

NCAHF THE BULLETIN BOARD

SEPTEMBER / OCTOBER, 1993

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 & national levels.

NCAHF DIRECTORY UPDATES

New Ohio Division President. Vice-President Charlette Gallagher, PhD, RD, has replaced William London, EdD, as President of the Ohio Council Against Health Fraud. Dr. Gallagher is a nutrition consultant in the Dept of Family Medicine at the Ohio State University. Dr. London is on a one-year sabbatical pursuing an MPH degree at Loma Linda University School of Public Health, and collaborating with Dr. William Jarvis on consumer health education projects.

New Iowa Division Officers. NCAHF's Iowa Council Against Health & Nutrition Fraud has elected new officers for 1993-4; they are: President, Suzanne Hendrich, PhD (Iowa State University); President-Elect, Wayne Bidlack, PhD (Iowa St Univ); Secretary Anne Hintz, MS, RD, LD (Des Moines); Treasurer: Mary Hogan, MS, RD, LD (Ames). Suzanne Hendrich, PhD, ISU 224-B MacKay Hall, Ames, IA 50011; 515-294-4272; 515-233-4251.

Medication Information Service. The Medication Information Service of the Los Angeles Free Clinic under the direction of NCAHF board member Richard Oksas, DPharm, MPH, closed on June 11 due to lack of funding. Medication information may be obtained from *Ask The Pharmacist, Inc.*, at 1-900-420-0275. There is a charge for 900 numbers.

NCAHF Veep Changes Positions. NCAHF Vice-President, Carla Bouchard, MS, RD, who was Nutrition Program Manager at the San Bernardino County Public Health Department (SBCHD) has accepted the position of Nutrition Consultant with Children's Health Services of the California State Department of Health Services in Sacramento. Ms. Bouchard not only changed the tiny Nutrition Program into the largest program in the SBCHD, but she established the Nutrition Quackery Prevention Task Force (NQPTF) which has become a model for the nation. The NPQTF program will continue under the direction of Paula Benedict, MS, RD. Ms. Bouchard will continue to be active with NCAHF.

QUESTIONABLE NURSING PRACTICES TASK FORCE

A task force that will investigate questionable practices by registered nurses has been formed. Members who would like to be considered to serve on the task force should send their resumes to the task force Coordinator, Sharon Fish, RN, 279 Norman Road, Rochester, NY 14623; 716-475-0318.

MONTHLY FRAUD ALERT

The Dallas-Ft. Worth Area Council Against Health Fraud publishes a "Monthly Fraud Alert" column in *The Business Press*. Next to each column are responses to letters received about previous alerts. This is a good way to create awareness and disseminate information. For a sample, write to the DFW-CAHF, P.O. Box 202577, Arlington, TX 76006, 817-792-2000.

CANADIAN AGENCY WATCHDOGS ANIMAL-RIGHTS GROUPS

Partners In Research was established in 1988 to promote biomedical research in all its aspects, including the indispensable use of animals. Its mission is to educate the public about disease control in the past, present and future as it relates to both humankind and animals. PIR programs include a speakers bureau, education, external relations, domestic relations, public relations, and monitoring. Its newsletter is titled *The Partner*. PIR has had charitable status since 1991. Contact: PIR, P.O. Box 192, Station "B", London, Ontario, Canada N6A 4V6; 519-433-7866, Fax: 519-645-8899.

FDA DEFINES "HEALTH FRAUD"

The Compliance Policy Council of FDA approved and sanctioned the following definition of *health fraud*:

The deceptive promotion, advertisement, distribution or sale of articles, intended for human or animal use, that are represented as being effective to diagnose, prevent, cure, treat, or mitigate disease (or other conditions), or provide a beneficial effect on health, but which have not been scientifically proven safe and effective for such purposes. Such practices may be deliberate, or done without adequate knowledge or understanding of the article. (Letter from M.L. Frazier, Director, State Information Branch, 6/18/93)

This definition incorporates *quackery* (ie, the *promotion* of false and unproven health schemes by sincere or deceitful perpetrators) and *fraud* which involves the *intentional perversion of truth for gain*) into a single definition. It is useful in situations where there is no need to prove intent to defraud. Distinctions between the sincere but ignorant quack, and the fraudulent quack are extremely important in our democratic society. Public opinion and the courts are generally quite tolerant of the former, but not of the latter; therefore, the strength of legislative and enforcement efforts often hangs on these perceptions. Anti-quackery activists should make people aware that the harm done by sincere quacks, who foster a cult-like allegiance from their followers, can be much more severe than that done by the con artists who are mainly after money. The public's perception of quackery is crucial in the war against this vicious social menace.

GARY NULL PROFILED

Dr. Stephen Barrett profiled radio-broadcaster Gary Null, a notorious promoter of dubious health methods, in the "Quackwatch" section of *Priorities* (Summer, 1993). Null recently announced the formation of the *Health Resources Council*, a membership organization that will pose as a consumer group dedicated to freedom of choice in medicine. HRC is said to be tax-exempt, but it's newsletter contains an inordinate amount of legislative advocacy pieces for deregulating medicine.

JUNK SCIENCE RULING

The U.S. Supreme Court clarified rules on jurisprudence by charging lower-court judges to become "gatekeepers" who weed out witnesses whose work and ideas are clearly outside science. The case involved Bendectin, a morning-sickness pill for pregnant women, but the ruling is expected to have far-reaching effects. The problem of pseudoscientists passing as expert witnesses was the subject of Peter Huber's *Galileo's Revenge*. The American Medical Association, National Academy of Sciences, and the American Association for the Advancement of Science filed briefs asking the high court to raise standards for expert witnesses. (*Chicago Tribune*, 7/6/93)

CHIRO TRUE BELIEVERS ATTACK IMMUNIZATION

Just when we thought it was safe to go back into the water.... Readers will recall the American Chiropractic Association's endorsement of immunization following the stinging *Wall Street Journal* story on chiropractic mistreatment of children. An excellent article entitled "Why chiropractors should embrace immunization" (May, 1993 *ACA Journal of Chiropractic*.) It took apart all of the anti-immunization arguments chiros have traditionally used. The California Chiropractic Association has proposed emergency regulations that would prohibit chiros from offering "chiropractic manipulation as a substitute for vaccination." Now the wrath of the true-believers is descending upon this progressive position. The themes are the same: chiropractic is not limited to back care or musculoskeletal conditions; it is a full-fledged alternative to medicine. Immunization per se is not the issue, *compulsory* immunization is the issue. It is "health freedom" issue; just as is licensing an alternative health care system founded upon ideology rather than science. Parents should have the freedom to choose chiropractic care for their children's ear infections if they wish. This has been the traditional position of chiropractic at-large, and now we are waiting to see which faction will win the day. The specter of an outspokenly pro-immunization President Clinton presiding over a revolutionary health care delivery system flushed out the progressives and now the fat is in the fire.

A sad but telling story. Tragedy struck on Sept. 10 when Stanley Heard, DC, a Hot Springs, Arkansas, chiropractor, and his pilot were killed in a private plane crash as they traveled home from Washington. Heard, who reportedly met Mr. Clinton in the 1970s over a pinball game, went on to become chairman of the National Chiropractic Health Care Advisory Committee, and was advising the President on health care reform. Curiously, three of Heard's children were barred from school most of the 1983-4 school year because he refused to have them immunized. They were allowed into school the following year after the parents said that their religious beliefs barred immunization. Heard's funeral was held at the Second Baptist Church in Hot Springs, leading many to question whether the Baptist faith prohibits immunizations or if he was buried in a church of another faith?

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 909-824-4838. Provide clear (not fax) copies suitable for photocopying, and complete references for citation purposes.

MEMBERS URGED TO WRITE TO CONGRESS ON SUPPLEMENT REGULATION

Legislators are being bombarded by propaganda by the health food, herbal and supplement industries to exempt them from the basic standards of consumer protection law. The appeal of 100 million voters who take supplements is the lever being manipulated by the public relations people and lobbyists. We urge NCAHF members to write to their representatives. Lawmakers need to be assured that the FDA proposals will not impair the ability of 100 million Americans to obtain vitamin supplements. It will bring the protection to this large population that consumers expect including greater safety and the assurance that irresponsible dietary supplement hucksters will be held accountable for their misdeeds. Americans have always opted for consumer protection when the issues were clear. The health foods industry is muddling the truth in order to gain support for their indefensible position that supplements and herbal medicines be exempt from regulation. Urge your representatives to do what is right by requiring the supplement industry to meet the sound standards consumer protection Americans have come to rely upon.

FDA LISTS FALSE CLAIMS & HAZARDS

The FDA has distributed a 105-page publication, *Unsubstantiated Claims and Documented Health Hazards in the Dietary Supplement Marketplace*, July, 1993, that "demonstrates the pervasiveness of the problem posed by dietary supplements. The report has four sections: (1) a list of more than 500 entries of specific products and unsubstantiated claims currently being made for them; (2) a representative list of recent FDA enforcement actions against dietary supplements; (3) a list of oral representations made for specific products for hypertension, immune system problems, and cancer by employees of stores selling dietary supplements; and, (4) a narrative report describing serious adverse reactions associated with selected ingredients marketed as dietary supplements. Included in the latter are: **Herbals:** chaparral, comfrey, yohimbe, lobelia, germander, willow bark, Jin Bu Huan, stephania, magnolia, Ma huang; **Amino Acids:** L-tryptophan, phenylalanine; **Vitamins & Minerals:** Vitamin A, Vitamin B₆, niacin, selenium; **Other:** germanium. The publication was submitted as part of a report before the Subcommittee on Health and the Environment Committee on Energy and Commerce of the House of Representatives by FDA Commissioner, Dr. David Kessler, on July 29. These are extremely useful documents for anyone interested in the public health problem posed by the dietary supplement industry. We are not certain exactly where copies of the 105-page report or Dr. Kessler's 30-page testimony are available, but we assume that they can be obtained from the FDA Health Fraud Coordinator's office, which is: Heinz Wilm, Division Federal State Relations, 5600 Fishers Lane, Room 1207, Parklawn Building, Rockville, MD 20857; 301-443-3360. NCAHF can supply these as a last resort for \$20, but photocopying and mailing 135-pages stretches our limited office resources quite a bit.

The Autumn meeting of the NCAHF Board of Directors will be held at the Seapoint Hotel in San Diego on Oct 31; 9 am-4 pm.