations are tax deductible under IRS Tax Code Section 501 (c) (3). Donors may request to receive the NEWSLETTER. Items may be reprinted without permission if suitable credit is given. Back issues are available for three years at \$2.50 per issue, \$12.50 for an entire year of 6 issues. (Index included free with set of a year.) Order from NCAHF Newsletter, P.O. Box 1276, Loma Linda, CA 92354. Edited by: William Jarvis, Ph.D., Professor of Health Education, Department of Preventive Medicine, School of Medicine, Loma Linda University.

FOR INFORMATION ON JOINING NCAHF, WRITE P.O. BOX 1276, LOMA LINDA, CA 92354

Regulation: The Politics of Prevention" which NCAHF has carried on its Available Resource Materials List for several years.

A minority report contests the concept that health claims on foods that may improve the quality of some people's diets is "an unhealthy idea." Like them, NCAHF is sympathetic to the idea of providing reliable nutrition information on food labels and in advertising, but does not share their naivete. NCAHF understands that the health foods industry, supplement suppliers and other irresponsible marketers would run amok with such an opportunity to exploit the public.

Readers may obtain a copy of the 2-page press release from the NCAHF Resource Center. A complete copy of the 38-page report should be available without cost from your local U.S. Congressman. Ask for "Disease-Specific Health Claims on Food Labels: An Unhealthy Idea." Union Calendar No.338; House Report 100-561.

NATURE HEALER GETS SIX-MONTH TERM

Stanley Burroughs, 84, a self-proclaimed folk medicine man from Auburn, CA, was given a six-month suspended jail sentence on March 10 for misdemeanor practicing medicine without a license. Burroughs was arrested on June 26 after a two-month investigation by the state's Board of Medical Quality Assurance (BMQA). Burroughs has been the target of BMQA action in the past. In 1981 he was convicted of second-degree murder in the death of a leukemia patient in whom he induced fatal internal bleeding by deep massage. The conviction was overturned by California's now infamous Rose Bird Supreme Court on the basis that there was no evidence that Burroughs intended to kill his patient (Rose Bird and two other justices were recalled by voters in 1987 for their misguided judicial performances.) Burroughs' defense attorney succeeded in convincing the judge that since an undercover investigator actually was not ill (he only feigned illness as part of his undercover work) that Burroughs' treatment could not have caused great bodily harm; therefore, Burroughs was guilty of a misdemeanor instead of a felony. COMMENT: Burroughs' lack of intent got him off before the Rose Bird court, and in the latest case the judge's reduction of the felony to a misdemeanor ignored Burroughs' intent. The judge's action is disturbing because the state often must use healthy undercover agents to build a case against quacks. Hopefully this fuzzy-thinking judge's action will not set a precedent in California.

MORE ON HEALTH CLAIMS FOR FOODS

Freimuth, et al, provide useful background information and perspective on the issue of health claims for foods in "Health advertising: prevention for profit." American Journal of Public Health, May, 1988 (78:557-561).

CLINICAL ECOLOGY DEBATE

We have received a copy of an interesting debate on the dubious specialty of "clinical ecology" (also known as "environmental medicine") between advocate Doris Rapp, MD, Clinical Assistant Professor of Pediatrics and Elliot Ellis, MD, Professor of Pediatrics. The debate appeared in the February, 1986 issue of The Buffalo Physician which is published by the State University of New York at Buffalo. Copies of the 13-page debate may be obtained from the NCAHF Resource Center for \$3 postage-paid.

C.H.I.L.D. FOUNDER WINS RIGHT TO BE HEARD BY MICHIGAN SUPREME COURT

On March 7, 1988, the Michigan Supreme Court granted plaintiff in the death of Matthew Swan the right to have their case heard. Rita and Douglas Swan have been fighting the legal system since 1980 to have their case against the Christian Science Church heard in court. The Swans charge that Christian Science Practitioners acted illegally when they misdiagnosed Matthew's bacterial meningitis as just "cutting a big double tooth," and advised that his case not be reported to Public Health. The Swans have found that the legal system protects the Christian Science Church rather than its victims. After meeting obstacle after obstacle they finally have won the right to be heard. This will be the first civil suit in history to charge the Christian Science Church or its healers with the death of a child. The Swans organized Children's Health Is a Legal Duty, Inc. (CHILD) following the tragic loss of 4-year-old Matthew in 1977. Their goals have included having children protected and abolishing laws which unconstitutionally give Christian Scientists special exemptions unavailable to other citizens. CHILD is an NCAHF affiliate.

"SNAKE-OIL" ON A BAND-AID; DUBIOUS NEW WEIGHT-LOSS WRINKLE STRIKES OUT! NCAHF has been receiving inquiries from all around the USA on various products which involve putting a few drops of some concoction on a band-aid which is then placed on some strategic spot on the body.

The most frequently mentioned product is Appetoff by Meditrend International. Appetoff is supposed to control appetite enabling weight loss. It is being promoted by Keith Kenyon, MD who was the developer of Orachel which later became known as Dr. Donsbach's Orachel. It was alleged that oral chelation supplementation could improve circulation in a manner similar to that alleged for EDTA chelation therapy. Dr. Donsbach's Orachel and other such dubious products were the focus of FDA regulatory action in 1986 (see Consumer Reports, May, 1986). NCAHF believes that Appetoff deserves "strike-one" due to Kenyon's association with the product. "Strike-two" is called on the basis that Appetoff uses homeopathic formulations. Several of these substances are herbs and others are minerals. As is true with most homeopathic remedies, these are so dilute as to be of unlikely worth. NCAHF calls "strike-three" on Appetoff because users are directed to place the band-aid on acupuncture points--which do not exist! The fact that acupuncture points do not exist was acknowledged at the 1983 International Conference on Acupuncture and Chronic Pain (see Medical Tribune, May 2, 1984, pp.27-29). Appetoff seems to add up to putting nothing on no-place! On May 11, 1988 the FDA issued a Talk Paper (#T88-35) stating that it had no evidence to support OTC patches for appetite control in which Medi-Trend, Inc. is named specifically.

CRITIQUE OF DIAMOND'S FIT FOR LIFE BY VICTOR HERBERT AVAILABLE

The all-time best selling pseudonutrition book Fit For Life is a monument to the degree of ignorance that abounds in the late 20th century. It is shocking that twenty years after the moon landing absurd notions about food combining, internal "toxieties"

and other carry-overs from the prescientific era millions of Americans apparently still cannot discern health and nutrition nonsense. This is a failing of American education to be sure. However, opportunistic educators may be able to turn the misinformation disservice Fit For Life has perpetrated into a plus by using it as a starting point for discussing health and nutrition with students. What educators need is a detailed analysis of the fallacies propounded by the book. Victor Herbert, MD, JD, an acknowledged international expert in nutrition has prepared just such an analysis as part of a letter-of-warning sent to Warner Books, the book's publishers. NCAHF has published Dr. Herbert's analysis in a 14-page document available for \$3 postage-paid. Dr. Herbert minces no words in his penetrating critique. Educators will appreciate both its style and content. The document may be obtained either from the main office at Loma Linda or the NCAHF Resource Center at Kansas City.

USPO ACCUSES DONSBACH OF FRAUD IN HYDROGEN PEROXIDE SCAM

Federal authorities filed a complaint in U.S. District Court on May 3 alleging fraud by Mr. Kurt W. Donsbach of Chula Vista, California, president of DRK Supplements. Donsbach promotes the use of hydrogen peroxide as a treatment for cancer and arthritis through books, newsletters, magazine articles, and lectures given at health fairs. Donsbach also operates a clinic near Tijuana, Mexico, where he gives clients injections of intravenous hydrogen peroxide claiming that the treatments are effective against a wide range of illnesses. Donsbach's Huntington Beach, California company charges \$15 for a 16-ounce bottle of 35% hydrogen peroxide which he dubs "food grade" (apparently, no such classification exists outside Donsbach's imagination). He advocates bathing in it, drinking it, douching with it, using it as an enema, and in almost every conceivable fashion to solve significant health problems, according to the Assistant U.S. Attorney, Brian Kipnis. The United States Postal Service's action is designed to immediately stop the flow of mail-order business to his company. (From: L.A. Times, May 3, 1988).

NUTRITION QUACKERY FOR AIDS

Dwyer, et al, provide an excellent overview of the factors that make AIDS patients and individuals at risk of the disease especially vulnerable to unproven and costly medical and nutritional therapies. "Unproven nutrition therapies for AIDS: what is the evidence?" (Nutrition Today, March/April, 1988, pp.25-33) covers the purported rationales, evidence of effectiveness and suggestions for improving the quality of life of AIDS patients receiving conventional therapies.

"MEDICAL HERETIC" DIES

Robert S. Mendelsohn, self-proclaimed "medical heretic," died of a heart attack on April 5, he was 61. Once a respected pediatrician, Mendelsohn aligned himself with anti-consumer protection groups such as the National Health Federation in recent years. He took great delight in bashing his medical colleagues and rational medicine in general, while turning a blind-eye to the harm done by quackery.

SUPPLEMENT TRADE GROUP PLANS PROMOTIONAL CAMPAIGN AS VITAMIN SALES LAG

According to PR Week (April 18-24, 1988) D-A-Y Public Relations has landed a \$1 million contract to promote vitamin use. The Council for Responsible Nutrition (CRN), an international trade association representing the manufacturers, suppliers, and wholesalers of vitamins and nutritional supplements, plans a three- to five-year campaign. The decision to go with a full-blown marketing public relations program is the result of a "flat market," says CRN's president J.B. Cordaro. Vitamin usage has declined by 20%, the report states. The program will consist of three tasks: "Showing that nutritional supplements are needed by the American public, showing that they benefit, and showing that they are safe products. The first goal of the campaign, says Cordaro, "would be to get users (who have stopped taking vitamins) back into the fold."

Actual campaign mechanics are yet to be determined, the article says.

COMMENT: It appears that consumers are in for a "snow job." No objective nutrition information source agrees that Americans need to self-supplement. Little benefit has ever been demonstrated scientifically from self-supplementation and a significant amount of literature exists demonstrating that self-supplementation can be harmful. Health educators, regulatory agencies and legislators should watch carefully the "Shills for Pills Circus" CRN is putting together to advance its industry. Buyer beware!

FDA WARNS MARKETERS ON MAKING HEALTH CLAIMS FOR FISH OILS

On April 11, 1988 the FDA sent Regulatory Letters to marketers of products containing fish oils (EPA and DHA) pointing to specific health claims each has made in promotional materials (labeling), and notifying each that such claims made these products "drugs" (i.e., any article intended to be used in the cure, mitigation, treatment or prevention of disease). Fish oils lack scientific evidence of safety and effectiveness for any disease or condition; therefore, the company's products are mislabeled. Companies must reply within ten days after having received a Regulatory Letter and inform the agency about (1) The date when they stopped marketing the product if they already have; (2) How much of the product they have on hand; (3) Their intentions regarding disposition of inventories and stocks in outside channels; (4) An estimate of how much they have manufactured in the past 12 months; and (5) An estimate of the size and frequency of shipments in the past 12 months. [From: HHS Health Fraud Bulletin #7, March 25, 1988.]

COMMENT: You can see why quacks hate the FDA and like to refer to it as the "Fedstapo," "Easter Death Association," and other derogatory terms. FDA interferes with their plans to rip-off consumers. NCAHF salutes FDA for its consumer protection efforts. We know it's a major part of the thin grey line between the multibillion dollar quackery industry and vulnerable people. That's why we're pretty disappointed with the OMB/FDA fiasco reported elsewhere in this newsletter. We realize that FDA is a complex, many-headed creature. Our thanks goes to those in FDA who are upholding consumer protection law and science.

BARLEY GREEN

NCAHF has received a large number of inquiries and complaints about a multilevel product called "Barley Green" (BG). BG purports to be a "live" powder derived from the juice of young barley leaves, supercharged with nutrition and energy. BG was developed by Dr.(?) Yoshihide Hagiwara and is marketed by American Image Marketing of Nampa, Idaho. BG promotional materials contain claims which NCAHF believes are false and misleading. These are so many and far-fetched that lack of space prohibits a full expose, but a few examples are as follows:

Claim: "...our bodies need the combination of live balanced ingredients in BG."

NCAHF: Calling a powder a "live" food is about as silly as anything we've ever heard. Grazing on barley grass in the pasture is about the only way it could be reasonably be referred to as "live" food. On the matter of being "balanced," no evidence is presented that BG is "balanced" nor is the term defined.

Claim: BG contains 18 amino acids including the 8 essential ones.

NCAHF: It is not uncommon to find all 8 essential amino acids in a vegetable source, however, they rarely occur in balanced proportions, and certainly do not in barley grass. Information provided on BG's protein analysis is misleading.

Claim: BG has 16 vitamins.

NCAHF: This is ridiculous since there are only 13 recognized vitamins. BG apparently boosts the number of alleged vitamins by including the non-existent "vitamin B15," the bioflavonoids once believed to be a vitamin "P", and "vitamin F" (an outmoded term for an essential fatty acid). None of the vitamins in BG are exceptional and are easily and more economically obtained from ordinary foods.

Claim: BG contains Vitamin B12.

NCAHF: This is highly unlikely for a purely vegetable substance.

Claim: BG contains "live enzymes."

NCAHF: Biologists have criteria for living things, such as, sensitivity, reproduction, respiration, and so forth. Enzymes are never "alive," they are chemical compounds. Further, when eaten, enzymes are digested and play no role as enzymes.

Claim: BG supplies superoxide dismutase (SOD).

NCAHF: SOD is a free radical scavenger that has been the subject of longevity research. Injected SOD may have some significant effects upon animals, but orally-ingested SOD is merely digested and has no free radical function.

Claim: BG contains 23 minerals.

NCAHF: Simple mathematics reveals that BG is not an impressive source of minerals. Analysis provided by the company presents nutrient values per 100g. The 100g amount represents 2/3s of one of BG's 5.3 oz (150g) jars. One teaspoon would contain 1/50th of the amount indicated.

Claim: BG contains chlorophyll which helps build a high blood count and improve anemic conditions.

NCAHF: Chlorophyll is essential to plants but has no role in human nutrition or health. Although a small part of the chemical structure of chlorophyll is similar to that of blood, the functions of the two substances are entirely different.

Claim: BG is bright green in color and claims that a "Dr. Theodore Rudolph states that extensive laboratory investigation has shown that tissue cell activity and normal regrowth are definitely increased by using chlorophyll."

NCAHF: Dr. Rudolph is a chiropractor who has written a dubious book alleging astounding benefits for chlorophyll as a panacea for most of mankind's ills. The processing of chlorophyll for commercial products changes the substance into a chemically-degraded product no longer resembling chlorophyll in its natural state. It is not clear how BG powder is processed, but it has an unnatural chemical look.

Claims: BG contains "unknown nutrients - yet to be discovered."

NCAHF: Such a claim is almost too ludicrous to comment on! It seems obvious that it is impossible to claim that a product has something that is yet to be discovered because it would be impossible to know if the product contained the stuff until after the "unknown something" has been discovered.

The worst aspect of BG promotions are the oral claims of its multilevel salespeople. These have ranged from claims that BG can cure cancer to acting as a fountain of youth. Although NCAHF has no evidence that BG is toxic, it will take a healthy bite out of consumers' pocketbooks, and may cause people to delay proper medical care. NCAHF warns consumers to think twice before buying or selling BG and encourages law enforcement officials to examine of BG's promoters for possible violations of advertising, labeling and medical practice laws.

BARLEY GREEN DISTRIBUTOR ORDERED TO MODIFY CLAIMS

The Wyoming Department of Agriculture has ordered a local Barley Green distributor not to make health claims for his product. According to reports, the distributor made references to the substance's value in treating various diseases including cancer. The product's supplier, American Image

Marketing denied that their product is a medicine and produced copies of a company agreement in which distributors are instructed not to sell Barley Green as a "cure, prescription or therapeutic aid." Wyoming officials state that they intend to pursue all individuals who use illegal methods of marketing Barley Green or other food products. From: The Billings Gazette, 4/29/88.

BOOKS:**THE 8-WEEK CHOLESTEROL CURE**

Current Diet Reviews (Jan/Feb, 1988) gives this book a good recommendation despite its title. Robert Kowalski is a well-qualified science writer who tells how he applied sound scientific knowledge to his own personal problem of high cholesterol and coronary heart disease. Low fat diet (20%), oat bran and, in extreme cases, high doses of niacin make up the formula. The book's jacket is a bit misleading when it claims that this is a no-drug regimen. In fact, megadoses of niacin for the specific purpose of reducing serum cholesterol is drug therapy. However, it does have scientific backing. Cholesterol-lowering regimens for people at high risk should be medically-managed. However, there is some good evidence that Kowalski's approach may be

nearly as effective, and a whole lot more palatable, than the alternative regimens currently available.

MEDICINE ON TRIAL GETS UNDESIRABLE VERDICT

Medicine on Trial is the latest doctor-bashing book from the poison-pen of Charles Inlander, et al., of the People's Medical Society (PMS). Richard Nason reviews the new PMS book in the Medical Tribune (April 28, 1988). Nason is kinder than I am in my opening sentence, but he probably doesn't know the authors as well as I do.

Nason states that "while the authors appear to have combined lots of research with a great deal of moral fervor, they give only nominal weight to the vast historic forces at play in the problem they address. They focus instead on the personality and

character of the present-day practitioner as the dominant factor in the deterioration they deplore, indeed making him seem at times the agent of positive villainy." Twelve of the thirteen chapters are devoted exclusively to evidence of misconduct perpetrated on an unsuspecting public which the authors feel justified to call "a conspiracy against the public." Nason contends that such a statement exceeds the facts as generally perceived by medical historians. The book's solutions left Nason flat with its idealized notions about consumers being given powers great enough to control those who provide the services. The trouble with Medicine on Trial, Nason concludes, is that it "measures current medical practice against the vague ideals of perfection, rather than the clear, concrete example of what is practical or even possible."

Readers unable to locate articles cited in the Newsletter may obtain free copies from the **NCAHF Resource Center**, 3030 Baltimore, Trinity Lutheran Hospital, Kansas City, MO 64108. Postage and Handling: \$1 members, \$2 nonmembers for each article. Payment must accompany order.

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[Chapters are governed by the by-laws of The National Council Against Health Fraud, Inc.; Affiliates share NCAHF's beliefs in science and consumer protection. Consumers may contact any of these organizations for aid.]

The National Council Against Health Fraud, Inc.

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MAY / JUNE, 1988

OCAHF HOLDS HEALTH FRAUD CONFERENCE AT KENT STATE UNIVERSITY

William London, EdD, President of the Ohio Council Against Health Fraud, Inc. organized an all-day health fraud conference held at Kent State University on April 18. William Jarvis, opened the program with "Nonscientific Health Care Providers," James Lowell followed with "Balloons Up Your Nose and Other Medical Absurdities," and "Quack Clinics of the North American Continent." Grace Monaco presented "Patient Counseling and Health Fraud" and William Jarvis closed with "Combating Health Fraud." The three then formed a panel and fielded questions from the group to finalize the conference. The program was sponsored by the KSU College of Education in cooperation with the OCAHF and FDA, Cincinnati District. The program was rated very highly by attendees. Randolph Smith, Medical Writer for the Akron Beacon Journal was inspired to do a major investigative reporting project about quackery in Northern Ohio. The result was a feature article in the April 26 edition of the newspaper. Drs. Charles E. DuVall, Sr and Jr, hosted a reception for the speakers and sponsors at KSU on the evening of April 17.

NCAHF FEATURED IN MAYO CLINIC HEALTH LETTER "MEDICAL QUACKERY" ESSAY

The June, 1988 Mayo Clinic Health Letter includes a special 8-page "Medical Essay" supplement that deals with quackery. The monograph is artfully produced and contains three-color drawings and illustrations. The theme of the essay is on the nature and extent of quackery; some of the difficult issues pertaining to quackery (it does a particularly good job handling these sensitive issues); why quackery is popular; some examples of quackery; and, how to put a stop to quackery. Copies are available from: Mayo Clinic Health Letter, Rochester, MN 55905; (507) 284-4730. Single copies cost \$2; discounts are available on multiple purchases. The monograph is suitable for reception rooms.

HOXSEY FILM HAS SUPPORT GROUP

In the March/April NCAHF Newsletter we reported on the promotion of the film "Hoxsey: Quacks Who Cure Cancer." We now have become aware of "The Alliance for Alternative Medicine" which operates out of P.O. Box 59, Liberty Lake, WA 99019; (509) 255-9246. Barbara Jackson lists herself as "Coordinator." According to a letter from Ms. Jackson, the group held a screening for the film for Members of Congress on May 11, 1988 at the Kennedy Center movie theatre. NCAHF is investigating this group and would appreciate any information members may have.

SAN BERNARDINO COUNTY NUTRITION QUACKERY PREVENTION TASK FORCE SPONSORS "NUTRITION & CANCER" WORKSHOP

Over 140 health professionals attended the March 23 "Nutrition and the Cancer Patient" program developed by the Nutrition Quackery Prevention Task Force which is sponsored and coordinated by the San Bernardino County Public Health Department. Rex Greene, MD, Oncologist/Hematologist spoke on "Cancer Quackery: Proven and Unproven Methods."

Outstanding Booklet. An extremely attractive and useful 8 1/2 x 11, 39-page, glossy publication titled Nutrition and Cancer Patient Kit was developed for the program by Carla Bouchard, MS, RD, and Robin Nishiwaki, MPH, RD, through an American Cancer Society grant. The booklet covers basic nutrition and eating problems encountered by cancer patients; plus, how to cope with specific problems such as constipation, diarrhea, loss of appetite, nausea and vomiting, pain, sore or ulcerated mouth or throat, swallowing difficulty, taste changes, and weight loss. It also covers proven and unproven nutritional methods and warns people about how to avoid becoming a victim of unproven cancer remedies and misinformation. The booklet features a programmed learning approach.

This attractive and useful booklet is available from: San Bernardino County Department of Public Health, Nutrition Program, 351 N. Mt. View Ave., San Bernardino, CA 92415-0010. In addition, a packet of reprints and patient education materials was provided including a form for reporting cases of suspected health fraud.

SUMMER SCHEDULE

Due to travel plans that will take William Jarvis out of the office from about July 8 to August 15, the next issue of the NCAHF Newsletter will be published early and will not include an edition of The Bulletin Board. Jarvis may be reached through Drs. Renner or Lowell if necessary.

COMING EVENTS

Following is a partial listing of events at which NCAHF President William Jarvis will speak on health fraud. Members in the area may wish to attend or make contact with him at these times.

<u>Date</u>	<u>Location</u>	<u>Contact Person</u>
8/12	Provo, UT	Tammy Meyers (801) 378-4903
8/18	San Diego, CA	Linda Campbell (405) 521-2350
9/9	Appleton, WI	Marla Hill (414) 235-4910
9/18	Columbus, OH	Cheri Mitchell (614) 486-2700
9/21	San Luis Obispo, CA	Karen Beckwith (805) 544-3020

NCAHF FEATURED IN THE SCIENTIST

NCAHF received front page coverage in the May 16, 1988 issue of The Scientist. William Jarvis and Lynn Caldwell Stacy are pictured in Quackbuster T-shirts. The activities of Wallace Sampson, John Renner, Stephen Barrett, and Victor Herbert are described. The article has been reproduced in a three-page format that can be useful in introducing people to NCAHF and its work. Copies can be obtained from the main office at Loma Linda.

HERBERT LAWSUIT CAUSES ALARM IN QUACKDOM

Kurt Donsbach has written to all members of the National Health Federation stating that the lawsuit initiated by Victor Herbert against the American Quack Association, et al, which includes NHF is "truly a critical point in the history of the NHF." Donsbach states that an adverse decision would possibly result in the annihilation of NHF. Further, he states that leaders would have a tough time deciding to start another organization to take its place due to the risk involved. He also makes some phony arguments about the possibility of members losing "health freedoms we now enjoy" (presumably, he means that quackery would suffer). Donsbach estimates that it will take a "minimum of \$75,000 to defend this action." He states that \$21,000 was raised at the Annual Convention at Pasadena in January, and that they would require the remaining two-thirds "within a short time." Since a substantial number of NHF members are engaged in the marketing of dubious health products and services, and have a vested interest in its survival, they will undoubtedly come up with whatever funds are necessary.

NCAHF would like to remind its membership that this lawsuit is extremely important to the antiquackery movement. Its outcome will undoubtedly influence antiquackery strategies for some time to come. Herbert can't expect to raise the dollar amounts that NHF can pull from its supporters, but hopefully he can measurably defray his personal costs. Some volunteer effort will go into Herbert's cause, which will help control costs, but the case will still be expensive. NCAHF encourages its members and friends to help in whatever way they can. Send contributions to: The Herbert Antiquackery Litigation Fund, c/o Michael Botts, Esq., P.O. Box 33008, Kansas City, MO 64114. Remember that contributions to legal funds are not tax-deductible, but Dr. Herbert hopes to win enough to refund all contributions and finance further litigation against organized quackery.

ATTORNEY SEEKS INFORMATION

The attorney for the six families in the lawsuit filed in Del Norte County, CA, resulting from the pseudoscientific cranial therapy for developmentally disabled children reported in the March/April NCAHF Newsletter is seeking information on: "Applied Kinesiology," Carl A. Ferreri, DC, the Neural Organizational Center, the International College of Applied Kinesiology, the Neural Organizational Technique Centers, or the Chiropractic Research Council. Write or call collect to: W. Timothy Needham, 730 Fifth St., P.O. Drawer 1288, Eureka, CA 95501; (707) 445-2071.

HAWAIIAN QUACKBUSTERS SPOOF THE PARANORMAL

Anyone who has seen a schedule of events for The Whole Life Expos knows that quackery and beliefs in the paranormal are Siamese twins. The psycho-ceramic (i.e., "crack pot") celebrants who gather each year include the self-proclaimed seers, soothsayers, prophets, psychics and mediums in connection with the promoters of health foods, aromatherapy, cancer cures, crystal healing and so forth.

NCAHF's Hawaii affiliate, the Quackery Action Council (QAK), is headed by Kurt Butler, MS and Alicia Leonhard, RD. These quackbusters also coordinate the efforts of the Hawaii Skeptics. On October 30 and 31, 1987, the HS put on a special program titled Skeptical Convergence "to celebrate the great non-alignment of no planets or stars in particular." Stunts often used by true-believers in paranormal phenomena to "golly-whiz" observers such as laying on beds of nails, firewalking (a video of a previous demonstration by the HS), self-mortification (ie, gouging a large needle through the skin, drawing blood and instantly healing the wound), mind-reading and sleight-of-hand trickery. Exhibits also included a pro-fluoridation display and one condemning many chiropractic practices. The event was held on the campus of the University of Hawaii and attracted good crowds and excellent newspaper coverage.

SOME OUTSTANDING SOURCES OF INFORMATION

Quackbusters have a double-duty to perform. In order to keep up with the quacks, we must be informed on both current, reliable health information as well as the theories and practices of quackery. Some excellent, efficient sources of information are:

Consumer Protection: FDA Consumer, Sup't of Docs., Washington, DC 20402-9371; \$12 per yr. (10 issues)

Medicine: Medical Abstracts Newsletter, Box 2170, Teaneck, NJ 07666; \$24.94 per yr. (12 issues).

Nutrition: Environmental Nutrition, 2112 Broadway, New York, NY 10023; \$36 per yr. (12 issues).

Nutrition Research Newsletter, P.O. Box 700, Palisades, NY 10964; \$96 per yr. (12 issues).

Nutrition Forum, 210 W. Washington Sq., Philadelphia, PA 1906; \$30 per yr. (12 issues).

Pharmacy: Pharmacist's Letter, 5075 Cozad Way, Stockton, CA 95212; \$85 per yr. (12 issues).

Pharmacognosy: Lawrence Review of Natural Products, 922 Woodbourne Rd, #324, Levittown, PA 19056; \$21 per yr. (12 issues).

Science & Health Issues: American Council on Science and Health News & Views, 1995 Broadway, New York, NY 10023; \$15 per yr. (6 issues).

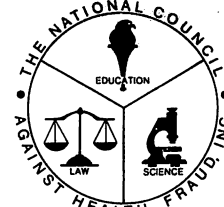
Weight Control: International Obesity Newsletter, Rt.1, Box 6A, Hettinger, ND 58639; \$79 per yr. (12 issues).

NAAFA Newsletter, (National Association to Aid Fat Americans) P.O. Box 43, Bellerose, NY 11426; \$35 per yr. (12 issues).

Please send items of possible interest to NCAHF members for The Bulletin Board or to readers of the NCAHF Newsletter to: P.O. Box 1276, Loma Linda, CA 92354. Please provide complete references.

NCAHF NEWSLETTER

QUALITY IN THE HEALTH MARKETPLACE



JULY / AUGUST, 1988.

MEMBER SUPPORTED

VOL. 11, NO. 4

NCAHF OPPOSES ACCREDITATION OF NATUROPATHIC EDUCATION

NCAHF is alarmed to learn that the U.S. Department of Education (USDE) has accepted the Council on Naturopathic Medical Education (CNME) as an officially recognized accrediting agency. A report in Whole Foods (Dec, 1987), the action is hailed by James Sensenig, President of the American Association of Naturopathic Physicians as "a major breakthrough." Sensenig says that official federal recognition opens federal student loan programs, provides access to federal research grants, increases the likelihood of receiving more charitable donations, facilitates licensure expansion and increases public access to naturopathy.

Sensenig describes "natural medicine" as founded in "conventional medical sciences and diagnostics but...non-invasive, more ecological, and relatively non-toxic..." As an example, he says that Naturopathic physicians "would emphasize dietary treatment for cholesterol problems, rather than drug treatment." Sensenig's rhetoric sounds reasonable on its face, but much more lies hidden beneath the surface.

NCAHF's criticisms include that traditionally, naturopathy has been antagonistic toward scientific medicine opposing such public health measures as immunization, fluoridation, pasteurization, and modern food technology. Conventional medical practices including responsible prescription drug use and necessary surgery are unfairly condemned by naturopaths (NDs). NDs have clung to outdated clinical practices; promote a plethora of unproven therapies; and, invade areas of practice for which their training and application is suspect. There is no indication that naturopathy has made a commitment to objective science. Its ideology and historical eclectic and empirical approach to health care makes unnecessary harm to its patients inevitable.

NCAHF seriously questions the assumption that official accreditation will be a benefit to the public. We believe that it will more likely create the false illusion that NDs are suitable health care providers for an unsuspecting public. An ideology-driven, nonscientific primary health care system such as naturopathy will only serve to undermine rational, responsible preventive medicine, health promotion and public health.

NCAHF President, William Jarvis, PhD, recently wrote to the USDE challenging the wisdom of recognizing a naturopathic accrediting agency for the the following reasons:

(1) Because of naturopathy's traditional opposition to scientifically-based, public health measures, it poses a threat to the health of children. The well-being of children should be of greatest concern to the USDE.

(2) Naturopathy is legal in only about seven states which does not justify recognition on a national level. Jarvis cites the justification given in 1974 when the USDE (then U.S. Office of Education) recognized an accrediting agency for chiropractic education in the face of a 1968 HEW report pointing out that chiropractic was a pseudoscience. Jarvis was informed that "the Commissioner is not called upon to express his opinion as to the legitimacy or social usefulness of the field of training of the agency seeking listing." Recognition was based on the fact that chiropractic had become legal in all 50 states. Jarvis expressed disappointment that an agency

heading efforts to improve the nation's educational excellence does not consider scientific validity as part of the criteria used to determine eligibility--particularly in matters involving health care.

(3) Only two naturopathic colleges are in operation, John Bastyr College (JBC) in Seattle and the National College of Naturopathic Medicine (NCNM) in Portland, Oregon. These two would dominate the accreditation board and produce conflict-of-interest problems. This appears to be tantamount to self-accreditation by JBC and NCNM. [JBC is a candidate for accreditation by the Northwest Association of Schools and Colleges (NASC). This is somewhat defensible because NACS does not accredit professional education.]

(4) Naturopathic college curricula reveal that training consists of a mixture of pseudosciences such as acupathology, homeopathy and reflexology; dubious areas such as colonics, herbology and spinal manipulation; medical modalities such as biofeedback, hypnotherapy and physical therapy that are readily available in the health marketplace from health professionals trained at schools with better resources, established practice standards and a commitment to the scientific process which allies them with responsible health care.

(5) A disturbing symbiotic relationship appears to exist between the health foods industry and naturopathy. Articles appearing in health foods trade publications (1,2,3) indicate that NDs will be using health food stores to fill their patients' "prescriptions" and that this will involve the use of unproven methods to treat serious diseases such as AIDS. Although the naturopathy/health food industry connection might be comparable to the relationship which exists between medical doctors and the pharmaceutical industry, it lacks comparable consumer protection controls.

The USDE responded to Dr. Jarvis in June. It was pointed out that CNME was reviewed by the National Advisory Committee on Accreditation of Institutional Eligibility on May 18-19, 1987. It was recommended that CNME be nationally recognized for **one year**. The period was limited because "there were a number of the Criteria for Recognition which the agency failed to demonstrate compliance and others determined to be in minimal compliance." These deficiencies were overlooked because CNME "is in the process of addressing those problem areas." The communication continues by informing us that CNME is scheduled to be reviewed at the fall (1988) meeting of the Advisory Committee. **Opponents will have the opportunity at that time to present third-party testimony, orally or written.** Public notification of the meeting will appear in the Federal Register. **NCAHF recommends that opponents put their objections in writing and submit them to: H. Reed Saunders, Director, Higher Education Management Services, Mail Stop #3347, United States Department of Education, Washington, D.C. 20202.**

References

1. Rogers. "The science of naturopathic medicine," Whole Foods, July, 1987.
2. Joiner-Bey. "AIDS: a naturopathic perspective," Whole Foods, April, 1988.
3. "AIDS relief: natural therapies offer hope," Natural Foods Merchandiser, March, 1988; (promotes unproven herbal remedies for AIDS recommended by JBC's Joseph Pizzorno).

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FOR INFORMATION ON JOINING NCAHF, WRITE P.O. BOX 1276, LOMA LINDA, CA 92354

"ORGANICALLY GROWN" CARROT FRAUD

Piles of carrots have been pulled off the shelves of natural food stores in the San Francisco area amid reports that they were not "organic," as had been claimed, but were ordinary carrots repackaged to look "organic." The scam was allegedly done by Pacific Organics of San Diego and was discovered by a spy from a competing firm who claims to have witnessed the rebagging. Reports of the incident is said to have caused alarm within the organics network spurring fears that it will set back the industry's attempts at establishing credibility with consumers. (San Francisco Chronicle, May 12, 1988.)

COMMENT: California is one of the few states which enacted a legal definition for the labeling of "organic" produce. When this ill-conceived legislation was being considered, we pointed out to the lawmakers that the Federal Trade Commission had already determined that no difference had ever been shown to exist between "organically grown" and conventional foods. Both have always been shown to contain minute, insignificant pesticide residues. We argued that their criteria for labeling something organic (i.e., that it be grown without the use of chemicals) was unenforceable. We suggested an enforceable standard of labeling products as "pesticide residue free," something that could be measured. We pointed out that although we didn't consider conventional foods to be a health hazard because of the tiny amounts of pesticide residues allowed by law, that consumers had the right to buy residue-free foods if they wished, but that they should be able to expect that the products live up to their labeling. Unfortunately, the California legislature passed the unrealistic version of the law opening the door to the kind of fraud for which organic food marketers are well-known. Legislators in the nation's leading agricultural state are not naive on such matters. We believe that passage of the flawed bill that unrealistically defined "organic" amounted to a conspiracy against California consumers.

FDA RULES AGAINST NASAL B-12

On May 24 the FDA denied a claim by Nature's Bounty, Inc. that its Ener-B vitamin B-12 nasal gel is a "food." Associate Commissioner for Regulatory Affairs John Taylor wrote to the firm's attorney Robert Ullman stating that the product's route of administration and its intended use render it incapable of fitting the common sense definition of food, and that there is no legal or scientific support for the petition's contention that Ener-B is a food. (Food Chemical News, June 6, 1988.)

JUVENILE RHEUMATOID ARTHRITIS PATIENTS USE OF UNPROVEN REMEDIES

Seventy-percent of patients with juvenile rheumatoid arthritis have used unproven remedies for their disease according to a study conducted by rheumatologists from Canada, Australia and New Zealand. Included in the list of unproven remedies were copper bracelets, chiropractic manipulation, skin creams and acupuncture. This is said to be the first documented report of unproven methods remedy use among younger people. The study was presented at a scientific meeting of the American Rheumatism Association in San Diego. (From O.T. Week, 11/19/87, p.2).

SHAPE MAGAZINE

Shape Magazine has been given a favorable review by Current Diet Reviews, a reliable source for critiquing nutrition information. Some concern has been expressed as to whether or not the high standards for providing readers with accurate information set by the late Christine McIntyre would be maintained. We're pleased to see a continued commitment by the new editor.

AMERICAN ACADEMY OF PEDIATRICS OPPOSES RELIGIOUS EXEMPTIONS FOR MEDICAL NEGLECT OF CHILDREN

After two years of work, the Bioethics Committee of the American Academy of Pediatrics (AAP) published a position statement against religious exemptions for parents who fail to provide responsible health care for their children. The AAP statement provides an excellent presentation of the issues involved in the sensitive area of children's vs. parental rights. It is a reasonable and balanced approach to a very serious problem. The statement was published in Pediatrics, January, 1988.

SUNRIDER--ANOTHER DUBIOUS MULTILEVEL

Sunrider International, a multilevel marketing company located in Orem, Utah, since 1982 with headquarters in California since 1987, has been the subject of investigations, disturbing revelations and product seizures. Sunrider is a multilevel that markets its products through more than 40,000 distributors with gross sales at about \$7 million per month. "The Sunrider Story" is that ancient Chinese priests who were developers of the martial arts discovered special herbals that would increase endurance, mental alertness, energy, healing, and so forth. Company founder Tei Fu Chen claims to be the inheritor of this legacy. Chen claims to be a Taiwanese kung fu champion, medical doctor (in Taiwan), a licensed pharmacist (in the U.S.) and biochemist and "world renowned nutritionist."

Sunrider's problems began in February when Salt Lake City's KSL-TV did a feature story on the company revealing many misrepresentations. A man at a Sunrider seminar claimed that Chen was a Registered Pharmacist in California which is false. Chen's claim to being a doctor turned out to be false also. Chen says that he is "not a doctor like here...to do operations and so on...we deal with herbs, acupuncture, those type things." Sunrider literature says that Chen "conducted biochemical research and taught at Brigham Young University." BYU says it has no record that Chen ever did any research there, and only taught judo and karate in the physical education department.

Sunrider has also had problems with the FDA. In 1983, FDA sent Sunrider a notice of adverse findings ordering them to stop claiming that Nutrien was effective to "produce energy, long life and lasting health." In 1984, FDA obtained an injunction prohibiting Sunrider from marketing an unapproved sweetener extracted for the herb Stevia rebaudiana. In April of this year, Nutrien and Vitalite drink mixes were recalled due to Salmonella contamination.

After seeing Sunrider promotions for its Formulas Numbers 6-9 which make specific claims to treat appendicitis, the reproductive system, and the immune system, NCAHF wonders how long it will be before Sunrider hears from FDA again! Buyer Beware!

APPLIED KINESIOLOGY (MUSCLE-TESTING) FOUND UNRELIABLE

The act of testing muscles for strong vs weak responses in connection with health has been widely employed by nonscientific health practitioners since about 1964. The technique was developed by a Detroit, Michigan chiropractor and given the name "applied kinesiology" (A-K). [Kinesiology is the accepted name given to the study of muscular movement (i.e., leverage, rotation, force, etc.) by physical therapists, physical education specialists and others who study body movements scientifically. It is not connected with A-K.]

A-K has been used to test a wide variety of dubious associations from the kind of music to which one should or should not listen to the colors an individual should or should not paint their domiciles. As silly as A-K appears on its surface, it can be very impressive when applied to an individual not schooled in the powerful effects of suggestion or tactile stimulation. One of the most common uses of A-K has been to test food compatibility or nutritional status on the basis of individual responses.

Kenney, et al, report on a test of the ability of A-K to assess nutritional status. Eleven subjects were evaluated independently by three experienced A-K practitioners for four nutrients (thiamine, zinc, vitamins A and C). The results obtained from the A-K practitioners were compared with (a) each other for inter-examiner reliability; (b) standard laboratory tests of nutrient status for validity; and, (3) computerized isometric muscle-testing to test the validity of the subjective "strong" and "weak" muscular responses. The researchers found no significant correlation between practitioners, biochemical tests or objectively measured muscular strength and A-K. They conclude that "the use of applied kinesiology to evaluate nutrient status is no more useful than random guessing." (J American Dietetic Assoc., 88:698-704, 1988.)

GEROVITAL REJUVENATOR CREATOR DIES

Dr. Ana Aslan, who developed the alleged youth elixir "Gerovital H3" died on May 20, 1988 in Bucharest, Romania, where her controversial clinic was located. Aslan was in her early 90s. Many celebrities were predictably drawn by Aslan's claims leading to widespread publicity and controversy. Aslan refused to claim credit or deny the extravagant claims of her supporters. (San Francisco Chronicle, our copy undated) Gerovital H3 is procaine hydrochloride, better known to most as the dental anesthetic Novocaine. The substance when ingested serves as a monoaminase inhibitor and acts as an antidepressant.

NCAHF BOARD MEMBER HONORED

John Bolton, MD, Mill Valley, California pediatrician and member of the NCAHF Board of Directors has been named recipient of the American Academy of Pediatrics 1987 Special Achievement Award for his efforts to warn the public about the health hazards of unpasteurized milk. Dr. Bolton has worked for more than ten years on behalf of children and the aged who mistakenly believe that raw milk offers superior nutrition and that it is safe. In fact, raw milk poses serious health threats, one of the worst of which is Salmonella dublin poisoning, that are easily removed by pasteurization.

WYOMING CHIROPRACTORS MAY NOT DO HIGH SCHOOL SPORTS PHYSICALS

On April 18, 1988 Wyoming State Attorney General, Joseph Meyer, issued the legal opinion that chiropractors (DCs) may not conduct high school physical examinations for athletes. There has been a controversy raging for sometime as to whether or not DCs may legally perform this medical function. Interestingly, in his opinion AG Meyer cited the Wilk v American Medical Association and noted that the Wilk case did not elevate chiropractic to the place of a "valid, efficacious and even scientific alternative system for health care." He rightfully noted that Judge Susan Getzendanner declined to pronounce chiropractic valid or invalid, and specifically stated that her finding against the AMA "...is not and should not be construed as a judicial endorsement of chiropractic." Opinion No. 88-018.

ELECTRICAL MUSCLE STIMULATORS AGAIN

The FDA warns about the misuse of electrical muscle stimulators (EMS) in figure salons and health spas in a Talk Paper dated March 23, 1988 (T88-26). The products of two Texas firms, Body Trimmer of Amarillo and Total Control of Dahlhart, are cited. EMS devices have limited value. They may be prescribed to relax muscle spasms and to help re-educate muscles following a stroke, but are of no proven value for weight loss, shaping the body or for "cellulite" removal. Potential hazards include shocks and burns, interference with heart pacemakers and possible dangers to pregnant women. EMS devices are a perennial quack device it seems. The FDA won a major decision against the Relaxacisor in 1970 obtaining a permanent prohibition to sales. However, the lure of easy exercise gains seems to be irresistible.

ANN WIGMORE SUED OVER AIDS SOUP "CURE"

Ann Wigmore, who calls herself a "living food lifestyle specialist," claims that AIDS arises from "the body's inability to assimilate the food consumed" and unspecified "environmental hazards." Charging fees of from \$325 to \$500 the Ann Wigmore Foundation teaches people to blend an "energy enzyme soup," of home grown sunflower sprouts and other raw, fresh vegetables, she says will "strengthen the immune system." In January, the Massachusetts state attorney general's office attempted to enjoin Wigmore from promoting her dietary regimen. Suffolk County Superior Court Judge Robert Mulligan ruled that Wigmore's views about AIDS are protected by the First Amendment, but that she must stop representing herself as a physician or as a person licensed in any way to treat disease. (Medical World News, 6/13/88.)

CYTOTOXIC TESTING DENOUNCED

The New York Academy of Medicine has issued a position paper denouncing cytotoxic testing for food allergy. The position paper declares that (1) the test is "unproven and misleading"; (2) inherent misdiagnosis "may result in dangerous reactions in the allergic individual, or unnecessary deprivation in the non-allergic person"; (3) there is no basis to the claim that obesity results from binging on foods to which one is allergic; and (4) there is no evidence that the test is of any use in the diagnosis or treatment of obesity.

HEALTH FOOD INDUSTRY REPRESENTATIVES MOAN OVER NATIONAL HEALTH FRAUD CONFERENCE

A health foods trade publication report (Health Food Business, April, 1988) on the National Health Fraud Conference (NHFC) uses language that may be a tip-off to how the industry plans to attempt to undermine consumer protection efforts by the government. The report states that Patricia Heydlauff, Executive Director of the National Nutritional Foods Association (NNFA), and their legal counsel, Robert Ullman of Bass, Ullman and Lustigman, attended the FDA-sponsored conference. Heydlauff reportedly called the NHFC a "demonstration of a collective bashing of this industry (emphasis hers)." Heydlauff added that a blatant anti-health food industry stance was evident and that some audio visuals showed products from this industry as examples of quackery and fraud (emphasis theirs), and expressed surprise that the FDA would provide a platform for this type of activity.

"Industry bashing" is the buzz word currently being used by the antiregulatory ideologists in Washington to discredit criticism that is bad for business. FTC Chairman, Daniel Oliver, recently employed the term in a speech to the American Bar Association. Oliver praised "revolutionary changes in antitrust policy" achieved by the Reagan administration that have brought consumer benefits. He warned of "counterrevolutionaries out there who would love to return to the irrational business-bashing of yesteryear" (FTC News Notes, 3/28/88).

NCAHF agrees that a fair amount of antibusiness rhetoric is irrational and has always made the point that rational consumerism is not antibusiness. A quality health marketplace is something in which we all have a stake. However, criticisms of the health foods industry is not irrational business-bashing. The health foods industry has a long record of misrepresentation. As early as 1929 the FDA said OF "health foods": "The use of the word ["health"], implies that these products have health-giving or curative properties, when, in general, they merely possess some of the nutritive qualities to be expected in any wholesome food product" (FDA Press Notice, May 22, 1929. From Young, The Medical Messiahs, Princeton Univ. Press, p.336, 1969). In 1978, the FTC echoed this assessment of the term in its staff report and recommendations on the Proposed Trade Regulation Rule on Food Advertising, (p.251), they said, "The term 'health foods' is inherently deceptive in that it falsely attributes special or superior health-giving properties to certain foods. Moreover, the term is not capable of being qualified or defined in any meaningful fashion."

In reality, so-called "health foods" are products of the specialty foods industry which is the most profitable dimension of the overall food industry. These include gourmet, unusual and special dietary foods. These foods are generally of low-demand and not uncommonly of lower quality because of being produced by small suppliers. Marketing such foods has always been a challenge. However, by creating the false illusion that these foods offer special health benefits, the industry has grown and prospered. With financial success it now seems to want respectability.

Opponents of quackery are all too aware that health foods stores are one of the major ways consumers fall into quackery. These outlets are the sources of the publications that hide behind the First Amendment and promote the false claims masked as editorial comment and opinion. Macrobiotics, herbals, organic foods, Ayurvedic medicine, naturopathy, homeopathics, megavitamin therapy, laetrile, pseudovitamins, raw milk and an almost endless array of other dubious products commonly associated with quackery are the stock and trade of the industry.

The health foods industry is also responsible for the proliferation of unqualified "nutritionists" who are little more than glorified health foods salespeople disguised with phony credentials to boost sales. The industry has mounted a major effort to have these practitioners legally recognized as legitimate competitors with qualified professional dietitians, home economists, and so forth. In NCAHF's view, this has merely created a new dimension of consumer health fraud.

In the past, NNFA has attempted to intimidate critics of the health foods industry into silence by threat of law suits. NNFA initiated a lawsuit against Frederick Stare and Elizabeth Whelan in 1978. The lawsuit was thrown out of court and NNFA was warned that such actions in the future "should...be scrutinized carefully to determine whether it was brought in good faith." NNFA's General Counsel of Bass and Ullman represented it at that time. This is the same law firm representing several defendants in Herbert vs. the American Quack Association.

Recently, a friendly relationship has developed between NNFA and FDA fostered in part by Joseph Hile, the former Associate Commissioner for Regulatory Affairs fingered by Consumer Reports (May, 1985) as the key person responsible for FDA's weak enforcement efforts. Documents obtained through the Freedom of Information Act reveals some cozy NNFA/FDA associations. For instance, Nathaniel Geary, FDA's Director of Intergovernmental & Industry Affairs, made a "special effort" to notify Ms. Heydlauff of the NHFC. Geary was the keynote speaker at NNFA's 1987 Annual Convention and Trade Show with NNFA bearing his costs. It appears as if NNFA is attempting to gain sympathy in Washington by characterizing its criticisms as simply irrational business-bashing rather than cleaning up their lucrative act.

DREAM-AWAY MUST GIVE MONEY BACK

The marketers of Dream-Away diet pills who fraudulently advertised that people could lose weight while they slept has agreed to return

\$1.1 million to consumers who bought their product. Eligible consumers should contact Nancy Warder, Federal Trade Commission, Washington, D.C. 20580.

NUTRITION FORUM EXPOSES DUBIOUS CHIROPRACTIC NUTRITION PROGRAMS

Chiropractors (DCs) paid \$125 each to attend a seminar hosted by Berman Chiropractic Supply (BCS) of Warwick, NY. The focus of the seminar was a "therapeutic food manual" developed by Nutri-West, a supplement manufacturer based in Douglas, Wyoming, entitled Silver Bullets--A Clinician's Guide to Therapeutic Nutrition. The 164-page manual lists 142 conditions ranging from acidosis to whooping cough with a Nutri-West product for each one. An undercover reporter for Nutrition Forum reveals the inner workings of this dubious brand of chiropractic nutrition. This report should be of value to anyone concerned about the validity of the nutrition practices of many DCs. (Nutrition Forum, April, 1988.)

"ANIMAL QUACKERS"

The manner in which quackery may reach people through their beloved pets is the theme of an article by NCAHF President William Jarvis published in the Winter, 1988 issue of Newf Tide. Chiropractic, homeopathy, alleged life extension products, unnecessary supplementation, raw and natural foods, and channeling provide examples of methods that have been adapted to people's pets. Insight about ourselves can be gained from learning about how quackery exploits our vulnerabilities. Although no perfect formula exists on how to avoid quackery, three points are helpful: (1) Beware of promises that sound too good to be true; (2) Be skeptical of testimonials; and, (3) Be alert to attempts to alienate you from regular food, water, health or veterinary care.

LINGUAL VITAMIN C TEST INVALID

Lingual testing for vitamin C status and as a means of diagnosing allergies has been promoted in the U.S. and other countries for some time. Researchers at Whittier College in California tested a lingual kit sold for the purpose of ascorbic acid assessment. They found no significant correlation between the lingual test and serum ascorbic acid levels of 17 subjects. The test uses 2,6-dichloro-indophenol as a color indicator on the theory that the dried surface of the tongue is an appropriate site to assess the body's level. The researchers also questioned the rationale of the test since ascorbic acid is not widely distributed in tissue fluids or endocrine secretions. From: J Oral Med, 42:229-32, 1987.

Readers unable to locate articles cited in the Newsletter may obtain free copies from the **NCAHF Resource Center**, 3030 Baltimore, Trinity Lutheran Hospital, Kansas City, MO 64108. Postage and Handling: \$1 members, \$2 nonmembers for each article. Payment must accompany order.

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The National Council Against Health Fraud, Inc.

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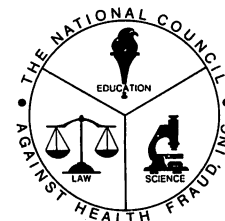
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NCAHF NEWSLETTER

QUALITY IN THE HEALTH MARKETPLACE



SEPTEMBER / OCTOBER, 1988.

MEMBER SUPPORTED

VOL. 11, NO. 5

IOWA CRACKS DOWN ON FRAUDULENT DIET PRODUCTS

Saying that the sale of fraudulent diet products has reached epidemic proportions, Iowa Attorney General Tom Miller has begun a crackdown on diet fraud by filing five consumer protection lawsuits against sellers of diet products who he says have deceived Iowans. Defendants in the lawsuits filed on August 19, 1988 are:

*Allied International Corporation of Beverly Hills, Calif. which promotes Fat Magnet claiming that it offers a "lazy way to lose weight...trapped fat is flushed right out of your body."

*Consumer Direct, Inc. of Canton, Ohio which sells a diet pill promising results within hours. Product names are Formula 75, Fat-Off 75, Quicktrim II, Dyna Slim and Slim Again.

*Health Care products, Inc. of Lutz, Florida, promoters of Cal-Ban 3000 who claim it "bonds with food preventing absorption of calories." (Note: Cal-Ban 3000 has also been the object of a cease and desist order by a U.S. Postal Inspector's Office. P.S. Docket No.28/90.)

*National Dietary Research, Inc. of Washington, D.C. and Tampa, FL. They sell a diet pill called FS-1 which claims to be an accidental discovery by their research scientists. The complaint alleges that this is "nothing more than part of the defendant's fraudulent scheme."

*Merlin Pharmaceuticals, Inc. of Mission, Kansas which promotes a product called the Absorbitol/2000 Diet Pill Plan. Ads claim that the product will turn your body into a "fat-burning frenzy," that consumers will "melt off" unwanted fat while eating six times a day.

"We decided to initiate a crackdown earlier this year when we found that a single company operating in Iowa that had collected more than \$1.6 million from 30,000 consumers in one solicitation," Miller said. (Press release dated August 19, 1988. For further information contact Bill Roach in the Iowa Department of Justice (515)281-5678.)

Earlier this year, Attorney General Miller got Consumer Express, Inc. of Houston, Texas to stop marketing White Gold, Express Plus and Homeopathic Water for weight loss and a myriad of health problems. (Press release dated July 22, 1988; contact: Bob Brammer, (515)281-5678.)

KENTUCKY'S NEW LAW OFFERS EFFECTIVE SOLUTION TO MISREPRESENTATION BY UNQUALIFIED "NUTRITIONISTS"

NCAHF continues to believe in and endorse the licensure of Registered Dietitians as a way of assuring consumers that the nutritionists whose services they seek are qualified and ethical practitioners. However, a new law passed in Kentucky strikes us as an essential adjunct to dietetic licensure--particularly in those states where licensure has meant little more than protection of the term "dietitian" while "nutritionist" still may be claimed by individuals with diploma mill degrees or certification that can be purchased by anyone.

On February 25, 1988 the Kentucky General Assembly enacted House Bill No. 802 making it illegal for an unlicensed health care practitioner to utilize an academic title, or represent in any other manner that he or she possesses an academic degree, unless the degree is accredited. If the degree is honorary, that fact shall be disclosed in every instance by the use of the designation "Honorary" or "Hon.". The Kentucky law was patterned after similar laws in New York and New Jersey which make it illegal to misrepresent oneself as a qualified expert through the use of a diploma obtained from an entity that is not accredited by an official accrediting agency recognized by the U.S. Department of Education.

There was no opposition to the Kentucky law. It seems that even organized quackery couldn't muster the audacity to openly oppose a law against fraudulent degrees! This type of legislation seems an effective answer to the problem of the proliferation of unqualified "nutrition consultants" who are actually disguised supplement salespeople. It is probably a good idea to include certification obtained from an entity not recognized by an officially accredited program as well.

Such legislation is a kind of labeling law for health services. It is appealing because it offers consumer protection; it is difficult to oppose; it does require the establishment of a licensing board; and it should be easily enforceable. Support for such legislation can be expected from Boards of Higher Education and others interested in quality education and maintaining academic integrity.

FRANK SINATRA SUES SWISS CLINIC

Singer Frank Sinatra has been awarded \$450,000 by the 9th U.S. Circuit Court of Appeals in San Francisco. A phony story was planted in the National Inquirer by a Swiss clinic falsely claiming that Sinatra was using its "youth serum." Sinatra sued the clinic for misappropriating his name. (The Sacramento Union, August 24, 1988).

INSIGHTS INTO HOW CHIROPRACTORS PRACTICE IN THE USA

According to a survey published in the August 15 issue of Dynamic...Chiropractic, 74% of American chiropractors (DCs) use nutrition supplements in their practices. 82% have an x-ray in their office and 72% use physical therapy. Only a meager 2% use colon therapy. The methods used by DCs varied according to the schools from which they had graduated.

HELP WANTED WITH CANCER STUDY

A major evaluation of questionable cancer therapies is being done by a prominent medicolegal team led by attorney Grace Monaco. The initial subjects for study include herbs, teas, botanicals, DMSO, laetrile, Manner metabolic therapy, Hoxsey therapy, Gerson therapy, the Greek Cancer Cure, and the methods of Virginia Livingston Wheeler, Stanislaw Burzynski, and Lawrence Burton. The research team is particularly interested in seeing medical records, insurance claims and personal observations of any patient who has been treated with any other these methods. Patients do not have to be identified; it is sufficient to provide medical records from any standard treatment they have received and/or questionable method. The information should be sent directly to Ms. Monaco at 1901 Pennsylvania Ave., N.W., Suite 1001, Washington, D.C., 20006; (202)835-0367.

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PHYSICIAN'S LICENSE SUSPENDED FOR PRACTICING CHELATION THERAPY

The North Dakota Board of Medical Examiners has suspended the license of Minot physician Brian Briggs for one year alleging he violated a 1984 agreement preventing him from employing unproven remedies. The treatment wrongfully used by Briggs is EDTA chelation therapy. Minnesota, Illinois, California and Virginia have also taken action against Briggs in the past. Briggs also has employed the worthless and dangerous drug laetrile in the past, according to the report. (Minot Daily News, August 4, 1988).

AMA PUBLISHES ANTIQUACKERY BOOKLET

The Division of Library and Information Management of the American Medical Association has published a selected annotated bibliography titled Alternative Therapies, Unproven Methods and Health Fraud. Topics include AIDS, acupuncture, arthritis, cancer, candida albicans, cellular therapy, chelation therapy, colonics, cytotoxic testing, DMSO, hair analysis, health fraud, holistic health, homeopathy, IAT, iridology, Macrobiotic diets, and Metabolic Cancer Therapy (laetrile). Conspicuous by its absence is any reference to chiropractic. It appears that the antitrust court victory has effectively muzzled AMA criticism of chiropractic pseudoscience. This is paradoxical because Judge Getzendanner stated in her opinion that the AMA should have done more along educational lines to warn its members about objectionable features of chiropractic rather than engaging in an ethical boycott. It appears that freedom of speech has suffered as a result of the Getzendanner decision. Purchase from: Order Dept. OP-137, AMA, P.O. Box 10946, Chicago, IL 60610-0946.

FDA CLARIFIES GUIDELINES ON HOMEOPATHIC PRODUCTS

Because of the widespread marketing of products claiming to be "homeopathic" but not prepared in the benign homeopathic tradition, the Food & Drug Administration has issued guidelines on the agency's requirements for the marketing of homeopathic preparations. They are:

"Homeopathic drugs cannot be offered without prescription for such serious conditions as cancer, AIDS or any other requiring diagnosis by a licensed practitioner. Nonprescription homeopathics may be sold only for self-limiting conditions recognizable by consumers

"Nonprescription homeopathics will have to have labeling that lists ingredients in English and their dilution (2x for one part per hundred, 3x for one part per thousand, etc.) The labeling will also have to adequately instruct consumers in the product's safe use, also in English, and state at least one major indication for use in terms lay persons can understand. These labeling requirements must be implemented within the next two years.

"A homeopathic product cannot include non-homeopathic active ingredients.

"Prescription homeopathic drugs must be labeled, "Caution: Federal law prohibits dispensing without prescription."

According to the FDA, the marketing of homeopathic products has become "a multimillion dollar industry." (FDA Talk Paper, T88-68, Sept. 15, 1988)

DIET PATCH QUACKERY

Apparently, all stick-on patches that claim to enable wearers to lose weight deserve the label of "quackery." They seem to be following the classical tradition of quackery of "taking cues from developments in the world of science. Skin patches can be used to administer some drugs. However, the FDA has not approved any nonprescription skin patches. As for whether or not any skin patch is an effective weight-reducing device, weight control expert, Dr. Judith Stern of UC Davis says that the only way these could be effective is to paste them over the mouth! (Nutr Perspectives, Aug-Sept. 1988).

CHELATION THERAPY FOUND INEFFECTIVE

The promotion of EDTA chelation therapy for heart disease continues around the nation. A case report in the New England Journal of Medicine (318:1618-1619, June 16, 1988) adds to the evidence that the procedure is ineffective. A 55-year-old man's angiograms before and after a 30-week course of EDTA chelation therapy (\$4,000 cost) are presented. The patient's coronary disease worsened over the time between measurements and he experienced a heart attack shortly after completing the course of treatment.

APHA ACCEPTS PROPOSED RESOLUTION ON NUTRITION QUACKERY AND AIDS

NCAHF board member Carla Bouchard, RD, MPH, who is also the Nutrition Program Manager in the San Bernardino County Public Health Department in California, has succeeded in having a proposed resolution accepted for consideration by the American Public Health Association (APHA). This is a very important first step toward having the APHA develop a policy statement on this problem. More importantly, it could start public health professionals thinking more about health fraud, quackery and misinformation as significant public health problems. NCAHF finds it disappointing that more has not been heard from public health professionals since the U.S. Congress identified medical quackery as the #1 consumer fraud problem among the nation's elderly in 1983--followed by the 1984 Pepper hearing. Granted public health people have many issues to deal with, but when a #1 problem is identified among a large population group, public health people usually become active against it. Further, the same quacks who prey upon desperate patients with life-threatening diseases also actively oppose proven public health measures such as immunization, fluoridation, pasteurization, and modern food technology. Readers are in public might wish to make this point to their colleagues. Ms. Bouchard's resolution appeared in the September, 1988 issue of The Nation's Health, page 18.

FIRE WALKING AND CHARLATANISM

Quacks have traditionally used the "unusual" to attract attention and promote their illusions. Recently, firewalking has been capitalized upon for such purposes. "Fire walking and the persistence of charlatans" (Perspectives in Biology and Medicine, 31:291-298, Winter, 1988) is an outstanding monograph on the topic which explains the phenomenon and how it is exploited.

1982 USDA STUDY PROVIDES IMPORTANT INSIGHTS INTO HEALTH FOOD USERS

A study by Saegert and Young of the University of Texas, San Antonio, titled "Psychographics of Nutrition Enthusiasts: A Profile of Health Food Users" completed in 1982 for the Cooperative Research Competitive Research Grants Office of the U.S. Department of Agriculture, provides insights into health food users. It also carries some important conclusions about the possible negative effects of health foods marketing.

Health food users display excessive enthusiasm about nutrition as it relates to their health and well-being. Most interesting is the fact that health food users scored higher on general nutrition information than non-users, but were less knowledgeable when health food related knowledge was measured. This documents the important role that misinformation plays in the success of nutrition quackery. In addition, of a large number of social-psychological variables investigated, the Health Locus of Control scale supported expectations about health food users, while none of the others did (e.g., alienation from the marketplace, liberalism).

This study will be useful to researchers and educators interested in nutrition-related behavior and the role that certain attitudes and nutrition misinformation play. The 75-page report is available from the NCAHF Resource Center, \$10.00 postage-paid.

GENERAL NUTRITION SETTLES FRAUD CHARGES

The giant health food chain, General Nutrition Corporation (GNC), has agreed to pay \$600,000 to settle allegations by the Federal Trade Commission (FTC) that it made false claims for diet supplements. Under a consent agreement, the American Diabetes Association, American Cancer Society and American Heart Association will each receive \$200,000 instead of redress being made to consumers. The FTC had charged that GNC's Healthy Greens Diet supplement--a mixture of vitamins, minerals and dehydrated vegetables--falsely claimed that it was effective in reducing cancer risk. (Wall Street Journal, June 14, 1988).

VITAMIN A POISONING

Mendoza, et al, report a case involving a 3-year-old girl with failure to thrive who was seen after two months of lower extremity pain, periods of refusing to walk, irritability, lethargy, bleeding gums, peeling skin, itching and an enlarged abdomen. It was determined that a chiropractor had prescribed vitamin A supplementation seven months earlier at a dose of 100,000 IU per day for one week, followed by 50,000 IU daily for six months, ending one month before her presentation. Vitamin A intoxication was confirmed and the patient recovered following extensive medical care. (Western J of Medicine, 148:88-90, 1988.)

DONSBACH U. GRADUATE MUST PAY

Gary V. Pace, "PhD", a Donsbach University "nutritionist," has agreed to pay \$20,000 in restitution to his "patients," plus \$12,000 in penalties and costs. Pace signed a stipulation agreement on February 18, 1988. Action against Pace was brought by New York State Attorney General Robert Abrams. (Newsday, August 4, 1988, p.20).

"INSIDE CHIROPRACTIC EDUCATION: PERSPECTIVE OF A STUDENT REFORMER"

[The following is a first-person account of one student's experience within chiropractic education. The author's anonymity is maintained for reasons stated in the article.]

My bizarre experience as a student in one of the self-proclaimed "progressive" and "scientifically-oriented" chiropractic colleges began with several naive errors of judgment on my part. I have a B.A. degree in economics, but after working in accounting and administration for several years, I decided to enter the health care field. At my age, I assumed that it would take too long to complete the prerequisites and medical school so I checked into some other fields. I was attracted to manual therapeutics because of my past experience. Investigation into physical therapy revealed a five-year time investment. Chiropractic training required six years--two years of pre-requisites with a "C" average plus four years of chiropractic college, but one graduates with the title of "doctor."

I was aware that chiropractic was somewhat controversial; however, these concerns were relieved by literature given to me by a chiropractor (DC) stating that the profession no longer held a monocausal concept of disease. I also bought into the propaganda that it was the medical profession, not chiropractic dogma, that was keeping DCs "isolated."

My personal experience with chiropractic had been positive. I had been treated by a DC for pain in my lower neck with associated radiculitis into my right arm. Although three weeks of drug therapy had failed to relieve my pain, three spinal manipulative therapy adjustments relieved me completely. This personal experience, plus my acquaintance with some scientific literature attesting to the value of manipulative therapy for musculoskeletal conditions (1,2,3), combined with the fact that DCs effectively emulate medical doctors in dress, manner and some equipment, led me to falsely assume that chiropractic is a legitimate health care profession.

Within the first few weeks of attending chiropractic college I began to realize the fallacies of my original assumptions. I found widespread acceptance among the other students of almost any technique or approach to health care except the use of drugs or surgery. Homeopathy, naturopathy, acupuncture, iridology, colonics, and the central chiropractic "subluxation" premise seemed to be blindly accepted by most students without the least bit of discussion, debate or call for research evidence. "Medicine" was emotionally condemned or disparaged almost daily, not only for organized medicine's alleged "monopolistic" hold on health care (4), but as a false model and approach to healing!

Regarding the alleged "isolation" of chiropractic by "organized medicine," the major flaw I detected with chiropractic's argument was the fact that, although medicine's ostracism may contribute to its isolation, in reality, isolationism is a self-imposed policy of organized chiropractic and chiropractic's dogma with its quasi-religious approach to health care (5,6,7). D.D. Palmer defined, founded and justified the practice of chiropractic based upon false, delusory, biotheological concepts of disease etiology and the Freedom of Religion Amendment (6). Palmer taught that "subluxations" of the spine interfere with the planned (i.e., by "Universal Intelligence") expression of "Innate Intelligence" (i.e., Life Force) within each person. By "adjusting" the spine Palmer theorized that the entire body's mysterious healing mechanisms would be enhanced.

Chiropractic dogma has changed very little. In 1987, I met with the President of the American Chiropractic Association (ACA). I personally challenged him to reject the ACA's modified version of the cultist dogma that "subluxations" may be an "important" factor in all disease etiology (6). This chiropractic leader refused to reject the dogma! Interestingly, most students today seem to reject the concept that subluxations are a major factor in all diseases, but they also appear to be willing to believe that it is possible that subluxations may be a factor in decreasing the body's resistance; therefore, manipulation is justifiable for many conditions because it might help. Fortunately, 95% of the primary complaints presenting to DCs are of a musculoskeletal nature (8) so that, despite chiropractic's dogma, most practice is limited to musculoskeletal complaints. However, even within this limited area there seems to be a central problem of overutilization.

In the clinic, DCs work as empirics. Patient's subjective feelings and responses to manipulation are opportunistically interpreted in a positive way whether they involve pain or relief. It is chiropractic's

metaphysical and empirical approach to health care that makes it antithetical to rational health science and sustains the profession's isolation. From my experience, I believe that most chiropractors feel no responsibility to provide evidence for what they believe that they already "know" about the efficacy of chiropractic. Blind-faith exempts them from any validating processes including anything even as minimal as the reproducibility of diagnoses between subjects or basic treatment standards. This is entirely unscientific.

My purpose in writing this critique is to document my experience as a student interested in reforming the chiropractic enterprise into one based in science. I have been virtually alone in my scientific and intellectual protest during my educational experience. My vocal challenge of chiropractic tenets with scientific facts have only had the effect of releasing incredible defensiveness and verbal abuse from students and faculty alike.

I have been called "antichiropractic," a "frustrated medic," an "insurance whore," and a whole range of profanities. I have been asked repeatedly to "leave the profession." Recently, I was told by one college administrator that I have no right to my opinions because of my lack of experience, and that "we will no longer tolerate your opinions in the classroom or your challenges to the scientific validity of class presentations." I was told explicitly that failure to comply with demands to conform might result in "our having to make a decision as to the desirability of having you remain in the chiropractic profession." As a result of these threats, my only realistic choice has been to assume the role of the "ideal prisoner" which I am presently doing.

A final example of how the college where I attend conditions students to exploit patients is the fact that we students are forced to solicit our own patients to meet our clinical requirements for graduation. This policy encourages students to use "salesmanship" to create an illusion of need rather than to fulfill real needs. It also teaches students to overutilize chiropractic therapy. This seems extremely unethical to me and, in my opinion, deserves a national investigation.

In conclusion, I believe that the chiropractic profession is too well-entrenched, self-serving and fragmented to change the current situation to function in the public's best interest. To remedy the chiropractic problem, I would make the following recommendations to the scientific health care community:

1. An independent, perhaps Federal, commission should be established to investigate every aspect of chiropractic with its purpose to determine its appropriate role in legitimate health care.
2. Acknowledge the fact that there is a small, but growing, number of scientifically-oriented DCs who can work harmoniously within biomedicine. Encourage and support these chiropractic reformers who are affiliated with the National Council Against Health Fraud, Inc., and are mentioned in its position paper on chiropractic.

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6. Palmer DD: *The Chiropractor*, Los Angeles: Beacon Light Printing House Co., 1914; (Chapter one).
7. *American Chiropractic Association: State of the Art, 1986*. Des Moines, IA.
8. Phillips RB and Butler R: "Survey of chiropractic in Dade County, Florida," *J Manip Phys Ther*, 5:(2):83-89, June, 1982.

[Editor's Note: We had to decide whether to publish this now or wait until after graduation and licensure when the author's name could be included. We decided to print this account anonymously and monitor this person's experience. The author's identity can be revealed when it is deemed to be safe. NCAHF knows of other chiropractic students on several campuses who are experiencing similar persecution. Hopefully, as outside observers, we may help protect these students from some kind of vindictive action.]

NUTRITION FORUM EXPOSES DUBIOUS CHIROPRACTIC NUTRITION PROGRAMS

Chiropractors (DCs) paid \$125 each to attend a seminar hosted by Berman Chiropractic Supply (BCS) of Warwick, NY. The focus of the seminar was a "therapeutic food manual" developed by Nutri-West, a supplement manufacturer based in Douglas, Wyoming, entitled Silver Bullets--A Clinician's Guide to Therapeutic Nutrition. The 164-page manual lists 142 conditions ranging from acidosis to whooping cough with a Nutri-West product for each one. An undercover reporter for Nutrition Forum reveals the inner workings of this dubious brand of chiropractic nutrition. This report should be of value to anyone concerned about the validity of the nutrition practices of many DCs. (Nutrition Forum, April, 1988.)

EVENING PRIMROSE OIL FAILS PMS TEST

Elamol, the evening primrose oil product whose promoters have claimed relieved premenstrual syndrome, has failed a double-blind placebo-controlled trial conducted in the United Kingdom. Interestingly, subjects improved significantly during the trials but no difference was found between control and experimental groups. (Callender, et al. "A double-blind trial of evening primrose oil in the premenstrual syndrome: nervous system subgroup." Human Psychopharmacology, 3:57-61, 1988.)

CENTER FOR ALTERNATIVE CANCER RESEARCH

The public is receiving mailings from the Center for Alternative Cancer Research (CACR) in Washington, DC. The promotional tactic being employed by CACR tells recipients that they are "One of three individuals named" and might be "a guaranteed \$1,000 cash winner." If the recipient sends in a contribution they will receive a "special bonus gift."

CACR is a program of Project Cure operated by Michael Evers, JD, adopted son of maverick physician Ray Evers of Dothan, Alabama (Dr. Evers has been in legal difficulty for years for practicing EDTA chelation therapy on heart patients--a condition for which the therapy lacks FDA approval). Michael Evers also heads up Health Alternatives Legal Foundation which supplies attorneys who defend the promoters of dubious therapies (i.e., quackery). Evers also has represented the IAT Patients Association which lobbies for the legalization of zoologist Lawrence Burton's dubious immunoaugmentative therapy administered in Freeport, Bahamas. Evers volunteered to represent the American Quack Association and others being sued by Dr. Victor Herbert. In fact, Evers himself is a defendant in Herbert vs. the American Quack Association.

Donors are informed in tiny print that their contributions are not tax deductible, and that "Project Cure spent \$1,325,078 to promote impartial evaluation of non-toxic treatments of cancer through public education and political action." In other words, the money raised by mass mailing campaign goes for lobbying and propagandizing the public in favor of therapies that fit the 1984 U.S. House of Representatives definition of "quackery." In the same tiny print CACR admits that it is "not a research laboratory" and does not conduct research.

SEVEN ATTORNEYS GENERAL WRITE FDA OPPOSING HEALTH CLAIMS ON FOOD LABELS

The Attorneys General of California, Iowa, Minnesota, Missouri, New York, Texas, and Wisconsin sent a joint letter to FDA Commissioner Frank E. Young, MD, stating their opposition to FDA's proposal to allow disease specific health claims on food labels. The letter points out that the proposal constitutes an "unjustifiable end run of the legislative process and is a disservice to the American consuming public." It adds that the proposed rule would "hamper states' enforcement efforts," and would be "inadequate to protect consumers." "Such claims will serve only to distort nutritional information available to the public," the letter says. "Consumers who are trying to follow the advice of medical and public health authorities may be confused by the inaccurate, misleading, and incomplete information that would be encouraged by the FDA's proposed regulation."

Two of the AGs plan to introduce a resolution at the summer meeting of the National Association of Attorneys General calling for the FDA to withdraw its proposal. Copies of the three-page letter and two-page press release dated June 15, 1988 are available from the NCAHF Resource Center for \$1; include a stamped, self-addressed, business-sized envelope.

1988 SURGEON GENERAL'S REPORT ON NUTRITION AND HEALTH

Chapter 19 is titled "Dietary Fads and Frauds" and contains a great deal of useful and quotable information. It provides public health educators and nutrition policy makers with substantive data from which to proceed in combating nutrition-related quackery within their communities. Publications by several NCAHF leaders are cited in the chapter. The entire report costs \$22 and is available from the Superintendent of Documents, Washington, DC, 20402, GPO Stock No.017-001-00465-1.

PRIMER ON SPINAL MANIPULATIVE THERAPY

The Summer, 1988 issue of The Washington State Fund Provider Newsletter, published by the Dept. of Labor and Industries, has an excellent primer on the nature and value of various kinds of spinal manipulative therapy. Copies of the 10-page report are available from NCAHF for \$1; include a double-stamped addressed business envelope.

REPORT ON DIPLOMA MILLS

An Odyssey Inside The Bogus Diploma Mill Circuit, by E. Patrick McQuaid, is a 12-page report published by Phi Delta KAPPAN dated May, 1988. This excellent monograph gives information and insight into the thriving diploma mill industry in the United States. NCAHF members will be particularly interested in the detailed investigation McQuaid conducted on T.C. Fry and his "College of Life Sciences." Fry is the mentor of Harvey Diamond author of the silly books Fit for Life and Living Health. Copies of the Kappan Special Report may be obtained directly from the publisher at P.O. Box 789, Bloomington, IN 47402. Bulk prices are available.

HOMEOPATHY ENJOYS MOMENT OF GLORY

In a scenario analogous to the temporary glory of the Canadian Olympic runner that turned to shame following the discovery that he had broken the rules, a French scientist's alleged finding that supported homeopathy's bizarre pharmacology has been found badly wanting. Jacques Beneviste claimed to have found that water has a "memory," and hypothesized that this might possibly provide a rationale for the effectiveness of infinitesimal homeopathic doses that don't even contain a single molecule of the original active substance. (This in itself raises the spectre of water remember all of the nasty places it has been as it is recycled through nature and ultimately finds itself in your drinking glass!) The prestigious journal Nature published Beneviste's article in June with the caveat that the findings were unbelievable. An attempt to duplicate Beneviste's experiment proven unsuccessful. Nature editor John Maddox followed up by descending on Beneviste's laboratory with Magician James "The Amazing" Randi and "fraudbuster" Walter Stewart. Irregularities were discovered in Beneviste's laboratory procedures (e.g., Randi caught a lab assistant altering data) and the revelation that Beneviste's work was funded by French companies marketing homeopathic preparations called the whole matter into question. The popular press and some scientists are critical of Maddox's actions of conducting an on-site investigation with people experienced in detecting fraud. Critics say it is beneath science to become involved in such a circus-like affair. Maddox believes that such claims deserve close scrutiny and public expose even if it means creating a circus. Homeopathic apologists are apparently attempting to create a smokescreen of this example of apparent scientific fraud by posing such investigations as beneath the dignity of serious scientists, and therefore unfair to heterodoxy (i.e., those who advance ideas regarded as heresy by regular science).

COMMENT: We applaud Maddox's action. NCAHF has collected a number of articles on this affair. A seven-page package is available to anyone wanting more detailed information. Send \$1 and a double stamped, self-addressed, business-sized envelope.

RENEWED ATTENTION TO ACCUTANE RISK SHOULD EXTEND TO VITAMIN A

Victor Herbert, MD, JD, has written to FDA Commissioner Frank Young, MD and Stuart Nightingale, MD, Associate Commission for Health Affairs stating: "FDA just required Hoffman-La Roche to label Accutane with a photo of an Accutane baby. It is time for FDA to bite the bullet and also require them and all sellers of vitamin A supplements to label their products:

WARNING: 25,000 IU of this product taken daily by fecund women may produce an Accutane baby; the same dose may damage and adult's liver; 10,000 IU daily may damage a child; 5,000 IU daily may damage and elderly person's liver.

Dr. Herbert documents each of these hazards in attachments to his letter.

CHIROPRACTOR PAYS \$1000 TO AVERT LABEL SUIT

A Tacoma, Washington, chiropractor has paid \$1,000 and apologized for "inaccurate paraphrasing" in a letter published last year in a chiropractic newspaper. The letter, written by Ronald G. Cronk, DC, and published in Dynamic Chiropractic, claimed incorrectly that psychiatrist Stephen Barrett, MD, had been "declared unbalanced and propagandist regarding chiropractic by a panel of eminent investigators."

Dr. Barrett, who practices in Allentown, PA, is also a professional writer and chairs the NCAHF Task Force on Victim Redress. He states that "Dr. Cronk was upset about a letter in which I had advised Prevention magazine's readers to steer clear of any chiropractor who does hair analysis, prescribes and sells megadoses of vitamins, urges all patients to have 14"X36" full-spine x-rays, or claims that weekly or monthly spinal adjustments are needed to ensure health. The letter also offered a free copy of the NCAHF Position Paper on Chiropractic--which over 1,500 readers requested."

Continuing, Dr. Barrett says, "After seeing my letter, Dr. Cronk complained to Prevention and urged Dynamic Chiropractic's readers to attack me with quotes from the 1979 New Zealand Report on Chiropractic, in which something I wrote had been criticized. He suggested that the report could be used to persuade people that I am 'a propagandist with little regard for the truth.' Dr. Cronk misinterpreted the report and libeled me in the process. The newspaper's editor compounded the problem by accusing me of hating chiropractors and asking his 50,000+ readers to consider boycotting Prevention if it continued to allow me to be published. My attorney suggested that instead of filing suit, we inform Dr. Cronk why we believe a libel suit by us would be successful. Among other things, we pointed out that even Judge Getzendanner who ruled against the AMA in the chiropractic antitrust case concluded that the New Zealand Report was untrustworthy. Dr. Cronk and his attorney responded with a reasonable offer for settlement, which we accepted."

Dr. Barrett has been investigating chiropractic for 20 years. He says, "Although I am critical of its shortcomings, I do not 'hate' chiropractors. I enjoy cordial relationships with many of them and am a consultant to the National Association for Chiropractic Medicine which is trying to make chiropractic more scientific. A few years ago, the American Chiropractic Association's (ACA) Journal published a five-page interview of me, and I am scheduled to address the ACA House of Delegates on June 22 on how their critics perceive them.

"I don't care if chiropractors disagree with me and argue with what I say," Dr. Barrett adds, "but I won't tolerate being libeled." Ten years ago Dr. Barrett sued a Pennsylvania chiropractor who had stated in a local newspaper that Dr. Barrett was "a psycho psychiatrist who has dedicated his life to witch hunting the chiropractic profession," and was "paid to spread half-truths and lies out of context." The case was settled out of court within three months with a \$500 payment and a retraction. Dr. Barrett's attorney is Michael Bolts of Kansas City, a former assistant attorney general of Iowa who specializes in health fraud cases.

REVICI PUT ON PROBATION

Emanuel Revici, the elderly New York City physician who has trafficked in dubious cancer remedies since the early 1940s has been placed on five years probation by the New York Board of Regents in an action taken on July 29, 1988. Unfortunately, the action can hardly be viewed as a triumph for consumer protection. Originally, a five-member committee of the State Board of Professional Conduct had recommended that Revici's license be revoked after finding him guilty of 10 of 12 specifications involving questionable cancer treatments (see NCAHF Newsletter, May-June, 1986, p.3). The terms of Revici's probation seem as flawed as the action taken by the Regents not to revoke Revici's license. Essentially, Revici will be permitted to practice his dubious forms of cancer therapy as long as he doesn't make the original diagnosis of cancer himself, informs the patient of the unproven nature of the therapies, and not "dissuade any patient from seeking treatment elsewhere."

Comment: Such limitations are likely to do little to curb the promotion of dubious cancer cures. There are plenty of other maverick MDs willing to perform questionable diagnoses and refer to a colleague. Also, desperate patients are generally incapable of making rational choices even when presented with disclaimers after someone has convinced them that a special, albeit unproven, treatment offers them a hope for cure. The NY Regents appear very naive--or they may have yielded to political pressure.

A FISH STORY

Several years back a flyer was circulated promoting "The Miracle of St. Peter's Fish." It was one of those promotions that seemed to be aimed at religious devotees. Written in pseudo-Biblical language, the script was entertaining. It claimed that the fish tasted "heavenly" and touted its low fat, high protein values. Now, years later, this same flyer appears in an interesting story on mislabeling in the May, 1988, FDA Consumer. "St. Peter's fish" turns out to be tilapia, a popular and plentiful food fish. The article not only clears up an old mystery but illustrates the important principles underlying the nation's consumer protection laws which require accurate labeling of food products.

IMMUNOAUGMENTATIVE THERAPY JUDGED UNACCEPTABLE

The majority of DATTA panelists (i.e., physician consultants nominated by medical schools, medical specialty societies, councils and sections of the AMA, and state medical societies) believe that Immunoaugmentative Therapy (IAT) dispensed by zoologist Lawrence Burton, Ph.D. in the Bahamas is "unacceptable" as a treatment for cancer. A summary of the background of IAT and a discussion of its lack of safety and effectiveness is contained in the June 17, 1988 Journal of the American Medical Association, (259:3477-3478). The issue also contains comments on IAT by FDA's Stuart Nightingale, MD (pp.3457-3458).

IAT is a particular interest because it has become the most aggressively promoted dubious cancer remedy today. Like laetrin and others before it, a cadre of self-proclaimed "patients" and advocates have succeeded in turning their promotional efforts into a social movement that rallies for the legalization of this and other cancer remedies that have not passed scientific muster.

Just in case you haven't heard, promoters have managed to force a review of IAT by the congressional Office of Technology Assessment (OTA) through the efforts of New York Congressman Guy V. Molinari. IAT promoters have been using the OTA review to help convince desperate cancer patients that it offers hope.

[A review of the OTA project is discussed in the September 9, 1988 issue of Science, the publication of the American Association for the Advancement of Science (pp.1285-1286).]

BEWARE OF DUPLICITY BY PROMOTERS OF "ALTERNATIVE" CANCER THERAPIES

The modus operandi by which dubious cancer remedies are currently marketed involves duplicity on an international level. Many promoters are connected to clinics that operate outside of the United States while serving simultaneously as representatives of so-called pro-freedom-of-choice organizations within our borders. This arrangement maximizes their ability to promote dubious remedies under freedom of speech protection while they escape legal accountability for marketing mischievous medicine since the clinics they represent lie beyond the reach of American consumer protection laws.

CALL FOR SCRUTINY OF STATE LICENSING BOARDS

A major purpose of licensing boards for health professionals is to protect the public's health safety and welfare. The activity of the thirteen licensing boards in Michigan is reported in a document entitled "Protecting the Health of Michigan's Citizens, 1985-1986 Annual Report." A compilation of the performances of various board based upon allegations, investigations and actions is shown below:

	<u>D.C.</u>	<u>M.D.</u>	<u>R.N.</u>	<u>D.O.</u>	<u>R.Ph.</u>
No. Licenced	1,980	21,884	92,568	4,199	8,190
Allegations	43	228	127	72	147
Investigations	16.3%	20.6%	52.8%	23.6%	63.9%
Action taken	0.0%	9.6%	42.5%	6.9%	33.3%

There seems to be some major discrepancies in the efforts of these licensing boards to fulfill their consume protection roles. NCAHF would like to see similar studies conducted in all of the states. Readers are encouraged to obtain similar data on as many different licensure boards as possible and share it with NCAHF.

QUACKERY ABOARD AIRLINERS

Terence Hines analyzes quack products and devices sold in airline catalogues in "High flying quackery" (Skeptical Inquirer, Summer, 1988). Hawaiian "miracle oil", anti-aging cream, vitamins, and a negative ion generator are dubious products promoted by JS&A of Northbrook, Illinois. SyberVision, of Newark, Calif., sells self-improvement video tapes which allegedly allow people to just lie peacefully on their couches and program themselves to be better skiers, and so forth. The Sporting Edge, of Bothell, Washington, peddles an "anti-jet-lag formula," an anti-snoring device and a snake venom extractor. According to Hines, this last device, The Extractor "could kill you" because it is based upon the fallacious "cut and suck" method of treating snakebite.

ALLIANCE FOR ALTERNATIVE MEDICINE

Another organization has been added to the list of metastasizing groups clamoring for a "buyer beware" marketplace for self-proclaimed cancer "cures." It calls itself the Alliance for Alternative Medicine (AAM). AAM is the group which is promoting the film Hoxsey: Quacks Who Cure Cancer? It is apparent from AAM's publication New Horizons (May, 1988; Vol.1, No.1) that the "alliance" is made up of familiar people who have long been engaged in the promotion of dubious cancer remedies.

Interestingly, one of Congressman Guy V. Molinari's legislative aides, Michael Torrusio, is Projects Coordinator for AAM. It was Congressman Molinari who pressured congresses' Office of Technology Assessment to study Immunocaugmentative Therapy.

ELDERLY WOMEN WHO OVERUSE DIETARY SUPPLEMENTS

Characteristics of elderly women who overuse vitamin and mineral supplements were analyzed by researchers at the University of Utah and reported in the March, 1988 Journal of the American Dietetic Association (88:347-8). Elderly women who overuse supplements tended to live alone and have medical problems. Overuse of supplements was supported by print media, family and friends. Dietitians/nutritionists were not usually used as a source of information. This is a useful study in that it adds to the database of an epidemiology of quackery; in this case, focusing on the susceptibility of specific target groups to dubious health product use.

Readers unable to locate articles cited in the Newsletter may obtain free copies from the **NCAHF Resource Center**, 3030 Baltimore, Trinity Lutheran Hospital, Kansas City, MO 64108. Postage and Handling: \$1 members, \$2 nonmembers for each article. Payment must accompany order.

FOR INFORMATION ON JOINING NCAHF, WRITE P.O. BOX 1276, LOMA LINDA, CA 92354

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Investigation of Claims of
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(800) 821-6671

Lehigh Valley Committee Against

Health Fraud, Inc.
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Allentown, PA 18105
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National Association for

Chiropractic Medicine
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Houston, TX 77058
(713) 486-1675

Ocean County Task Force on

Senior Victimization and
Elderly Abuse
1749 Hooper Ave., Suite 101
Toms River, NJ 08753
(201) 255-9300

Quackery Action Council

P.O. Box 1077
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[Chapters are governed by the by-laws of The National Council Against Health Fraud, Inc.; Affiliates share NCAHF's beliefs in science and consumer protection. Consumers may contact any of these organizations for aid.]

The National Council Against Health Fraud, Inc.

NEWSLETTER

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Permit No. 48

SEPTEMBER / OCTOBER, 1988

ELECTION TIME

This mailing contains your ballot for the next term of office for NCAHF board members and officers. As is customary for many nonprofit organizations, NCAHF doesn't hold competitive elections. It is only necessary that a majority of voting members approve a candidate. Please take time to mail in your ballot. NCAHF wishes to thank all of those who have served for past two years.

DR. BARRETT ADDRESSES CHIROPRACTIC GROUP

On June 23, 1988 NCAHF board member Stephen Barrett, MD addressed the House of Delegates of the American Chiropractic Association in Philadelphia. Dr. Barrett's theme was "How your critics perceive you." A copy of Dr. Barrett's 8-page speech and a 3-page response by Leonard Savage, DC, is available from NCAHF for \$1. Please include a double-stamped, business-sized, self-addressed envelope with your prepaid request.

STATUS OF HERBERT VS. AMERICAN QUACK ASSOCIATION ET AL

The defendants have attempted to have the case thrown out of court on jurisdictional grounds claiming they do not do business in Iowa. Plaintiffs have countered with a 150-page document, Prima Facie Showing of Jurisdictional Contacts, establishing that each of them are in fact doing business in that state by virtue of the sale of books and other products (mainly through health food stores) and services of various kinds. Irrefutable evidence that some of the defendants committed perjury when they claimed not to be doing business in Iowa is included in the plaintiff's brief.

NCAHF encourages people to support Dr. Herbert in this important lawsuit. Contributions may be sent to the Herbert Antiquackery Litigation Fund, c/o Michael botts, Esq., P.O. Box 33008, Kansas City, MO 64114.

NCAHF MEMBERS ARE URGED TO ACTIVELY OPPOSE NATUROPATHIC ACCREDITATION

Several NCAHF members have responded to the lead article in the July-August NCAHF Newsletter by writing letters to H. Reed Saunders at the U.S. Department of Education. Some have included naturopathic promotional materials that reveal its pseudoscientific practices. We encourage you to write expressing your feelings on this important matter. If you need more information on naturopathy contact Dr. Jarvis. Send your letters to Mr. H. Reed Saunders, Director; Higher Education Management Services, Mail Stop #3347, United States Department of Education, Washington, D.C. 20202.

FDA APPOINTS NATIONAL HEALTH FRAUD COORDINATOR

To better facilitate efforts against health fraud the FDA has appointed a National Health Fraud Coordinator who will be assigned to the FDA Regional Office in Kansas City, Missouri. It is believed that this arrangement will work with the National Health Fraud Conference which is now an established entity and help to develop a national center for combating quackery.

IOWA DIVISION PLANS NUTRITION MISINFORMATION TELECONFERENCE

Thora J. (Jackie) Runyan, President of the Iowa Council Against Health & Nutrition Fraud, Inc., announces an upcoming televised conference, "Nutrition and Health Issues: Information/Misinformation." The conference, slated for April 13, 1989, 8:30 a.m. to 4:00 p.m. at Iowa State Center in Ames, will feature nationally known speakers Jim Lowell, Johanna Dwyer, Marily Stephenson, and David Costill. After discussing information and misinformation on various diet-related topics--cancer, aging, physical activity and behavior--the four speakers will form a panel moderated by Jackie McCann of the Consumer Protection Division of the Iowa Attorney General's Office. The panel will field questions from the audience attending in Ames as well as viewers phoning in questions from satellite sites.

Applications are being submitted for continuing education units (or equivalent) for physicians, dietitians, nurses, home economists, and others with a professional interest in nutrition fraud. Anyone with access to downlink facilities can host a satellite site and organize a group of viewers. For necessary arrangements, information on fees, or other details contact: Elizabeth Jeska, Conference Coordinator, 114 Scheman Continuing Education Bldg, Iowa State Center, Ames, IA 50011; (515) 294-5063.

MICHIGAN HEALTH COUNCIL TO PUBLISH GUIDELINES ON ADULT WEIGHT LOSS STANDARDS

(This item will probably be repeated in a future issue of the NCAHF Newsletter; it is being presented now for you who struggle with the problem of weight loss quackery.)

In October, 1987, the Michigan Health Council (MHC) assembled a Task Force with representatives from every professional association whose members deal with weight loss, medical centers and universities across the state. The Task Force developed voluntary weight loss standards--including recommendations considered important for effective, optimum weight loss. A four-page summary of these standards is available from NCAHF for the usual \$1 charge.

COMING EVENTS

Following is a partial listing of events at which NCAHF President William Jarvis will speak on health fraud. Members in the areas may wish to attend or make contact with him at these times.

<u>Date</u>	<u>Location</u>	<u>Contact Person</u>
10/27	Lexington, KY	Nancy Tullis 502-454-5174
10/29	Pensacola, FL	Cheryl Barillari 813-253-0541
11 12	Cape Girardeau, MO	Nancy Mattingly 314-651-5550

NUTRITION QUACKERY PREVENTION TASK FORCE WINS AWARD

The Nutrition Quackery Prevention Task Force (NQPTF) which is run by the Nutrition Program of the San Bernardino County Department of Public Health has been selected as the winner of the 1988 Nutrition Action Award by the Potato Board. The prize is \$1,000 to be used in any manner the NQPTF chooses. Congratulations to Carla Bouchard, Robin Nishiwaki and the others who have made the NQPTF a model for other public health programs to emulate. Paula Benedict, a Master's student at Loma Linda University submitted the entry.

DUVALL ATTACKED BY CHIROPRACTIC PUBLICATION

Charles E. DuVall, DC, of Akron, Ohio, has been attacked by the editor of Dynamic Chiropractic (DC) for his outspoken criticisms of the chiropractic guild. The May 15, 1988 issue of DC reprinted an article by Richard Donahue that appeared in the April 4, 1988 edition of the National Underwriter titled "Chiropractor accuses colleagues of quackery." Dr. DuVall is quoted as saying that chiropractors take too many x-rays, overtreat and go outside the boundaries of their discipline. He said that chiropractors do not keep good records and often cannot provide supporting documentation for diagnoses and treatment. DuVall accuses chiropractors of continuing treatment despite the fact that no improvement is occurring. He believes that up to 60 percent of all chiropractic treatment and procedures are done needlessly. DuVall delivered his stinging messages at the sectional meeting on chiropractic at the National Health Fraud Conference in Kansas City this past March. In an editorial titled "Who needs enemies" the DC editor moans the all-too-familiar chiropractic retort that "nobody's perfect" and chastises DuVall for being indiscrete (i.e., blowing the whistle). DuVall also contends that any chiropractor who dogmatically embraces the subluxation theory takes the profession into the realm of quackery.

DuVall serves as a consultant to the a large number of insurance companies helping them in disputes over dubious claims. DuVall is a founding member of the National Association for Chiropractic Medicine and is NACM's Secretary. DuVall is also a member of the NCAHF Task Force on Chiropractic, a contributor to the NCAHF Position Paper on Chiropractic and a candidate for the NCAHF Board of Directors for the upcoming term.

HOW TO COMPLAIN ABOUT THE LATEST DIET RIP-OFF

NCAHF receives a steady flow of obviously false and misleading promotional materials hawking diet pills, potions and plans. We usually make photocopies for our files and send them along to an appropriate agency such as the Federal Trade Commission, Postal Inspector, U.S. Food and Drug Administration regional office, or the State of California's Fraud Unit of the Food & Drug Section of the Department of Health Services. Experience has taught us that the more complaints these agencies receive on a particular product, the more likely the agency is to act--and act quickly (the squeaky wheel gets the grease" is an truism when it comes to combating health fraud) To improve our ability to get regulators to respond we are suggesting that when you come across false and misleading promotional materials that you: (1) compose a letter of complaint; (2) send it with copies of the offending materials to one or more agencies (note these on the bottom of your letter; and (3) send copies of your letter and the offending materials to NCAHF. This will help build the volume of complaints and enable NCAHF to keep abreast of the latest scams. We rely heavily upon members to supply us with quack promotional materials.

RECENT USEFUL RESOURCES

Nutrition Clinics, the series by George F. Stickley Company, has produced some very useful resources for use in countering health misinformation. They are: "Herbal teas: benefits and hazards," August, 1988, and "Nutrition for sport: knowledge, news and nonsense," June, 1988. Cost \$5 each. Order direct from: 210 W. Washington Sq., Philadelphia, PA 19106.

The American Council on Science and Health has updated its report Diet & Coronary Heart Disease, August, 1988. Also, its report Cancer in the United States: Is There An Epidemic, June, 1988. Cost: \$3 and \$2 respectively. Order at: 1995 Broadway (19th floor), New York, 10023.

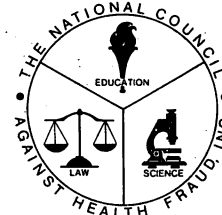
DR. HERBERT ASKS COMMON CAUSE TO INVESTIGATE CONGRESSMAN

In a letter dated July 25, 1988, Dr. Victor Herbert requested that Common Cause investigate U.S. Congressman Guy V. Molinari (R-NY; Staten Island) who has spearheaded the OTA review of IAT to determine what he may be getting out of the promotion of dubious cancer treatments. As is noted in this issue of the NCAHF Newsletter, Molinari's aide, Michael Torrusio is heavily involved in the promotion of the new Hoxsey film and advocacy of what we regard as cancer quackery.

Please send items of possible interest to NCAHF members for The Bulletin Board or to readers of the NCAHF Newsletter to: P.O. Box 1276, Loma Linda, CA 92354. Please provide complete references.

NCAHF NEWSLETTER

QUALITY IN THE HEALTH MARKETPLACE



NOVEMBER / DECEMBER, 1988.

MEMBER SUPPORTED

VOL. 11, NO. 6

HEALTH FOOD TRADE ASSOCIATION ATTEMPTS TO BLOCK ADVERSE REACTIONS REPORTING

Attorneys for the National Nutritional Foods Association (NNFA) filed a citizen petition to end FDA's program of collecting reports of toxicity association with vitamin and mineral use. NNFA contended the FDA's use of its Form 1639 to collect reports of food toxicity violates the Paperwork Reduction Act. NNFA also charged that FDA lacks adequate procedures to deal with information obtained in Form 1639. NNFA also attempted to invoke the so-called Proxmire amendment (Section 411 of FD&C Act) which limits FDA's ability to regulate the potency and composition of vitamin/mineral products.

On October 14, FDA denied NNFA's petition on the basis that the adverse reactions report is information gathering which is not covered by the Paperwork Reduction Act; that FDA has no plans to take action as a result of Form 1639 reports; and, that nothing in the section 411 "requires the agency to close its eyes to vitamin or mineral use that may be the cause of adverse reactions." (*Food Chemical News*, October 24, 1988, pp.14-16.)

COMMENT: NCAHF regards NNFA's action as irresponsible and a flagrant disregard for the public's well-being. Any attempt to prevent a government agency from monitoring products affecting public health and safety is indefensible. It makes us wonder why these tradesmen have the gall to call their industry "health" foods.

WHY QUACKS BEFUZZLE PHYSICIANS

Although some of the nation's most active quackbusters are medical doctors, as a rule physicians do not actively combat quackery. Few medical societies are able to supply someone who is willing and able to confront quackery in a public forum. Just why this is so is described in a most lucid way by Wallace Sampson, MD, a founding board member of NCAHF. Sampson lists eleven reasons why physicians don't fight quackery and offers some practical advice on how these important health professionals can be more proactive. The article, which was the cover story for the October, 1988 issue of *California Physician*, is an exceptionally readable, three-page piece that is suitable for reprinting or distribution by any medical society. It will not only motivate doctors but educate them as well.

THE PSEUDO-TALK SHOW/DOCUMENTARY A NEW FORM OF BROADCAST MEDIA ABUSE

NCAHF has received complaints about radio shows that appear to be talk shows or documentaries, but turn out to be nothing more than full-time commercials for often dubious product lines. This deceptive type of programming is one of the new modus operandi being capitalized upon by quacks. More seriously, they also represent an eroding of the means citizens have of attacking broadcast media abuse. In the past, the Federal Communications Commission (FCC) was intolerant of irresponsible uses of the airways. The reasoning apparently was that the airways belonged to the public and the public's best interest must be served by their use. When services such as private cable television became available, the FCC couldn't argue that such systems deserved the same degree of regulation. This is why pornographic programs not tolerated on public television may be broadcast over private lines. Companies like Herbalife and U.S.A. Products have utilized private cable television to hawk their wares largely through the use of testimonials and programming that resembles televangelistic crusades.

NCAHF has no argument with the nonregulation of private broadcasting, but we object to the new permissiveness that allows such abuse of the public airways. We weren't aware of changes in FCC attitudes, neither do we recall hearing about any opportunity that was given for public comment on proposed changes. An article in the August 8, 1988 issue of *Insight* (a *Washington Post* publication) has enlightened us. The article, which dealt with the fraudulent promotion of diet patches, contained an explanation as to why almost anything goes on today's broadcast media. The article states that "In 1973, the agency issued a policy statement deeming program-length ads a violation of its guidelines that limited the amount of time a station could devote to commercials," but *Insight* states, "in 1984 all that changed. Under the chairmanship of Reagan appointee Mark S. Fowler, the commission took a big step toward deregulating the broadcast industry by abolishing its commercial time restraints and revoking its policy against program-length ads. The free market, the argument went, would prevent overcommercialization of the airwaves."

Fowler offers the old argument that the common man should be free to decide what he wants to listen to. This simplistic view ignores the practical realities. The trouble is that the common man is unlikely to know what it is to which he is listening. The programs are styled in such a way that these broadcasts are indistinguishable from serious newstalk or documentaries. When the print media publishes an advertisement in a newspaper column or editorial format the word "advertisement" appears conspicuously at the top. No such caveats appear on the broadcast media--and even if they did, listeners are apt to miss them if they tune in or out in the middle of the show.

The fact is that a well-informed public is essential to the success of a democracy, and the media has the main responsibility for keeping the public informed. We've already allowed our media to be dominated by the entertainment industry and salesmanship instead of education and enlightenment. Prior to Fowler's foul-up we at least enabled listeners to differentiate between the commercials and program content. Now, without any public warning, the hucksters can buy the whole time-frame and woe be to the unwary listener who still believes there is integrity and ethics in media broadcasting.

We wonder if the indiscriminate deregulators have calculated how long it is supposed to take for the public to "wise up" when they change the rules; or, what the impact upon public well-being is when they turn their ideological "free market" notions into public policy.

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Edited by: William Jarvis, Ph.D., Associate Professor of Preventive Medicine, Department of Preventive Medicine, School of Medicine, Loma Linda University.

PHARMACISTS CHALLENGED TO LIVE UP TO THE PUBLIC'S TRUST

We are pleased to call reader's attention to two outstanding articles, one short and one lengthy, that deal with the promotion of dubious health care products by drugstores, and the inescapable implications such practices have for the pharmacists who are associated with these outlets.

A two-page article by Merlin Nelson, PharmD, defines quackery and then shows that the shoe fits too many pharmacies. Pharmacies sell more questionable dietary supplements than the health foods industry (33% vs 27%). Pharmacists have been found to be less than reliable sources of information for consumers by a Consumers' Union investigation. Dr. Nelson points out that this occurred in the face of the fact that pharmacists are ranked second only to the clergy in terms of honesty and ethical standards by the public--highest of all health care providers! He challenges his colleagues to live up to their public image. Nelson urges pharmacists to think beyond the immediate sale and cultivate long-term loyalty by developing a pharmacist-patient relationship based upon honesty and trust. ("Promotion and selling of unnecessary food

supplements: quackery or ethical pharmacy practice?" American Pharmacy, N28:642-643, October, 1988.)

A nineteen-page article by James O'Donnell, PharmD, titled "Nutrition fraud: vitamins and obesity--pharmacists' responsibilities," (J of Pharmacy Practice, 1:131-149, 1988) describes the problem in greater detail. It provides a definition for vitamins, explains why consumers take them both from research done by FDA and the dubious claims of promoters--most of which are major pharmaceutical companies. Next Dr. O'Donnell reviews the scientific basis for supplementation and some unjustifiable practices such as megavitamin therapy. He reviews the FDA's failed attempt to regulate vitamin/mineral preparations, and the toxic effects of vitamins.

Next O'Donnell tackles the problem of weight control and associated abuses. After providing a primer on the causes and treatment of obesity, he describes some of the popular fad weight reduction diets of recent years and their failings. He then provides a lucid description of legal and scientific aspects of prescription anoretics (appetite suppressants), The use of thyroid, and OTC appetite suppressants (benzocaine

and PPA). Finally, O'Donnell discredits growth hormone releasers ornithine and arginine as they have been falsely promoted for weight loss.

Both articles are very well-written. They can be useful to pharmacists and nonpharmacists alike. Pharmacists will find them both informative and challenging professionally. Those outside the profession will gain in both information about these topics and find words that will enable them to have an enlightened discussion with pharmacists selling dubious supplementers.

THIAMINE SUPPLEMENTS WON'T HELP ALZHEIMER'S PATIENTS

According to the October, 1988 Pharmacist's Letter, researchers have discovered that Alzheimer's patients have a deficiency of thiamine-dependent enzymes in the brain. "But," the publication states "this doesn't mean your patients should be taking thiamine supplements. Thiamine supplements won't help much." They warn that "Families with an Alzheimer's victim will hear about this on the news...Some are willing to grab at almost anything...Advise them that thiamine won't work."

NCAHF'S OPPOSITION TO THE RECOGNITION OF AN ACCREDITATION AGENCY FOR NATUROPATHIC EDUCATION

In the July/August NCAHF Newsletter we stated our opposition to official recognition of an accreditation agency for naturopathic medical education by the U.S. Dept. of Education because we believe that such would create the false illusion that naturopathy is a valid system of healthcare. NCAHF has received some thoughtful comments on this matter from naturopathic proponents, including a personal visit from Dan Labriola, ND, President of the Washington Association of Naturopathic Physicians. Proponents argue that they seek official recognition for the purpose of eliminating practitioners who hold mail-order diplomas. They rightfully state that unless an officially recognized accreditation agency exists, there are no standards whereby they can eliminate "unqualified" practitioners. NCAHF fully appreciates the problem of diploma mills and strongly opposes their existence. However, there is more involved in the matter of qualification to practice medicine than institutional accreditation. The delivery of health care is not a right but a privilege that is granted only to exceptional, well-trained and trustworthy people--just as is the privilege of piloting airliners--because both types of licensees hold the lives of people in their hands. Before recognition of a naturopathic accreditation agency can be justified, satisfactory answers are needed regarding naturopathy's uniqueness, trustworthiness, objectivity, and competence.

Uniqueness?

What is unique about naturopathy? If naturopathy represents a unique and desirable way to practice medicine could established medical schools become accredited and teach it as an area of specialization? Does naturopathy have to be anti-medicine to maintain its uniqueness?

Trustworthiness?

Will naturopaths interfere with patient management by regular physicians? Will they raise unjustified fears of surgery and prescription drugs? Might they possibly delay prompt, life-saving intervention in diseases such as cancer and diabetes. Why do naturopathic schools teach dubious methods such as acupressure, reflexology, homeopathy, and the use of glandular supplements? Does naturopathy officially, as a matter of stated policy, endorse and advance scientifically established public health practices such as fluoridation, immunization, pasteurization and food technology? If organized naturopathy opposes any of these, will opposition be based upon rational scientific arguments and evidence, or philosophical opinions?

Objectivity?

How can anyone be assured that naturopaths will provide health care that has a basis in objective science? Is naturopathy so overwhelmed

and driven by its philosophy that its ability to practice in a scientific manner or engage in objective research is impaired? Do naturopathic schools accept and promulgate the epistemology of science which holds that: (a) nothing is deemed to be safe or effective for a specific purpose (i.e, preventive, diagnostic, prescriptive or therapeutic) until demonstrated to be; (b) unproven methods are to be designated as "experimental"; (c) proponents bear the burden of proof for the usefulness of experimental procedures; (d) patients must be informed when they are being treated with experimental methods; (e) patients are not charged a fee for experimental procedures; (f) experiments be peer reviewed by qualified, objective outside observers; (g) experimental protocols be published to permit replication by others?

Competence?

Are the standards of student acceptance, education, clinical training, licensure and regulation on a par with those of regular medicine? If not, how does naturopathic colleges justify accepting, educating and graduating individuals who are to become licensed, primary health care practitioners according to standards any less demanding than those of a regular physician? Why does naturopathy invade so many established health care fields (e.g., dietetics, physiotherapy, hypnotherapy)? Are graduates as qualified in these fields as the practitioners whose services they duplicate?

The only reason that we can think of that may favor legitimizing naturopathy as an entity separate from regular medicine is that it might offer a system of health care to a segment of society presently alienated from mainstream medicine. Naturopaths might possibly reach such a subgroup with nutrition education, prenatal care, maternal and child care, immunization (we were told that Washington state naturopaths do not oppose immunization), and other health care commonly neglected or perverted. This scenario can only be hoped for until naturopaths demonstrate that they are willing and able to function in such a capacity. NCAHF suggests that since Oregon and Washington already have chosen to legitimize naturopathy, that those two states set standards and demonstrate to the rest of nation that naturopathy can function as a unique health care entity with acceptable standards of science and consumer protection.

[Note: The October 13, 1988, Medical Tribune featured naturopathy in several stories. The information they provided did nothing to allay NCAHF's concerns about naturopathic practices. (Available upon request.)

COMPANIES SUED FOR FALSE HAIR-GROWTH CLAIMS

On October 12, the Upjohn Company filed lawsuits in Federal District Courts in Las Vegas and Reno, Nevada, charging two companies, California Pacific Research and Pantron, with falsely claiming in advertisements that their products, New Generation and The Helsinki Formula, can grow hair or stop hair loss. Upjohn makes and markets Rogaine Topical Solution (active ingredient minoxidil), the first prescription medication to be cleared for marketing by the FDA for the treatment of male pattern baldness. Upjohn cited program-length television commercials designed to look like talk shows which advertise the two nonprescription products. Upjohn Company President, Lawrence C. Hoff, stated in a New York City press conference on October 13 that it had invested considerable time and resources in bring Rogaine to the market and in expanding a new field of scientific inquiry. He continued, "as a matter of self-interest and with a keen sense of responsibility to our shareholders that we intend to defend our investment." (Upjohn Company news release dated October 13, 1988; contact persons: Kaye P. Bennett (616)323-4224 and T.R. Reid (616)323-6198.)

COMMENT: NCAHF finds this action by Upjohn very interesting for several reasons beyond its substance per se. It is the first time, to our knowledge, that a company offering a legitimate product has sued another company promoting an unproven product. This is analogous to a company which markets chemotherapeutic agents suing the promoters of laetrile. The potential of this approach to combating quackery is intriguing! Secondly, it is interesting to us that the reasons given for Upjohn's actions did not include any reference to consumers' interest in permitting worthless products to be promoted in the marketplace. Lastly, it is worth noting that the modus operandi of the defendants is the reprehensible pseudo-talk show format mentioned in another part of this newsletter.

"HEALTH FOODS" CRITIQUE

Editors of the Tufts University Diet & Nutrition Letter paid a visit to three of Boston's most popular health food stores to compare their products with those found in regular supermarkets. The results sound all too familiar and it appears as if little has changed since similar reports were published in the 1970s. So-called "natural" products boasted having "no preservatives" when their supermarket counterparts ordinarily don't have preservatives in the first place. Health foods products were much more expensive and offered nothing that was superior to their conventional counterparts. In fact, some products were judged to be less healthful! For instance, a high-fiber candy bar advertised as "low fat" is higher in fat than a Milky Way and made of palm kernel oil which is almost twice as saturated as lard! The article notes that health food stores aren't the only offenders; supermarkets also have products with "less-than-helpful health claims," and that some desirable specialty products not always available in supermarkets may be found in the health food stores, but "still the message is clear: The fact that the sign over the door says 'health food' is no assurance that the food is indeed healthful." (Tufts University Diet & Nutrition Letter, July, 1988.)

WOW! A THOUSAND BUCKS FOR BEING IN A WEIGHT-LOSS STUDY! (WAIT A MINUTE, HOW CAN THEY DO THAT?)

"We Will Pay You \$1,000" To Lose Weight--If you will help us test our new all natural, safe and effective diet program ("payment made by guaranteed U.S. Government Treasury Bond)" is the headline of an advertisement by Board of Medical Advisors, P.O. Box 50110, Henderson, NV 89016. Payment is made by the Ameridream Corporation of N. Miami Beach, Florida. The program is dubbed "The Ultimate Solution Diet Program."

Sound too good to be true? That's apparently what consumer reporter Kevin Keeshan of KGET-TV Channel 17 of Bakersfield, California thought when he saw such an ad in his local newspaper. He did some investigating and turned to David Lightsey, an exercise physiologist, for aid. Mr. Lightsey, who is NCAHF's Area Network Coordinator for Kern County filed the following report:

"According to Mr. Keeshan's report, the U.S. Government Bond is only worth \$130-\$180 face value and would mature to \$1,000 in about 25 years. To obtain the treasury bond, you must buy two months supply (\$229) and fill out the detailed daily diary prior to qualifying for the bond, which the consumer is not aware of. Product information recommends the use of 500 mg of glucomannan and 5 mg benzocaine prior to each meal. The glucomannan is used as a bulking agent to decrease appetite and no warnings are given as to possible increased flatulence, diarrhea, or G.I. problems. Benzocaine is used to numb the taste buds and decrease the appetite. Benzocaine has been cleared by the FDA (Federal Register, Vol.47, No.39, pg.8474, 1982) as being generally safe and effective for Over-The-Counter weight control at dosages 3-15 mg in gum, lozenges or candy."

"Ameridream recommends in addition to the use of benzocaine and glucomannan, that customers consume only their low calorie shakes, puddings and wafers every other day (3 days/week) and eat normally the remaining four days a week. The total suggested caloric level is 305/day when consuming their products. Ameridream did not recommend seeing a physician prior to going onto their program in the information we received from their offices. However, according to a company spokesperson when questioned concerning this, they state the information sent to customers does recommend consulting a physician. Regardless, we were under the impression...(that) no medical supervision is necessary."

Ameridream provided 103 testimonials and twelve journal articles in support of their program. Testimonials are impossible to evaluate and inappropriate as proof of anything; but the investigators were able to analyze the studies. Only two glucomannan reports were submitted. Neither was representative of the Ameridream program, and one found glucomannan ineffective, leading analysts to wonder why it was submitted in support of its use. Five reports on benzocaine included a round table discussion and three studies done prior to 1960. The remaining "supportive" work included three papers on low calorie diets and a financial incentives paper in which payroll deductions made from subjects' pay checks for three-months were returned if weight loss was successful after six-months. The analysts speculate that this may have inspired Ameridream to use the \$1,000 bond offer idea.

Lightsey and Keeshan criticize the Ameridream program on the basis that:

1. The studies cited are only short-term; it is long-term maintenance problems that obese patients face on any program.
2. Ameridream's program teaches poor eating habits (wafers, shakes, puddings, etc., 3 days/week), and does not teach how to correct dietary habits the other 4 days /week.
3. Research cited and other study done by Stern at U.C. Davis found glucomannan ineffective and the source of G.I. distress (ie, diarrhea, flatulence, etc.).
4. Ameridream does not make it clear enough that a physician should be consulted before going into their program.
5. Some claims are misleading. For instance: "In some cases a loss of up to 5 lbs of fat and fluid in the first 72 ULTIMATE SOLUTION DIET HOURS will not be unusual." Promoters do not tell consumers that it is impossible physiologically for the average person to lose one pound of pure body fat in one day.

INSIDE THE BOGUS DIPLOMAS CIRCUIT

Bogus diplomas is the topic of a 12-page special report by Phi Delta KAPPAN (May, 1988). E. Patrick McQuaid takes readers on a tour of the diploma mill circuit describing his experiences in obtaining several bogus degrees. Most interesting to readers of this newsletter would probably be McQuaid's contacts with T.C. Fry and his "College of Life Science" (also known as the "American College of Health Science") which is the source of Harvey Diamond's--of Fit For Life

fame--credentials. McQuaid's report is one of those amusing but shocking revelations about how scam artists operate. Hopefully, the special report will get the attention of the people who have the power to do something about diploma mill abuses. The Phi Delta KAPPAN is selling reprints of the report in quantities. Call Order Department, (812)339-1156 or write Special Report Reprints, P.O. Box 789, Bloomington, IN 47402. Individual copies may be obtained from NCAHF for \$2.00 postage-paid. Write P.O. Box 1276, Loma Linda, CA 92354.

THE NEW AGE MARKETPLACE

Pat Linse and Al Seckel (members of the Southern California Skeptics) paid a visit to the 1988 Whole Life Expo in southern California to check out the paraphernalia being peddled in the name of "New Age." While some of what is offered, such as subscribing to daily UFO reports, may be merely curiosities, much of what they saw has direct health implications. The brain synchronizer ("Brain Sync Machine" costing \$3700) is clearly a medical device because it claims to alter brain function. Other devices such as the Cosmic Color Wand alleges to "focus energy," that would affect bodily health as did the Amazing Nuclear Receptor (\$90) and the Pyradome (a \$29 pyramid to wear on your head). The Homeopathic Potentializer is a device (\$160) that makes over 15,000 remedies with

distilled water and laminated Star of David cards (25 cents each). Speakers at the Expo included Uri Geller and various self-proclaimed "channelers." This annual carnival of kookiness is one thing that makes the rest of the world believe that California is the looney bin of America. Pat and Al published their report in the May-August, 1988 (Vol.3, No.3) issue of Laser, the SCS's official publication. A copy of their interesting 4-page report is available from NCAHF for \$1 and a SASE.

DISCREDITED "PSYCHIC" MAKES CANCER CLAIMS

Uri Geller, a popular talk show guest of the 1970s, has claimed to possess various paranormal powers including bending spoons and mending broken watches with his mind,

reading minds, flying to faraway places without an airplane, and other equally unbelievable feats. Magician James Randi and others completely discredited Geller (see Randi's book Fim Flam, Prometheus Press, 1982), and even his manager eventually confessed to the fraudulent nature of Geller's performances. Geller dropped from sight for several years, but now has resurfaced in Australia. He claims that he is apparently able to destroy cancer cells in flasks. Geller claims that the head of cancer research in a prestigious medical institute in Europe has "begged" him to come and spend a year. He says he is reluctant to leave his wife, kids and business for that long, but that the prospects of joining the fight against cancer makes this a dilemma for him. Stay tuned! (Sunday Press, Melbourne, July 3, 1988.)

Readers unable to locate articles cited in the Newsletter may obtain free copies from the **NCAHF Resource Center**, 3030 Baltimore, Trinity Lutheran Hospital, Kansas City, MO 64108. Postage and Handling: \$1 members, \$2 nonmembers for each article. Payment must accompany order.

FOR INFORMATION ON JOINING NCAHF, WRITE P.O. BOX 1276, LOMA LINDA, CA 92354

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The National Council Against Health Fraud, Inc.

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NOVEMBER / DECEMBER, 1988

YEAR-END CONTRIBUTIONS

As the end of 1988 approaches you may be considering a tax-deductible donation to a worthy cause. We hope you will remember NCAHF's charitable work when choosing recipients. Helping consumers protect themselves against health fraud is dependent upon people with a social consciousness and desire to help others. This represents the true spirit of giving that the holiday spirit symbolizes. Remember that some employers match or multiply donations by their employees. Contributions to NCAHF are tax-deductible under IRS (501)(c)(3).

1989 NATIONAL HEALTH FRAUD CONFERENCE

Plans are underway to hold the 1989 National Health Fraud Conference in Kansas City, October 1-3. NCAHF will reschedule its annual membership meeting normally held on the second Thursday of February (in accordance with organizational by-laws) to coincide with the conference. The NCAHF Annual Membership meeting will be held on Sunday afternoon, October 1. The NCAHF Board of Directors will meet during the morning.

NEW NCAHF AFFILIATES APPROVED

On October 7, 1988, the NCAHF Board of Directors approved as affiliates the Nutrition Council of Duval County Florida, the North Dakota Nutrition Council and the Greater Dallas-Ft. Worth Area Council Against Health Fraud. NCAHF now has more affiliates than it has space to list them in full. This is regrettable. Members will notice that we now are able to list our Area Network Coordinators in the space gained by deleting the addresses and telephone numbers of affiliates. We are studying ways to supply such information other than using the premium space on our small sized newsletter.

ILLINOIS DIVISION SYMPOSIUM

NCAHF's Illinois Division held a symposium titled "Whom to complain to and what they can do about it" at the Lutheran General Hospital in Parkridge on June 28. Participants included representatives from the FTC, FDA, US Postal Inspector's office, State Attorney General's Office, State Dept. of Public Health and the Chicago Dept. of Health. The panelists explained what their agencies were empowered to do against health fraud, followed by a discussion with 30 quackbuster participants. Division president, Roger Hand, MD, reports that the meeting was a success and hoped that it would lead to increased cooperation between the agencies and private anti-quackery efforts such as those of ICAHF & NCAHF.

MICHIGAN HAS NEW CHAPTER PRESIDENT

Merlin Nelson, PharmD, Assistant Professor of Clinical Pharmacy at Wayne State University in Detroit, and pharmacist at Harbor-Grace Hospital in Detroit. Dr. Nelson has been very active in combating health fraud. In 1986, he represented NCAHF at one of the "Pills vs Foods" conferences headed by the American Dietetic Association. He also was active in a case involving a Michigan teenager with Hodgkins disease that was deceived into opting for a macrobiotic diet instead of effective cancer therapy. An article by Dr. Nelson is cited in the current NCAHF Newsletter.

KENTUCKY HOLDS STATE HEALTH FRAUD CONFERENCE

Thanks to some excellent work on the part of former NCAHF board member Darlene Forester, PhD, RD, and Kentucky Area Network Coordinator Nancy Tullis, RD, and others, a well-planned and attended all-day statewide health fraud conference was held in Lexington on October 27. People from a wide variety of agencies and backgrounds were present. The State Attorney General's Office was one of the primary sponsors. Promotion was so effective that several proponents of quackery were present including the NHF state representative. NCAHF President Jarvis carried most of the program, but other participants included FDA Consumer Affairs Officers from Nashville and Cincinnati, a local TV consumer reporter, two physicians, an RN, an American Cancer Society representative and others. Attorney General Fred Cowan gave the luncheon address. Credit belongs largely to Ashar Tullis for encouraging the previous Attorney General to form a special task force on health fraud. Mr. Cowan continued the task force when he took office.

NOTABLE DEATHS

Dean Burk, 84, retired chief chemist at the National Cancer Institute. Burk aggressively promoted laetrile and collaborated with John Yiamouyannis as a vehement anti-fluoridationist. (SF Chronicle, 10/10/88). Harold Manner, 62, former head of the biology department at Loyola University in Chicago (MMPI Dynamic Chiropractic, 11/1/88). Manner achieved notoriety by claiming to have cured mice of cancer with laetrile. In reality, he had injected proteolytic enzymes into their tumors (ouch--where were the animal rights people when they were needed!). Manner was the subject of a major expose' of cancer quackery by Chicago's WBBM-TV earning the station an NCAHF Consumer Service Award.

NEWSLETTER REVISIONS PLANNED

The board approved proposed changes in the newsletter format. As soon as software becomes available, we plan to go to a six-panel, fold-out 11"x25" newsletter with larger type. We wish to gain a bit more space and, more importantly, make the type larger and more readable. This will increase our costs by about 20%, but no increases in dues or subscription rates are expected.

GIFT SUBSCRIPTIONS

A way to help expand NCAHF's influence and benefit someone you care about is to send them a gift subscription to the NCAHF Newsletter. Subscriptions are only \$15 for a year. Please indicate whether or not you would like recipients to know that you are their benefactor when you send in the subscription.

WANT TO DO MORE ABOUT COMBATING QUACKERY? BECOME A NCAHF AREA NETWORK COORDINATOR

In 1987, NCAHF came up with a method for getting members involved in combating health fraud, misinformation and quackery in their local areas that is simpler than forming a chapter or division--the Area Network Coordinator (ANC). Experience has shown that ANCs can be highly effective. Most attractive is the fact that little time and effort need be spent on administrative tasks permitting volunteers to put their scarce time to more effective use. If you are interested in becoming an ANC, write to the main office of NCAHF for a copy of the flyer entitled, "Alternative to Chapter or Division Organization." Establishing an ANC provides an opportunity for an individual or small group of activists to publicly address local problems, or form a nucleus that could grow into a chapter or division. Members outside of the U.S. may also find this alternative attractive as a means of attracting attention to the problem of quackery in their regions.

COMING EVENTS

Following is a partial listing of events at which NCAHF President Jarvis will appear. Members in these areas may wish to attend or arrange meetings at these times.

<u>Date</u>	<u>Location</u>	<u>Contact Person</u>
1/18	Riverside, CA	C.P. Rowlands (714)686-3342
1/27	Thunder Bay, Ont.	M LaForme-Viik (416)364-8005
2/10	Los Angeles, CA*	G Scott (213)252-7597

*(Asian Pacific Health Fraud Conference)

TASK FORCE COORDINATOR SOUGHT

NCAHF's Task Force on Broadcast Media Abuse is in need of leadership. This important task force deals with abuses of television and radio broadcasting by the promoters of quackery. Someone sensitive to and knowledgeable about the limitations of First Amendment rights and accountability for irresponsible behavior is needed to develop goals and lead out in activism in this arena. Contact NCAHF President William Jarvis.

FLORIDA & MISSOURI HOLD CONFERENCES ON CANCER QUACKERY

The Florida Division of the American Cancer Society and Escambia/Gulf Breeze Units cosponsored a conference on dubious cancer treatment for health care professionals in Pensacola on October 29. Presenters included NCAHF's Jarvis, Lowell and Shapira, "The Amazing" Randi, Barrie Cassileth, and Florida oncologists Ken Monson and Sam LaMonte. The program was well-attended by a variety of participants. No quacks showed up, but it was a dynamic program just the same!

The Southeast Missouri Regional Cancer Center's (at Cape Girardeau) Fall Cancer Symposium included joint presentations by Jarvis and Lowell on November 11 & 12. An evening meeting for the public at which Jarvis presented a slide program titled "Cancer: Boon for Quackery" that shows how the nature of cancer as a disease and how people view it make it a perfect target for quacks. Lowell gave a slide tour and demonstration of periphernalia promoted by in the bizarre conventions and clinics that make up "alternative" quack treatments. The following morning Jarvis & Lowell opened the symposium with a 2 1/2 hour program for oncology professionals. The rest of the two-days involved presentations of clinical interest. This format worked very well to bring out large numbers of professionals who might not otherwise attend a meeting on cancer quackery alone. Make a note! Credit belongs to Dix Morgan, MD, longtime NCAHF member, for making quackery a primary focus in this year's symposium.

BOOK REFUTES ANTI-VEGETARIAN/ANIMAL RIGHTS DISTORTIONS

They Threaten Your Health, by Ernest Verhetsel, is a heavily documented, in-depth analysis of the anti-vegetarian/animal rights (AV/AR) movement today. Verhetsel analyzes eighteen AV/AR books and booklets and finds serious misuses of citations from the biomedical literature among them uniformly. He exposes distortions and then follows them with the correct or full statements from the literature and/or refutations. The book can be ordered from the Nutrition Information Center, 255 N. Granada, Suite 2058, Tucson, AZ 85701; price: \$13.95 postpaid (foreign orders add \$5.00 US).

NCAHF ELECTION

Thanks to all who have voted in the current NCAHF election. Nearly 200 ballots have been received to date and apparently all candidates will be confirmed. New officers and board members will begin serving on December 1, 1988.

Please send items of possible interest to NCAHF members for The Bulletin Board or to readers of the NCAHF Newsletter to: P.O. Box 1276, Loma Linda, CA 92354. Please provide complete references.