
NCAHF

THE BULLETIN BOARD

SEPTEMBER / OCTOBER, 1991

[The Bulletin Board is sent to NCAHF members only. It is intended to stimulate and aid in activism against health fraud, misinformation and quackery at the local, state and national levels.]

VEGETARIAN TIMES DEFAMES NCAHF

In an unmistakable character assassination effort, the health food magazine *Vegetarian Times* (VT's owner also publishes *Let's Live*), published an article by Sharon Bloyd-Peshkin called "The Health Fraud Cops" which was rife with outright lies and distortions clearly designed to misrepresent the true nature and purpose of NCAHF. Drs. Barrett, Herbert, Renner and Jarvis were the targets of the piece. Dr. Elizabeth Whelan of the American Council on Science & Health was also unfairly attacked in the article. Pro-quackery factions are already circulating the article in an attempt to discredit NCAHF. The article is so unfairly done that legal recourse should be an easy matter. However, we are informed that NCAHF will have to show that it was harmed to be paid for damages. It will have to be shown that someone cancelled their subscription to the newsletter, cancelled their membership or decided not to join as a result of reading the lies put forth by Ms. Peshkin. If readers are aware of any such instances, please let us know.

OHIO HEALTH EXPO

William London, EdD, reported attending the Ohio Health Expo, which is a project of John Yiamouyannis, the notorious anti-fluoridationist and his Safe Water Foundation. Participation was light (35-40 in attendance.) Items of interest are Yiamouyannis' 1992 Presidential candidacy (tee hee!), and his stated intention to sue the American Dental Association. He says that he has retained George McAndrews, the attorney who was successful in the chiropractic antitrust suit against the AMA, et al.

McAndrews has become a hero within the world of heterodox health care. This is largely as a result of misrepresentations of facts in the chiropractic antitrust case. The illusion has been established that the AMA was engaged in a secret, unjustified conspiracy against chiropractors for selfish reasons. In reality, the AMA boycott was neither secret, unjustified or selfish. The prohibition against voluntary professional association with anyone who violates the principle that "a physician should practice a method of healing founded on a scientific basis" was openly stated in the AMA's Principles of Medical Ethics. Many believe that the principle never should have been abandoned -- even Judge Getzendanner was critical of the AMA for giving it up for no apparent reason other than on the basis of clever legal advice. The boycott was not unjustified. Chiropractic is as invalid as ever. The only reason some chiropractors are acceptable as health care providers is

because they have abandoned chiropractic subluxation theory and practice rational manipulative therapy. Getzendanner specifically stated that her ruling had no bearing on the validity of chiropractic. Lastly, the boycott was not selfish. The judge found that the AMA had not acted for economic reasons. The case centered around the applicability of the Sherman Antitrust Act to the boycott. The AMA failed to show that its desire to protect the scientific aspects of patient care could not have been accomplished with something less intimidating to its members than an ethical prohibition.

McAndrews lost his case before a jury and was unwilling to pursue the original case after the appellate court overturned the decision. He simply sought an injunction that would assure that no boycott would occur in the future. He got the injunction he sought and then, showing himself more astute at public relations than at law, he began boasting as if he had won the original case. One thing McAndrews did accomplish was to intimidate professional health societies into silence and inaction against chiropractic. Perhaps, Yiamouyannis believes that he can possibly stifle the American Dental Association's support of fluoridation in a similar manner. Or, perhaps, this is just a fund-raising ploy. Fluorophobes are responsive.

NCAHF BOARD MEETING

The NCAHF Board of Directors met at San Diego on Sept. 15. Items of interest to the general membership include:

1. Results of the NCAHF election were announced. All on the ballot were approved by a majority of the voting members, and the new officers and board were seated.
2. The NCAHF Annual Meeting is scheduled for February 9, 1992 at San Diego. A board of directors meeting will follow.
3. Financial reports find NCAHF \$9,015 behind its income for January-August, 1991. This is the most severe deficit we have ever had, but the good news is that NCAHF's income usually increases during the second-half of the year and income has picked up during the third quarter.

Please send items of possible interest to NCAHF members for *The Bulletin Board* or for readers of the *NCAHF Newsletter* to NCAHF, P.O. Box 1276, Loma Linda, CA 92354; FAX 714-824-4838. Provide clear (not FAX) copies suitable for photocopying, and complete references for citation purposes.

MORE ON JUNK SCIENCE IN THE COURTROOM

Peter Huber's excellent article in *Forbes* magazine cited in this issue of the newsletter has a companion piece in *Reason* ("Spiel of Fortune: how bad science wins big judgments") which provides additional information of interest to those interested in the pseudomedicine of clinical ecology. Huber describes the work of Bertram W. Carnow, MD, of the University of Illinois School of Public Health. Carnow is a 1951 medical school graduate who hasn't practiced medicine for 20 years. Huber writes: "He registered for the board certification in internal medicine in 1957, 1958, 1960, 1961, 1962, 1963 and 1964, but withdrew twice and failed 5 times. He has since testified, under oath, that he sat for board certification in internal medicine only once. 'I had completely forgotten' the other tries, Carnow explained in a 1984 UPI story. Today, Carnow heads up Carnow, Conibear & Associates -- the Conibear being Dr. Shirley Conibear, Carnow's fourth wife. (Third, testifies Carnow)." The firm's best-known service is providing expert testimony in cases of alleged environmental illness, the focal disease of the pseudomedical specialty of clinical ecology. Huber also describes other clinical ecology practitioners, including the originator of the theory, Theron Randolph, MD. Not only is Huber's article informative, it is extremely well-written. Most interesting is that the article appears in a libertarian publication. Libertarians, who generally are opposed to government regulation, are treated to some insight into how pseudomedical experts can pervert the system. [Note: an NCAHF board member who is a Libertarian states his belief that regulation of health products and services is essential because the entire populace cannot be expected to possess the specialized knowledge required to recognize quackery, particularly when frightened or desperate.] Most useful is Huber's explanation about how the 1975 Federal Rules of Evidence opened the doors to the testimony of pseudoscientific "experts" by holding the previously recognized *Frye* rule obsolete which required that expert testimony be founded on theories, methods and procedures "generally accepted" a valid among other scientists in the same field.

L-CARNITINE SUPPLEMENTS

An analysis of two 250 mg capsules of L-carnitine found one to be 21.6% less, and the other 38% more, than was stated on the label. Although many who take L-carnitine supplements do not need them, there are people who do require such supplements to enable them to metabolize fatty acids. Many health professionals are encouraging the use of nonprescription L-carnitine on the mistaken assumption that it is equivalent to *Carnitor*, the prescription version. This is just one more problem that has emerged due to the lax regulation of dietary supplements caused by the 1976 Proxmire Amendment. (*F-D-C Reports*, Sept. 2, 1991).

THE FOUNDATION FOR THE ADVANCEMENT OF INNOVATIVE MEDICINE

FAIM is an organization based in Kinderhook, New York. Its members include a number of physicians who have been in legal difficulty (most recently, Warren Levin, MD). Its board of trustees includes Robert Atkins, MD (the diet book doc), Michael Schacter, MD, (the laetrile doctor for the late

Joey Hofbauer), Michael Kurk, MD (promoter of *cholestrolite* an alleged "new 'anti-cholesterol' pill that give no dieting weight-loss" for which he takes full-page newspaper ads). Speakers at their conferences include a large number of the leading purveyors of pseudomedicine in North America. Executive members include Boiron/Borneman (the homeopathic company that funded Benveniste's notorious water-has-a-memory research), Bio-Tech, Livron Vitamin Company, Nutri-West (see "Nutrition' against disease: a close look at a chiropractic seminar," *Nutrition Forum*, April, 1988), and Immuno-Diagnostic Labs. Corporate members include more than a half-dozen more labs and a number of supplement suppliers. What is innovative about FAIM? It is pro-homeopathy, anti-fluoridation, pro-laetrile, anti-consumer protection, *ad infinitum*. FAIM's publication is *Innovation*, edited by Monica Miller.

DISPELLING SUGAR MYTHS

We have stated before that health and nutrition misinformation are fundamental factors in the success of health fraud and quackery, and that holding misbeliefs about sugar may be a significant factor in determining a person's susceptibility to quackery. Useful articles that can help dispel myths about sugar are: "Facts and Myths About Sugar," *Contemporary Nutrition* 16(1):1991, and "Sucrose and unusual childhood behavior," *Nutrition Today*, June, 1991. NCAHF continues to encourage research into how widespread myths about sugar are, and how such deeply-held myths may be able to predict vulnerability to quackery. NCAHF board member Helene Swenerton, PhD, Professor Emeritus at UC Davis' Dept. of Nutrition and original coordinator of the Task Force on Diet & Behavior, continues to monitor this topic as part of her voluntary service.

NCAHF TESTIFIES AT SUPPLEMENT FDA HEARING

John Renner, MD, represented NCAHF at an FDA hearing on the regulation of dietary supplements (DS) in August. NCAHF wants FDA to classify DS into 3 categories: I. vitamins, minerals, trace elements; II. herbal supplements with known pharmacologic activity; III. herbal & food supplements with no known pharmacologic activity. Category I DS should be limited to those proved to be necessary in the human diet. These should adhere to U.S. Pharmacopeia standards. Excluded would be such items as free amino acids because they are not necessary nor normally found in the diet (there is an RDA for protein, but not free amino acids per se). Category II DS should be required to have: (a) dosage-specific information to be included in all product labeling, literature and packaging; (b) warnings of harm from excessive dosage; (c) and, specific, verifiable dosages of all active ingredients. These should be regulated according to existing FDA laws regarding the manufacture and distribution of pharmaceuticals. Category III DS should bear information on their labels, disclaiming the validity of any statements of product efficacy for any health purpose made in the literature of any store or catalog where the product is sold. These should adhere to product standards and regulations designed to assure the purity and safety of food products. NCAHF believes that such standards would help consumers protect themselves without undue intrusion into the health marketplace.