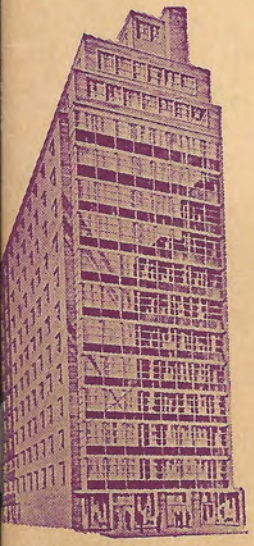
National Health Federation



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CRUSADING FOR HEALTH NUMBER

AMERICANS CRUSADING FOR BETTER HEALTH

Volume VIII — Number 10 **October, 1962**

BULLETIN

Congress Is Interested in You

The following letter is a reproduction of the type of letter being sent to his constituents in Illinois by Senator Everett McKinley Dirksen from that great State. We are publishing it to give our readers a picture of how Senators and Congressmen are responding to the post cards and letters of our readers and members. Congressmen and Senators want to know what their constituents desire.

Dear .....:

Thank you for your communication concerning your deep interest in opposing the proposed revision of the food supplement regulations of the Federal Food, Drug and Cosmetic Act.

I'm looking into the proposals and I believe it is possible that some of the provisions may be unnecessary, and that other provisions need further scientific study by nutritional and health experts, because there appear to be thousands of communications to the Hearing Clerk opposing the proposals, including some from medical schools.

You may rest assured that I will be pleased to request the Commissioner of Food and Drugs to hold a full and complete hearing on the proposals before they are adopted and have the effect of law. Of course, you or your representative will be welcome to attend such a hearing to testify concerning your views on the whole subject matter.

If you or members of your family should come to Washington to attend such a hearing, I wish to assure you that I and my staff would be pleased to have you drop by my office if we can be of assistance to you.

With best wishes,

Everett McKinley Dirksen

IMPORTANT FLASH!

AGAIN—PLEASE TAKE UP YOUR PEN

So much interest and concern has been generated in Congress relative to the proposed changes by the Food and Drug Administration in the regulations pertaining to vitamins, minerals and food supplements that we are asking the F.D.A. to extend the date of hearing on Section 125 for 120 days beyond October 18th, the date now set.

Congress will then again be in session and interested members will be able to attend, or at least keep watch on the F.D.A. exercise of powers that many feel are the prerogative of the Congress.

Please write along the following lines:

Hearing Clerk
Dept. of Health, Education, and Welfare
Room 5440, 330 Independence Avenue, S.W.
Washington 25, D.C.

Dear Sir:

Please extend the date of hearing on Section 125, Food and Drug Act, to at least 120 days beyond the present set date of October 18, 1962. I believe that a date when Congress is in session would, under the circumstances, be most appropriate.

Respectfully yours

.....

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The
NATIONAL HEALTH FEDERATION
BULLETIN
VOLUME VIII — OCTOBER
NUMBER 10 — 1962
Adventures on Health Frontiers
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National Health Federation General Counsel Files Brief With Hearing Clerk

Following is the brief presented by Charles O. Pratt to the Hearing Clerk of the Department of Health, Education, and Welfare on behalf of the members of the Federation and the thousands of others who sent cards or letters to the Congress and the Hearing Clerk. This brief is self-explanatory and answers most of the misstatements put out by the Food and Drug Administration in its endeavor to make Congress and the public believe that its proposed revision will not do that which anyone who can read the English language knows it will and is intended to do, namely: dry up the source of supply of effective vitamin, mineral and food supplements, now available without prescription.

———

Hearing Clerk
Department of Health, Education,
and Welfare
Room 5440
330 Independence Avenue, S.W.
Washington 25, D.C.

Dear Sir:

There are set forth below the views and comments, in quintuplicate, of the National Health Federation, San Francisco, California, regarding the "Notice of Proposal to Revise Regulations," under Section 403 (j) of the Federal Food, Drug, and Cosmetic Act, pertaining to dietary foods or foods for special dietary uses, as published in the **Federal Register** on June 20, 1962; 27F.R.5815 (21CFR Parts 1, 125).

The National Health Federation is composed of representatives of business concerns, professional people and thousands of individuals who are concerned with health matters, including the manufacture, distribution, sale and use of dietary food supplements and foods for special dietary uses, and they have a vital interest in any proposed change in the regulations governing such products.

The Federation believes that everyone should have the freedom of choice in the use of safe health foods.

The Federation is opposed to the proposed changes in the said regulations on the fundamental ground that such changes are not necessary to protect the public health; they will not accomplish the stated purpose of fully informing the purchasers of the products; and the implicit dangers which could result from the changes far outweigh any possible benefits from the proposals; and the present Food, Drug and Cosmetic Act and the applicable regulations are adequate instruments of power and authority to guide and protect the purchasers of foods for special dietary uses.

The National Health Federation here-

(Continued next page)

by requests that a full, open hearing be held in order to afford every interested person an opportunity to be heard and to present arguments and evidence in opposition to the proposed revised regulations.

The Federation reserves the right to file a supplemental memorandum of objections at any time before any final decision on the subject matter.

Specific Objections

The Federation believes that the proposals will not provide label information "necessary in order to fully inform purchasers" of the value of such products for special dietary uses, because the proposals involve prohibitions against disclosure or providing full information to purchasers.

The proposed regulations are not based upon the prohibition of the use of dietary foods because they are dangerous, deleterious or adulterated.

The proposed regulations would be unconstitutional because they would have the effect of telling the American people what they can eat and what they can not eat. It is believed that such attempted legislation by regulation is in violation of the intent of the present federal food and drug laws, and of the Constitution of the United States.

The Federation is opposed to the revisions because, if they become effective, then every manufacturer and distributor of dietary food supplements would be required to make material, but unnecessary, changes in his product, and in the labeling thereof.

Section 125.2 paragraph (b) does not make clear the conditions under which a food must be labeled containing nutrients subject to deterioration or what nutrients are considered stable.

The Federation objects to Section 125.10 which provides:

"(a) If a food purports to be or is represented for special dietary use by man by reason of its providing a particular nutrient or nutrients to supplement the diet, the label shall bear a declaration of only those nutrients recognized by competent authorities as essential and of significant dietary-supplement value in human nutrition and that are present in amounts that are consistent with the nutritional requirements for such nutrients."

The reasons for the objection to Section 125.10 (a) are as follows:

The label could bear a declaration of only those nutrients recognized by competent authorities. This provision is vague and arbitrary. It is vague because who knows what nutrients are now or will be recognized as essential and significant? Who are the competent authorities and who decides how final their decisions are?

The Act under consideration is a criminal Act and as such should be definite and clear to all subject to it. Who knows what is consistent with nutritional requirements for such nutrients; and who knows what are the nutritional requirements?

Section 125.10 (a) is unauthorized because the Congress neither gave, nor intended to give, the Food and Drug Administration the arbitrary authority in the Federal Food, Drug and Cosmetic Act to deny any citizen any nutrient which is not adulterated, deleterious, dangerously unsafe or unhealthy for human consumption. Such a regulation was not contemplated in Section 403 (j) of the Act.

Such a provision raises definite ques-

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tions of constitutionality because the provision creates criminal liability under a vague, indefinite and uncertain set of requirements, and intent is not an element of proof of violation of the said Act.

The reasons for objection to Section 125.10 (b) are as follows:

In this section, only eight named vitamins and four named minerals are considered to be essential and to be present in appropriate amounts, when the recommended intake of the article provides the nutrients within the limited ranges set forth therein.

The foregoing provision is arbitrary and unreasonable because it prohibits and excludes other known nutrients, and even some that have been found to be essential in human nutrition even though the FDA says there is no convincing evidence that the ordinary diet requires supplementation with such nutrients. There is no such thing as an ordinary diet.

There is no nutritional, legal or moral reason why a United States citizen should be denied the right to purchase and consume the nutrients and foods he desires, which are not adulterated, deleterious or dangerous to health.

The Federation objects to the proposals because they would prohibit the United States citizen from supplementing or fortifying his ordinary or usual diet with any vitamin, mineral or other dietary property for which provision is actually made in Section 125.1 definitions and interpretations of terms.

The Federation opposes the provisions of Section 125.11 label statements relating to foods offered as sources of protein because this provision would prohibit giving the consumer any information on the label regarding the quantity or percentage of protein in a food unless it falls within a given rating which is arbitrarily determined by the assumed suggested quantity of food consumed. This provision would defeat the purpose given in the press release in which it was stated that the proposed regulations are designed to provide the consumer with complete and reliable information which will enable him to select and purchase special dietary foods of all kinds.

In this connection, Section 125.10 (c), prohibiting the declaration of those nutrients listed in paragraph (c) of the proposed regulations, is violative of the free speech provisions of the United States Constitution. As stated before, paragraph (c) of this section recognizes that the nutrients mentioned therein are essential; therefore, a manufacturer should have the right to tell the consumer what is in his product on the label of the package and to make truthful statements relative thereto.

The daily requirement figures for vitamins in Section 125.3 and the daily requirement figures for minerals in subparagraph (b) of Section 125.4 have not been scientifically established. They do not agree with the daily allowance figure of the National Research Council, whose figures are widely accepted by scientists and nutritional experts.

The substitution of the provision for "daily requirements" of vitamins and minerals in place of, and instead of, the provision in the present regulations for the "minimum daily requirement" is not nutritionally or scientifically sound, and is arbitrary, unreasonable and without proven foundation. Whereas a minimum daily requirement could be established for the average person, it would be impossible to establish a daily requirement for the individual, due to widely varying needs of each person under varying conditions and circumstances.

The Federation is opposed to the adoption of each and every proposed revision of the food regulations, whether precisely mentioned herein or not, because the def-

(Continued next page)

initions and interpretations are so broad, comprehensive, ambiguous, and confusing; and there is no reliable evidence that the present regulations for the enforcement of the provisions relating to foods for special dietary uses are not adequate in view of the court victories throughout the country for alleged violations of the food supplement provisions of the Act under discussion.

Since violation of the regulations is a criminal offense, such regulations should be clarified so that a person could readily and reasonably ascertain whether he is subject to the regulation.

The effect of the proposed revisions of the food supplement regulations could be:

1. To deny the consumer valuable vitamins and minerals at a reasonable price; and

2. To establish a drug monopoly of food supplements or foods for special dietary uses, and thereby establish prohibitive and shocking prices for these foods; and

3. To destroy the dietary food supplement business and greatly harm the health food store business; and

4. The over-all effect could be unlawful in that neither a governmental agency nor Congress can lawfully legislate control of the diet of the American people, except to prevent harm by the sale in interstate commerce of deleterious, dangerous, adulterated, misbranded foods, or economic fraud.

The foregoing proposals are not based upon the protection of the American peoples' diet.

The National Health Federation is also opposed to false and misleading therapeutic claims for food supplements; but believes that the Food and Drug Administration has demonstrated adequate authority to deal with such misbranding in the Courts and to eliminate any so-called nutritional quackery.

The public is adequately protected, and no major overhaul or changes are needed. However, if any changes in the food supplement regulations are actually necessary to protect the public health from fraud, dangerous, deleterious or adulterated food supplements; then, in that event, any such changes should be made only by an Act of Congress, after a full hearing before the appropriate Committee of Congress.

CONCLUSION

The National Health Federation hereby repeats its studied opposition to any and all of the proposed revisions of the food supplement regulations for the reasons set forth above; and

The National Health Federation hereby respectfully requests and demands a full and open hearing by the Commissioner of Food and Drugs, pursuant to the provisions of 21 U.S.C. 371, for the purpose of submitting evidence and testimony pertinent to the proposed revisions of the regulations for food supplements; and further requests an opportunity to examine witnesses who may testify in support of the proposals.

Respectfully submitted,
National Health Federation
709 Mission Street,
San Francisco 3, California

By:
Charles O. Pratt, Esquire
Washington Counsel

Editor's Note: The National Health Federation is on the job. We thank each and every one of you who co-operated in this task and also thank those who sent in donations to help pay the expense of this most important activity. We still need funds to replace money already expended, and when our attorney prepares to participate in the hearing proper, more funds will be needed for the preparation and presentation of legal and scientific arguments, etc.

California Cancer Council Report Fails to Comply With Law

Dear Mr. Hart:

At your request, I reviewed the Report of the Cancer Advisory Council on the Hoxsey treatment for internal cancer on file with the California Department of Public Health. It is quite voluminous, but, in my opinion, fails to comply with the statute in at least two important and essential respects. Without such compliance, the Report is not entitled to any valid standing.

First, the statute authorizes "investigation and testing of the content, method of preparation, **efficacy,** or use of drugs, medicines, compounds, or devices proposed to be used, or used, by any individual. . . . "for the diagnosis, treatment, or cure of cancer." **Therefore, a method of cancer treatment comes within the jurisdiction of the Department of Public Health only if it is used or to be used by an identified person.**

The statute does not authorize investigation of the Hoxsey treatment as such. It authorizes investigation of remedies used by practitioners and proceedings against the latter. The proceedings recorded in the Report in question gave the distinct impression of being aimed at the so-called Hoxsey remedy first, and certain practitioners alleged to be using the indicted remedy, second. A number of such respondents were named. **The statute authorizes a "cease and desist" order against any individual prohibiting the use by that individual of a "drug, medicine, compound or device used by him which has been investigated and found to be of no value." Its authorization does not go beyond that.**

Second, **and this is the most critical failure in compliance, the statute contemplates an experimental investigation or testing before any official conclusion is reached.** Obviously, there was no such actual investigation or testing under the jurisdiction of the State Department of Public Health. The only asserted investigations were those claimed to have been carried out in connection with court proceedings in Texas years before the California Council was created. There is no showing that such investigations as there were fulfilled the requirements of the California statute or were made under its auspices. **The efficacy of the remedy was not tested in any accepted clinical fashion.** The indictment is against the "Hoxsey method of treatment of cancer, and all the ingredients of which it is composed; to wit: potassium iodide, lactated pepsin, red clover blossoms, cascara sagrada, licorice, burdock root, stillingia root, berberis root, poke root, echinacea root, prickly ash bark and buckthorn bark, whether singly or in any combination." **This report makes no pretense of recording any actual testing to support the indictment.** It states that "results of actual experimental testing of the Hoxsey remedy" were available but the Report does not include such a record. It does refer to the court testimony of a medical witness concerning the use of potassium as a medicine which found the substance ineffective and harmful in some ways. **Potassium iodide, which "Encyclopaedia Britannica" says is useful in treating cancer of the thyroid, was not touched upon.** It is common knowledge that dangerous and poisonous substances can be combined to produce harmless and useful products. Sodium chloride is a good example. **It seems rather obvious that the substances condemned were never given any efficacy test, either singly or in any combination.**

(Continued next page)

The time factor alone would refute any such contention.

Boiled down, **the Report seems to be based entirely on medical opinion and not necessarily a consensus of that.** In my opinion, the statute requires more than that.

Yours sincerely,
Edson Abel, Attorney for NHF

Editor's Note: The foregoing legal opinion justifies the statements contained in the following letter to Malcolm H. Merrill, M.D. as head of the State Department of Public Health. This letter was mailed to Doctor Merrill on August 27, 1962, prior to the hearing held at Berkeley, California, on August 29.

Dear Doctor Merrill:

Our General Counsel, after a study of the Report of the Cancer Council, is of the opinion the report is not in conformity with provisions of the Cancer Control Act, and thus that the Department of Public Health's proposed regulations are not in compliance with the intent and purpose of said legislative Act.

Accordingly, we have requested our General Counsel to prepare a letter setting forth his opinions from a legal standpoint.

When this has been completed, we would like to be granted the right and privilege of filing same with your Department with the understanding that it will be made a part of the record.

Sincerely,
Fred J. Hart, President
National Health Federation

Editor's Note continued: The National Health Federation is very much interested in the abolition of all types of cancer quackery and will co-operate with the State Department of Public Health in all its endeavors to that end, so long as they are impartial, legal, and for the best interest of the cancer patient. By the same token, the Federation will go to law if necessary to prevent the State Department of Public Health from using illegal actions or tactics in suppressing remedies that a legitimate doctor may, within the scope of his licence to practice, feel will be beneficial to a patient, even though the patient may have cancer or be suspected of having this disease, provided in all cases that such is in keeping with the will of the patient. The United States Court of Appeals has stated: "The individual has the (constitutional) right of a reasonable choice in the method of the treatment of his ills and the practitioner the corollary right to practice a useful profession."

Hoxsey-Medication Doctors Cleared in Cancer Trial

Four men charged with bilking patients out of $1 million in a cancer cure clinic stand cleared today by the decision of a Superior Court judge.

Judge J. Howard Zieman returned an acquittal verdict for Charles Lyle Hawk, 78, of 5433 Alta Canada Rd., La Canada, and Willoughby W. Sherwood, 83, of 13338 Amherst Ave., both medical doctors; Roy W. DeWelles, 55-year-old chiropractor of 2177 Live Oak Dr., and Forrest S. Schickendanz, 40, of 1017 N. Gilbert St.

Judge Zieman based his decision on the transcript of a three-months trial which ended with a hung jury last April 3. The defendants were charged with seven counts of conspiracy and grand theft in giving assertedly worthless "cancer cure" treatments in a clinic at 5625 Melrose Ave. From **Los Angeles Herald-Examiner,** August 18, 1962.

New Hoxsey Ban Hearing

State officials, who heard testimony in Los Angeles from staunch supporters of the Hoxsey method of cancer treatment, will hold another public hearing next Wednesday in Berkeley before beginning

(Continued next page)

enforcement of a ban on use of the treatment.

More than 200 wildly cheering and applauding backers of the Hoxsey system jammed the new State Building Auditorium here yesterday to demonstrate their support for the Hoxsey system.

Tell Cures

Shrieking, stamping and handclapping Hoxsey supporters paraded a succession of witnesses before the **State Board of Public Health to denounce recommendations by the Governor's Cancer Advisory Council that practice of the Hoxsey "cure" be made illegal.**

As the stormy session progressed, witness after witness came to the microphone to **tell board representatives of miraculous cures they had found through the Hoxsey program.**

Henry Stephens, 208 N. Catalina Ave., Redondo Beach, **said his wife, Judy, had suffered from cancer of the lower eyelid and jugular vein and was cured by the Hoxsey method after two months of treatment.**

The Hoxsey treatment, in use since 1929, involves oral or intravenous dosage of a liquid made up of potassium iodide, lactated pepsin, red clover blossoms, cascara sagrada, licorice, burdock root, stillinjia root, berberis root, prickly ash bark, and buckthorn bark.

In a report to the Board, the Cancer Advisory Council found the Hoxsey method to be of "no value whatsoever" in cancer therapy.

Recommends Ban

The council recommended that the public refrain from taking Hoxsey treatments and suggested that such therapy be prohibited by law.

In a proposed regulation which would outlaw the Hoxsey method, the State Department of Public Health has suggested that medical practitioners using the Hoxsey method be ordered to cease such treatment and to make no representations that the therapy will help or cure cancer. From **Los Angeles Herald-Examiner,** August 23, 1962.

CANCER CURE SUPPORT

A half-dozen elderly women and a Los Angeles medical practitioner gave the controversial "Hoxsey" treatment — a combination of roots, herbs, buckthorn bark, and red clover blossoms—a clean bill of health yesterday as a cancer cure.

Testifying in Berkeley before examiners of the State Board of Health, Dr. Francis Altig, D.O., and the six elderly Hoxsey proponents, claimed the treatment was beneficial both as a cure and treatment of cancer.

The witnesses also submitted a plea, begging the Board of Health not to outlaw the treatment, which the board already is seeking to do away with as a non-beneficial cancer treatment.

The examiners, Dr. Hamlet C. Pulley and Kenneth F. Ernst, continued the hearing until September 21, when they will take additional testimony in Los Angeles.

No witness appeared against the controversial cure. From **San Francisco Examiner,** August 30, 1962.

To do our job as it should be done we must have more members. Why not give a membership for Christmas? Such a gift will be twice blessed.

BIBLE—"NEVER USE IT"

A little boy was turning over the leaves of a dusty family Bible when he asked his mother: "Is this God's book?"

"Yes."

"Why, then, hadn't we better send it back to God? We never use it."

You Do Not Have to Be Vaccinated, If?

The following is official and was taken from the minutes of the congressional hearings on the Mass Immunization bill. We publish this information because so many of our members desire to go abroad but do not want to be vaccinated. We quote:

"Dr. Stokes, I want to commend you for your very clear and fine presentation.

"While I am not a member of the Christian Scientist Church, I have great respect and honor for their beliefs and their positions.

"May I say that, perhaps, and I honestly regret this is so because I am sure such trips are helpful, I am one of the few members of Congress who have not traveled outside of the United States or made application for a passport or permit or visa or anything of that nature, but I understand that, in order to travel outside of the United States and then return to the United States, you must have certain shots of one kind or another in order to re-enter the United States after being in some certain areas of the world where certain diseases are likely to be contracted.

"What does the Christian Science Church do in instances like that?"

Dr. Stokes. "That is a very good question, Mr. Schenck.

"In this matter the Public Health Service has been most co-operative. As you know, there is a provision in the law that any traveler, going abroad, can return to the United States and come in without submitting to smallpox vaccinations in the event he comes from an area where there has been no smallpox reported for two weeks.

"In the event that there has been a smallpox epidemic in a particular country from which he is returning, he may choose to come in under surveillance, which is not, in any way, objectionable, except that the public officials at the quarantine station will state that you must be isolated if you come from a smallpox area, and report to the Public Health officials within a certain number of days in the event there is an outbreak on the body.

"Now, for the Christian Scientist, when we have returned from the Continent or any part of the world, upon presentation of proof that we are Christian Scientists, and rely solely upon prayer and spiritual means alone for healing, the public officials have allowed us to come in without submitting to immunization, provided we indicate that we will be agreeable to report any physical outbreak after arrival.

"Now, this applies not only to Christian Scientists, but to Presbyterians, Lutherans, Catholics, Jewish people, and so forth, as well. In fact, anyone can come into the country under this regulation because, as you gentlemen do know, there are many people who cannot submit to vaccination because of chemicalization and other reasons. We are protected in this manner, Mr. Schenck."

Mr. Schenck. "Thank you. Thank you, Mr. Chairman."

The Chairman. "Mr. Moss? Mr. Younger?"

Mr. Younger. "No questions. But I want you to know, Dr. Stokes, I thoroughly agree with your program. I am not one of those who thinks the Federal Government is so all-powerful and all-knowing that we can prescribe for everybody."

Dr. Stokes. "Thank you, Mr. Younger."

Tact is the ability to make a point without making an enemy.—Notebook of a Printer.

HUMAN BEINGS GUINEA PIGS

WASHINGTON (UPI)—The National Health Federation charged Wednesday that thousands of Americans have been used as "involuntary human guinea pigs" for testing experimental drugs.

The Federation, a private nonprofit group with headquarters in San Francisco, said many doctors throughout the country have given patients experimental drugs, including baby-deforming thalidomide, without telling them.

The organization urged the House Commerce Committee to adopt an amendment to President Kennedy's proposed drug control bill which would require doctors to obtain the written consent of patients before administering experimental medicines.

Endorse Proposal

Rep. Samuel N. Friedel (D-Md.), a member of the committee, promised to propose such an amendment. Rep. John E. Moss (D-Cal.) also endorsed the idea.

Earlier, the AFL-CIO said delay in enacting the drug bill would be "cruel and inhuman."

The health federation, which claims more than 10,000 members, was founded in 1955 to promote more freedom of choice in matters of health. During recent congressional consideration of legislation for a mass vaccination testing program, it championed and won approval of a clause making individual participation voluntary.

'Dangerous Experiments'

A federation spokesman, Clinton R. Miller, told the House committee Wednesday, "The fact is dawning on Americans that they have and are being subjected to extremely hazardous and dangerous medical experiments . . . without their knowledge or consent. This is increasing on a vast scale, unprecedented in history.

"Furthermore," he said, "there is nothing in this bill to recognize, prevent or correct this situation.

"No person should be denied the right to know that he is participating as a human guinea pig in a medical experiment, and that he is taking an experimental drug with unknown side effects," Miller said.

Andrew J. Biemiller, the AFL-CIO's specialist on legislation, told the committee that the House version of Mr. Kennedy's drug proposals was "seriously defective" in sections designed to drive prices down. From **Los Angeles Times,** August 23, 1962.

Editor's Note: This United Press release was carried in newspapers across the country and is a graphic illustration of the growing value and prestige of the National Health Federation as the voice of the public in matters relating to health.

HOW TO PLANT YOUR GARDEN

FIRST: Plant five rows of Peas . . .
- Preparedness
- Promptness
- Perseverance
- Politeness
- Prayer

NEXT TO THEM: Plant three rows of Squash . . .
- Squash gossip
- Squash criticism
- Squash indifference

THEN, Five rows of Lettuce . . .
- Let us be faithful
- Let us be unselfish
- Let us be loyal
- Let us love one another
- Let us be truthful

NO GARDEN IS COMPLETE without Turnip . . .
- Turn up for church
- Turn up with smiles
- Turn up with real determination.—Selected.

NHF Annual Meeting and Convention Long Beach, Calif., January 2, 3, 4 & 5, 1963

It is very important that we have a record attendance at the eighth annual meeting of the National Health Federation. At this meeting the members will be called upon to make decisions which in the last analysis will have a lasting effect upon future generations. Circumstances placed the Federation in the place of leadership for all Americans who are opposed to a medical and drug monopoly and who believe in freedom of choice in matters relating to health.

The drug monopoly has declared war on all approaches to health which are not in accord with the medical and/or drug approach. The Federation is the only national organization so organized and prepared that it can face up to this challenge as the voice of the people. It must not, and will not, fail America in this hour of decision.

The program which will be presented to the Federation at the annual meeting, for consideration, revision and/or approval, will be somewhat as follows:

1. Double the present membership.
2. Employ sufficient help to adequately staff the Federation to enable it to carry out whatever program is approved.
3. Officially launch a nationwide youth movement, similar in many ways to the 4H Club movement, but with emphasis on the natural approach to health, mental, moral and physical.
4. Establish a Legal Department and embark on an aggressive campaign to halt monopoly in the field of health and protect those doctors, firms and individuals who are honestly and fearlessly attempting to serve the public in the broad field of health.
5. Adopt a sound, constructive legislative program as a guide to the Federation officers, in relation to its educational, legislative and public relations activities.
6. Consider the establishment of a health speakers bureau, to provide properly trained and equipped speakers who know and believe in the natural approaches to health and who have nothing to sell but health and health freedom.

The program will be the strongest and best the Federation has ever presented. Already we have engaged such speakers as Frederick B. Exner, M.D. of Seattle, the foremost authority on fluoridation, its evils, etc. in the United States. W. Walters, M.D. will speak on the subject of chemotherapy. Dr. Walters is a leader in this field, has the courage of his convictions and is a firm believer in the theory that a doctor should use all approaches to health, with heavy emphasis on nutrition and natural methods, in his endeavors to restore a person to health. He is also a firm believer in the theory that a doctor should endeavor always to teach his patient how to eat, think and live, so that he will keep his body, mind and soul in a good state of health. Linda Clark, author of the book, "Stay Young Longer," will also be on the program.

This lady is not only an interesting speaker, but a courageous person and well versed in the subject of health and vitality. Those who hear her will be thrilled, enlightened and inspired. Dr. Royal Lee, whom most of you know and love, will be there, as will Dr. Tuckey, whose practical and down-to-earth talks on health have always been the most popular of all talks given at Federation conventions. Betty Morales and her associates will again handle the two-hour nutrition section of the convention, which at San Diego proved so popular and beneficial.

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Family Circle

By FRED J. HART

In the last issue of the **Bulletin,** in listing the names of legislators who were very co-operative with the Federation at Washington, the name of Congressman Younger was listed, but the printer failed to add the last two letters of his name, and thus it appeared as Young, instead of Younger as it should have been. We are sorry for this mistake, for Congressman Younger of San Mateo County, California is everything a Congressman ought to be and a great believer in the rights of the people.

N.H.F. Food and Drug Brief

On another page of this issue of the **Bulletin** you will find the complete brief of the National Health Federation, as prepared and filed by the Federation's General Counsel, Charles O. Pratt. This brief will give you a detailed answer to all the many misleading statements of the Food and Drug Administration as it tries to mislead the Senators and Congressmen regarding its intentions in trying to amend the Food and Drug regulations regarding vitamins, minerals and food supplements. We feel sure that Congressmen and Senators who have taken the time to consider this matter will see through such spurious statements. We do know this: because of the hundreds of thousands of letters and cards which have been sent to Congressmen and Senators, the Food and Drug Administration will be compelled to hold a fair and impartial hearing and will have to be sure that whatever changes are made in regulations will be well supported by the evidence presented at the hearing. This is as it should be, and we are also sure that the vast majority of those employed in the Food and Drug department of H.E.W. want regulations that are fair and honest.

What Price Leadership?

History teaches that all who lead out for the truth will suffer persecution—will be ridiculed, lied about, and many times prosecuted. This is true of every field of endeavor. It is especially true of the fields of religion and health. The truth always cuts the ground from under those who profit from things that are untrue and evil. So it is with the leadership of the National Health Federation, and so it will continue to be as long as the Federation stands foursquare for the rights of the people. The Good Book says, "If they have persecuted me they will persecute you also." The Good Book also admonishes that such persecution should come because our deeds are good and not evil. Every member of the Federation who believes in prayer should pray daily for our leaders, that they may lead in doing only that which is good and right, and that they may have courage and health to carry on in the face of ridicule, persecution and even prosecution.

We all need to pray also that our membership and members of Congress be given the power of discernment, to the end that they may see through the falsehoods and misleading statements being spread abroad through the press, radio and other news releases and finally that the actions taken by the Federation may be without bias and in the interests of the general public.

Are You Opposed to Vaccination?

If you are opposed to vaccination you

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The foregoing are but a few of the many fine speakers, such as Dr. Jensen, Clinton Miller, Charles Orlando Pratt, Dr. George Nilson, and others, who will address the convention. The entire program will appear in the November issue of the **Bulletin.** Plan now to attend.

should have for your files a copy of the House hearing on the "mass inoculation" bill, H.R. 10541. It has a great deal of valuable information on this subject, especially on the Salk vaccine. The Federation has about 200 of these left. While they last they can be had for $1.00 each. There is a total of 132 pages. Order direct from the Federation at 709 Mission Street, San Francisco 3, California.

We Are Moving

Please take note. The Federation is moving to 211 West Colorado, Monrovia, California, on October 15. After that date our address will be as above. Until that date please send all mail to the Federation at 709 Mission Street, San Francisco. After that date please use the new address. We emphasise this because some have already started to send mail to the new address.

Some Folks Are in a Quandary

In all walks of life there are always some who will sell their own and the people's birthright for a mess of immediate political or economic pottage. This is true with the issue regarding Food and Drug changes. Some do this because they are ignorant of the facts and some do it for economic gain. This is everyone's right. The reason for this item is that some of our members are confused because of conflicting statements that have been made to them. In such cases we feel that each person should examine the background and business experience of the individual or firm making such statements in an honest attempt to make the right decision as to what to do.

The National Health Federation, after consultation with attorneys and leaders in the health food industry, decided on its present program as the proper one to follow, if the natural approaches to health were to be maintained. Those consulted are experienced in these matters and we believe their advice to be sound and constructive. The Federation has no political or economic axes to grind and its only purpose is to help its members protect their rights and health. We do not ask our members to blindly follow our leadership, but we do ask them to weigh this matter carefully and then do as their common sense and health interests dictate.

This Campaign Costs Money

We want to thank all of our members and friends who, realizing that this campaign in connection with the Food and Drug regulation amendment costs money, have sent in contributions to help defray this extra financial burden. We need more contributions. This is the hour of decision, for regardless of what officials of the Food and Drug Administration write or say to the contrary, back of this amendment is the desire of certain interests to dry up the source of supply of vitamins, minerals and food supplements, except as they can be secured through drugstores and by prescription. It is quite silly for a Food and Drug official to try to hide this purpose behind a statement to Senators and Congressmen that ". . . this amendment will not injure the health food stores, because the amendment will not prevent them from saying that oranges have vitamin C."

The National Health Federation intends to carry this matter to a final and just conclusion, even if it means taking the matter to Congress and/or to the Supreme Court of these United States. The future health of Americans is at stake, as well as the liberty and freedom of choice of our children and their children's children. If you believe as we do in this matter, please give consideration to the finances needed by the Federation to carry its program to a successful and fair conclusion.

Thanks to Kansas City Federation

Our hearts were made happy as we looked over our mail when we found a

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letter from F. J. Lewis, Treasurer of the National Health Federation of Greater Kansas City. The letter contained the news that the chapter had just concluded a rummage sale, and enclosed a check for $70 to help with the work of the Federation. The letter also stated that another such sale was in the planning stage. Health-minded organizations, whether affiliated with the Federation or not, could well follow the example of this chapter and that of the Escondido, California chapter in holding such sales as a means of raising funds to help pay the expenses of the Federation's great crusade for health freedom for all people.

Life Memberships

These continue to come in, but at a much slower rate than is needed if we are to be able to properly finance next year's program. If you did not read our personal letter to you in the September issue, please do so at once. I stated in that letter, and I restate it here: "It is imperative that we secure our 300 quota of life members at $100 each, if the Federation is to be properly staffed to move forward with the tremendous program which lies ahead." I also stated: "I will be happy to continue as the leader of the Federation as long as it is the desire of the membership, but to continue to do so I must have sufficient and able help to carry more and more of the load of work that has fallen to my lot during the past seven years." That is the substance of the matter. So please pray over the matter and then do as the Lord leads you. It is a real burden to me, as your President, to have to curtail portions of the Federation's program, fail to respond to appeals for help in setting up chapters and/or getting new members, answering letters from our members, writing letters to public officials, attending vital meetings and hearings, because of lack of funds to have sufficient help and finances to do these important things.

N.H.F.—The People's Hope

I firmly believe that this latest move of the Food and Drug Administration has focused the public's attention on what is being done to the public by the medical, drug and food interests, and the results that will follow unless the public supports an organized effort to counteract it. As a result, the Federation has automatically become the organization through which the public can take whatever steps are necessary to protect its interests as such are related to health.

This could well be the day for which the organization was called into being by an all-wise Creator. This is a day of decision. The Federation must not fail to accept this responsibility of leadership. The National Health Federation belongs to you, "its members." It must always remain so and it always will if you support it with your prayers, work and gifts. I account it a rare privilege to be working together with you in this great crusade for health rights and freedom.

Please Consider the Following

Food and Drug Administration officials, by and large, are honest and dedicated men. This does not mean that because of background, education and ignorance of the people's viewpoint, they may not be mistaken in their conclusions and subsequent actions. As good public servants they do want, and should want, to have members of the public keep them advised of their needs and desires. This has been demonstrated by their granting an additional 60 days' time in which to hear from the public as to their wishes in this matter of amending the food and drug regulations in relation to vitamins, minerals and food supplements. It is unfortunate that one of the top officials has appeared to resent the Federation's attempt to further the Food and Drug Administration's desire to hear from the public on this important matter by writing letters to the new secretary of H.E.W.

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and to others, the expressed purport of which was to blacken the characters of the leaders of the Federation. This, we state, is the work of one official, and should not be held against the others, unless and until they do likewise.

Nothing in the Federation's program is contrary to the best interests of the public, and certainly not at variance with the true purposes of the Food and Drug law. Thus, honest officials of that department of government should work with the Federation to accomplish the true purposes of the Food and Drug law. Certain it is that all honest officials of that department should welcome the Federation's interest and help in the rooting out of the Doctor Welches, the honoring of such persons as Dr. Moulton and Dr. Kelsey, and/or all other such actions of the Federation as will help to eliminate unfaithful employees and greatly offset the pressures which may from time to time be exerted on employees of the department by economic or political interests and also lend moral support to employees who faithfully carry out their duties. Certain it is that honest officials of the FDA should not resent the Federation's program of assisting the department in honest, efficient and impartial enforcement of all laws and regulations which have as their end the true purpose of the Food and Drug laws, which, in a nutshell, IS THE PROTECTION OF THE PUBLIC AGAINST UNFIT, ADULTERATED AND DANGEROUS FOODS AND DRUGS. NOTHING MORE AND NOTHING LESS.

"How kind of you," said the girl, "to bring me those lovely flowers. They are so beautiful and fresh. I believe there is some dew on them yet."

"Yes," stammered the young man, "but I am going to pay it off tomorrow."

The Scotchman sent an indignant letter to the editor of the newspaper. He said that if any more stories about stingy Scotchmen appeared in the columns, he was going to stop borrowing the paper.

Californians, Attention!

Proposition No. 22

on the November ballot is a referendum to amend the **Osteopathic Initiative Act of 1922.**

The people of California created this act to stop the harassment of osteopathic physicians by political medicine and to allow these doctors to practice to the limit of their abilities.

Passage of Proposition No. 22 would:

- Prevent all future licensing of osteopathic physicians and surgeons in California.
- Decrease the future supply of doctors and hospitals at a time when the state desperately needs more of both.
- Increase the tax burden on the people to provide new medical schools to maintain the present supply of doctors.
- Speed the creation of a medical monopoly by placing all health care in the hands of a single organization.

YOU MUST VOTE NO ON NO. 22

IF you believe in the right to choose the type of doctor you want.

IF you believe that osteopathic care should be available to future generations.

IF you believe that a profession which has served the public for 65 years should not be destroyed.

IF you are opposed to monopoly in any area, including health care.

The merger of medical and osteopathic physicians in California has been completed. Proposition No. 22 will not affect it in any way. Passage of the amendment however, will place all other California health groups in danger.

The political leaders of the nation's largest state medical society are determined to destroy all competing forms of health care by absorption, elimination, or control of state licensing boards.

VOTE NO ON NUMBER 22

N.H.F. WASHINGTON ITEMS

By CLINTON MILLER

A third Representative has introduced a bill identical to Rep. Ashbrook of Ohio's original H.R. 10508 to grant parents the right to know about and consent to or refuse certain testing under the guise of "Youth Counseling." He is Rep. Henry C. Shadeberg (R), of Burlington, Wisconsin. The bill was also introduced by Rep. James B. Utt of Santa Ana, California.

This is another record for the National Health Federation. It is the first time we have had three identical bills introduced. Committee action is not expected this year, but these Congressmen will reintroduce the bills early next Congress (if they are returned), and hearings are expected to be held early in the 88th Congress.

MASS VACCINATION

The following two letters will indicate what the National Health Federation has been able to do this year, and also gives a sample of the opposition we have had to overcome to do it.

First we have a letter from Senator Butler (R-Md.), which honestly states his support of compulsory mass vaccination as a universal requirement.

August 14, 1962

Mrs. Fannie L. Harn
2301 Rockwell Avenue
Catonsville 28, Maryland
Dear Mrs. Harn:

Thank you very much for your recent postcard; however, I do not deem it possible for me to submit the Amendment you suggested thereon.

I personally feel that vaccination is an absolute necessity, and that all children should be required to submit to it. In my opinion, this compulsory universal requirement insures the health, safety and welfare of all our citizens.

With best wishes and kindest regards, I am

Sincerely yours,
John Marshall Butler
United States Senator

Senator Joseph S. Clark (D-Pa.), in his letter, clearly points out that the amendment, which is now in the bill, was not in the bill as introduced by the House Committee. This amendment was urged by the National Health Federation, and our friends in the House of Representatives, especially Rep. J. Arthur Younger (R), of San Mateo, California, helped us get the language into the bill.

August 16, 1962

Miss Myrtle M. Wagner
1722 Revere Street
Harrisburg, Pennsylvania
Dear Miss Wagner:

Thank you for your postcard regarding the Vaccination Assistance Act, which has passed the House of Representatives and is pending before the Senate.

In the bill as passed by the House—and now before the Senate—the following language appears:

SEC. 2

"Nothing in this section shall be construed to require any State or any political subdivision or instrumentality of a State to have an intensive community vaccination program which would require any person who objects to immunization to be immunized or to have any child or ward of his immunized."

This language did not appear in the bill as introduced but it was added by the House Interstate and Foreign Com-

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merce Committee, which reported the bill. This language is now a permanent part of the legislation.

Sincerely yours,
Joseph S. Clark

The Senate Committee has favorably reported the bill **with the National Health Federation Amendment.**

This amendment **does not** prevent states from enacting compulsory programs on their own, but it **does** set a **history-making precedent** which can be used by local chapters to prevent any compulsion on a state level, and initiate action to get compulsory vaccination laws repealed in the 22 states that have them.

See pages 33, 34 and 35 for complete Washington office report.

IN MEMORIAM

In memory of Mrs. Marcy Trager, wife of Dr. Milton Trager of Waikiki, Hawaii, who passed away recently, John C. Vann, D.D.C., of North Hollywood, California, sent in a gift to the Federation. Dr. Vann also sent a gift in memory of Mr. John Masters of Encino, California, who departed this world on the 25th of last June.

Mr. and Mrs. William Kirkwood of Rockport, Mass. have made a donation to the work of the Federation in memory of the passing of both Dr. and Mrs. Rosedale, naturopaths of San Diego, California.

We gratefully acknowledge a generous gift from Mrs. Howard E. Peterson in loving memory of Helen Margaret Hupp. Mrs. Schlemmer, of Sacramento, California, also made a donation to the work of the Federation in memory of Mr. E. E. Dolle of San Francisco, California.

Isn't it funny it takes a baby less than two years to learn to talk and 60 to 70 years to learn to keep his mouth shut.—Denver Post.

The Phillips Case

Two days ago a jury rendered a verdict of second-degree murder against Marvin Phillips, D.C., of Los Angeles. He had treated a girl for three weeks with what had been diagnosed as a cancer in the region of the eye. The patient had been under Dr. Phillips' care for only about three weeks when she was withdrawn from his care. She died several months later. The medical doctors testified that it was their opinion that had they been allowed to operate at the time she was transferred to Dr. Phillips' care, they could have prolonged her life.

Because there is a fundamental principle involved in this case, more details will be given in the November issue.

Stay Young Longer

That's the title of one of the best books on how to do just that. This book is written as a factual report of what has been discovered in the past few years on this very important subject. It is just coming off the press and will no doubt be a best seller. IT SHOULD BE READ BY MILLIONS. Its author is Linda Clark.

We suggest that as a service to yourself and to your children and your children's children, you write a letter to **Reader's Digest** and request that its editorial staff present a condensation of "Stay Young Longer" by Linda Clark in an upcoming issue. Such an act on the part of **Reader's Digest** would be a real service to the younger generation as well as to its older readers. The publisher of this fine book is Devin-Adair Co., 23 East 26th St., New York 10, and the price is $4.95. Twenty per cent discount to paid-up members of N.H.F. on orders sent direct to Devin-Adair Co.

More about Convention in the November Bulletin.

Representative David S. King Speaks to Congress

Speech
of
Hon. David S. King
of Utah
in the House of Representatives
Thursday, July 19, 1962

Mr. King of Utah. Mr. Speaker, in two instances recently, the activities of the Food and Drug Administration have made the front pages of the nation's press. In one instance their prompt action very likely saved hundreds, perhaps thousands of American mothers from the sorrow and heartbreak of bringing into the world children with congenital deformities.

Let me first commend the "courageous obstinacy" of Dr. Frances Oldham Kelsey, a physician and pharmacologist with the FDA, in restraining the overanxious pharmaceutical houses from prematurely marketing the new sedative, thalidomide. She deserves the nation's everlasting gratitude.

This persistent woman very properly insisted that further clinical tests needed to be made before what was once called "the perfect sleep producer" and a long-awaited "successor to the barbiturates" could be sold on the prescription market.

As I said earlier, Dr. Kelsey and the whole Food and Drug Administration deserve our gratitude and honor. The action in this case is in the best tradition of that great Federal agency which has done so much to protect the American public from the unscrupulous.

But, the second instance I referred to earlier is quite another story. In the recent series of legal actions and press releases relating to the book, "Calories Don't Count," by Dr. Herman Taller and published by Simon & Schuster, the conduct of the responsible officers of the FDA demands a close look.

At the outset, let me make it plain that I am not an advocate for Dr. Taller or the merits of safflower oil, or of the Cove Pharmaceutical Co., or of Simon & Schuster, the other principals in the case. I am an advocate for the people of the United States and a defender of American freedoms.

I have appended to my remarks reprints of correspondence from the principals in this case, setting forth their respective versions of the sequence of events.

In brief, the facts are that Simon & Schuster published the book "Calories Don't Count" under contract with the author. The book made the assertion that the quantity of calories ingested was not the sole determining factor in obesity, and that the consumption of safflower capsules, or other substances with comparable nutritive properties, could counteract the effects of excess calorie ingestion. The first edition of the book referred by name to the Cove Pharmaceutical Co., the purveyors of the aforesaid capsules—designated by the latter as CDC capsules. Later editions did not make such reference.

The FDA took the position that the contents of the book were untrue, in that the ingestion of safflower capsules, as prescribed in the book, would not control obesity. Two facts must be noted in this connection:

First. The FDA at no time found that anything recommended in the book was harmful or dangerous to human health. Their position was that the book made claims which could not be scientifically substantiated. Safflower oil is a nutri-

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tious food, and is ingested by many persons, apart from any inducement from the aforesaid book.

Second. The FDA based its adverse judgment about the contents of the book upon the fact that it ran counter to the consensus in the medical profession. In the FDA's report to me on the case, no reference was made to independent studies made by it, and presumably there were none.

An action was instituted against the Cove Pharmaceutical Co., for the purpose of judicially determining that the labels on its capsule cartons were inaccurate, and for the further purpose of impounding the said capsules.

In due course of events, this was done, and a default judgment was entered against the said Cove Pharmaceutical Co., and a large quantity of capsules was impounded. The evidence showed that some copies of "Calories Don't Count" were sold in various distribution centers in conjunction with the capsules themselves.

Now, let me make it clear, Mr. Speaker, I am not commenting here upon the rightness or wrongness of the action instituted against the Cove Pharmaceutical Co.

The aspect of this that concerns me is the fact that at the time the case was disposed of, the FDA issued what to me was a vicious press release, intentionally designed to embarrass and to humiliate Simon & Schuster. It is this action which raises in my mind some serious questions.

The press release was given full national publicity. In many cases, Simon & Schuster was mentioned prominently. The release stated categorically that Simon & Schuster had participated in the plan to use a best-selling book to promote and sell worthless safflower oil capsules. This fact was vehemently denied by Simon & Schuster.

As a result of a great deal of unfavorable publicity, Simon & Schuster has suffered serious injury to its reputation. Consider the fact that here is a publishing house which has spent many years in building up an impeccable business reputation, based upon scrupulously honest dealings and quality performance. Suddenly, in a matter of days, their name is spread over the newspapers of the nation in connection with a transaction which is characterized as willfully fraudulent. The inescapable conclusion is that this great publishing house has been a party to this allegedly fraudulent transaction. The damage to them is almost beyond calculation. For years to come, authors may carry in their minds the memory of this unpleasant publicity, and may deliberately choose some other publishing house where, otherwise, they might have chosen Simon & Schuster.

Business choices, in this competitive world, are frequently dictated by far less important factors than this.

Mr. Speaker, I do not wish to pursue the legal complexities of this matter. I do wish to raise a simple question or two, however, to which I believe the American public is entitled to receive answers.

First of all, I ask the question: Does the FDA have the legal power to officially declare that the American nation shall follow one particular theory of health over and above another? Are we developing an official "line" to which all must subscribe? Is there still room in America for a person to dissent?

Now let me make it very clear that I do not question for one moment the absolute right of the FDA to control foods and other substances which it has ruled to be positively harmful to human health. Not only do I not question their right to do so, but I back them up completely, and in some cases suggest that they have not gone far enough.

That is not the case involved here.

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Here we have a situation where there is an honest difference of opinion among experts as to whether safflower oil can control obesity. There is no allegation that the use of safflower oil involves any injury to health.

My opinion in this case is that there should be room for dissent. This is still America. I revolt against the doctrine that once the FDA has spoken about such matters, there is no further room for discussion, and that any literature which carries a dissenting point of view is, ipso facto, contraband.

Second, I ask the question whether a Federal agency has the right to drag a publishing house into such a controversy, and to smear its good name, and malign its professional character, without hearing, and without redress. What is the difference between the Government's arbitrarily and wrongfully destroying a million dollar reputation, or destroying a million dollars worth of physical property? In morals there is no difference.

What it gets down to is this: when a publishing house undertakes to publish a literary work, should it be required to do so at its peril, in the event that the book should contain material with which a governmental agency disagrees? And, in the event of such disagreement, should the governmental agency be given the arbitrary power to punish the publishing house, out of hand, and without hearing, and without indemnification?

If this is so, then we are indeed writing a new chapter in the history of America's freedom of speech; and this new chapter is not at all lovely to read.

I, myself, protest with all my power. I believe that no publishing house should be placed in such a position. I am not suggesting that they are without responsibility. Of course they are not. There are laws of libel and slander, and publishing houses do not claim immunity therefrom. Willful deception, indecencies, and matters vitally affecting the public health and morals are obviously areas in which publishing houses must tread with care. No one questions that. But that is not the case involved here.

It is well to note that the Federal Tort Claims Act prohibits suits against a Government official for libel, slander, or misrepresentation. Therefore, I am introducing a bill today that will modify the language of the Federal Tort Claims Act and allow persons so damaged to go into a court of law. I do not deny the Government's right to warn the people when there are substances on the market, or proposed to be put on the market, that might prove injurious to health or safety.

In addition to the bill I have just mentioned I have previously introduced H.R. 10058 that is presently due for hearings by Chairman Francis Walter's subcommittee of the House Judiciary Committee. I believe that these two bills will correct the gross inequity that exists today. Government is far too big and the average citizen far too small to allow this trial by press release to continue. I will defend the right of Simon & Schuster, or any other publisher, to publish any book within the law without fear of libelous statements by Government officials. Since introducing my bill, H.R. 10058, I have received countless tales of abuses similar to the one I have discussed. Since I am on the subject of the FDA, I must confess I am puzzled by their actions in another area.

On June 20, 1962, the FDA published in the Federal Register a lengthy set of proposed regulations on dietary foods. The American people might be interested to know that the FDA has decided that henceforth only eight vitamins and four minerals can be sold without a doctor's prescription. The way the FDA puts it, none other but these can appear on a label of any commercial product. Certainly no one can market a product improperly labeled. The American people

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will no longer be able to enjoy the benefits of vitamin E, vitamin K, folic acid, pantothenic acid, linoleic acid, copper, magnesium, manganese, zinc, sodium, or potassium, without their doctor's permission. In one breath the FDA is herein proposing to seriously curtail the health food stores in this land.

Recent testimony in Senator Kefauver's subcommittee has brought to light to the American people the high cost of drugs by prescription. Henceforth we must run to the doctor for any of the above-mentioned nutrients. Again I fail to see how these nutrients which we have been freely consuming without harm have now become so harmful. I hope the American people will insist on taking a very close look at this regulation and insist that a full and open hearing be held. If these regulations are enacted the American people can be assured their pocketbook will suffer.

I do not know whether or not calories count. But I do know that constitutional liberties do count.

FIERCE BATTLE IN SCHOOL CHIEF RACE

SACRAMENTO (AP) — California voters have set the stage for the sharpest debate on education in many years between now and the November primary elections.

They did it by choosing Ralph Richardson and Max Rafferty to oppose each other in a November runoff for the nonpartisan office of superintendent of public instruction.

The two men are wide apart on what should be taught, and how.

Richardson, 43, is a professor of English and Speech at UCLA, and president of the Los Angeles City School Board.

He thinks teachers should excite children about learning in addition to "hard core" teaching. He says affection between teacher and pupil is even more important than discipline.

Rafferty, 44, is former school superintendent in Needles and La Canada, who says he stands for "profound, basic, constructive change in our whole approach to education."

He says the "arch progressives" in the Education Department should resign, and that "fuzzy terms like social studies and language arts" should be eliminated.

Retiring incumbent Roy E. Simpson has held the office for 16 years. —From Monrovia, California **Daily News-Post,** June 9, 1962.

Editor's note: The above is for the information of our thousands of members in California. We publish it because it clearly sets forth the candidates' position on California's educational program. One man appears to be for what we have, only more so, while the other is for a return to true, fundamental education, that each child may be prepared to take his or her place in life, properly prepared to earn a living and to render service to his fellow man. Each of our readers and members should give proper consideration and vote in accordance with his or her beliefs.

Masseurs' Work Defined

OLYMPIA, Feb. 8,—(UPI)—Masseurs may give a customer a rubdown to pick him up, but not to treat his physical ills, Atty. Gen. John J. O'Connell ruled today.

O'Connell said if a massage parlor tries to treat specific physical ailments, then the masseur must be a licensed physical therapist, but if the treatment is just to "refresh and stimulate," then no such license is necessary. There are about 500 masseurs operating in the state. From **Seattle Post Intelligencer.**

N.H.F. Seeks to Amend Drug Bill

The following is the testimony, in full, as given by Clinton Miller at Senate Committee hearings on Drug Bill H.R. 11581.

Mr. Miller. Thank you, Mr. Chairman.

I am accompanied today by the legal counsel of the National Health Federation, Mr. Charles Orlando Pratt.

Mr. Chairman, for the record, I am Clinton R. Miller, assistant to the president of the National Health Federation. Our main office is at 709 Mission Street, San Francisco 3, California. Our Washington office is at 1012 14th Street, N.W., Washington, D.C.

The National Health Federation is a rapidly growing national organization, composed of thousands of members who believe in freedom of choice in matters of health where the exercise of that freedom does not endanger the health or safety of another, and thereby deny him an equal freedom.

In matters of health, the professional and commercial interests involved have been well organized for many years. The Pharmaceutical Manufacturers Association and the American Medical Association have represented their members' commercial interests extremely well, as evidenced by the profits of the former, and the top professional income position of the latter. Where this position has been gained within the framework of freedom and fair competition, we applaud and support their success. To the extent, however, that it has been gained as a monopoly, by suppressing freedom of choice, information, and competition, we condemn and oppose them.

In the present bill we find ourselves in both roles. We support their reasonable requests for certain language changes in the bill which would prevent giving unlimited, arbitrary powers to government. One Dr. Henry Welch is too many.

We, on the other hand, point out that the AMA has been found guilty in the past of a criminal conspiracy to monopolize the healing arts. If the drug industry is guilty today of monopoly control, then it should be prosecuted under the laws that forbid trusts. The laws presently on the books are adequate for that.

In matters concerning his health, the average American has not been so well organized and represented as the commercial interests. Consequently, he has had very little protection from certain monopolistic forces in the field of health which have run rampant in America for many years. The National Health Federation was formed to fill this need. While no two people in America have identical beliefs in respect to the best approach to health, they all have one belief in common, and this is that every person should have the right of freedom of choice in what is done to his body. We weigh all proposed legislation on this scale, and believe that freedom of choice for the well-informed individual is the safest, fairest, and wisest position that a lawmaker can take.

Medical Experimentation With Drugs Without Patient's Knowledge or Consent

We wish to focus the Committee's attention on what we feel is the most glaring loophole in our present law: the absolute lack of any effective control of investigational drug experimentation on involuntary human guinea pigs. The fact is dawning on Americans that they have been, and are being, subjected to extremely hazardous and dangerous medical experiments on their bodies without

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their knowledge or consent. This is increasing on a vast scale, unprecedented in history.

Futhermore, there is nothing in the instant bill, H.R. 11581, to recognize, prevent, or correct this specific situation. No person should be denied the right to know that he is participating as a human guinea pig in a medical experiment, and that he is taking an experimental drug with unknown side effects.

The Proposed National Health Federation Amendment

We respectfully urge that a new section be added under Title 1, part A. We suggest that it contain the following:

Notification of Experimental Drug Use

The following statement must be signed by a doctor's patient, or the patient's legal guardian, before he may be given a new, experimental drug:

"I have been advised that ....., an experimental new drug, as yet unapproved by the Food and Drug Administration, is to be administered to me for the purposes of testing its usefulness, safety, and/or possible harmful side effects." Signed by the patient or the patient's legal guardian.

The **Washington Post** of Sunday, August 19, 1962, carried the following information:

"The FDA surveyed the investigational use of thalidomide in the United States, finding that, as of August 6th, 3,372 women of child-bearing age were known to have received the drug."

This points out the unlimited right to experiment on humans without their knowledge or consent.

Here are some hard-to-believe facts:

1. Americans will soon know that under the present and proposed law, there is no limit as to how long one can investigate with a new drug.

2. Under the present and proposed law, there is no requirement that the doctor even tell a patient that he is being used as an involuntary human guinea pig.

3. Under the present and proposed law, there are no Federal requirements — and I will repeat this — there are no Federal requirements that a doctor keep a record of any patient who receives an experimental drug.

4. Under the present and proposed law, there is nothing that prevents a doctor from charging a patient for a new, experimental drug.

5. Under the present and proposed law, there is nothing to prevent the drug company from charging the doctor for the experimental drug.

6. Under the present law, there is nothing to prohibit a drug company from changing to some degree the formula of thalidomide, and starting all over again as an experimental drug under a new name. Indeed, there is evidence that this is happening today.

7. Finally, where a drug company and a doctor may both charge for an experimental drug given to an involuntary human guinea pig, where they do not have to notify any governmental agency of their intent to start testing, or of the failure of any such tests, and where there is no limit to the number or length or extent of such tests, we have a loophole in which these commercial interests can operate "business as usual" without the knowledge, control, or consent of either a patient or his government.

The great uneasiness in America today is because at the same time that we are giving medals to FDA officials for keeping an untested drug off the market, the hard and stubborn fact remains that for all practical purposes the drug was on the market in this country, and was given to thousands and thousands of unsuspecting Americans without their knowledge or consent.

The National Health Federation Amendment would at least require that

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this testing be done with the knowledge and consent of the individuals being used in the experiment. This is the very minimum that Americans can expect.

The Nuremberg War Trials did not challenge the matter of testing with human guinea pigs. It did emphasize and establish that voluntary consent is the first prerequisite for human experimentation.

When convicts or political prisoners are used in America for human experimentation, it is done with their consent, and they may withdraw from the experiment at any time they choose. The same right should be afforded the rest of America.

To preserve the time of this Committee, the balance of the National Health Federation testimony will be submitted in our written statement.

Thank you.

The Chairman. Very well.

You may submit the additional information for the record.

(The statement referred to and which becomes a part of the Committee record is as follows:)

WORLD APPROVED EXPERIMENTS

In my statement before the Committee, I mentioned the Nuremberg War Trials, and the rules that were set down as a result of these trials, concerning human medical experimentations. The Tribunal's judgment, rendered August 19, 1947, of the Nuremberg Medical Trial gave the following judgment on:

Permissible Medical Experiments on Humans

"The greatest weight of evidence before us is to the effect that certain types of medical experiments on human beings, when kept within reasonably well-defined bounds, conform to the ethics of the medical profession generally. The protagonists of the practice of human experimentation justify their views on the basis that such experiments yield results for the good of society that are unprocurable by other methods or means of study. All agree, however, that certain basic principles must be observed in order to satisfy moral, ethical and legal concepts:

"Nuremberg Rule No. 1. **The voluntary consent of the human subject is absolutely essential.** (Emphasis ours) This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision. The latter element requires that before the acceptance of an affirmative decision by the experimental subject there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person which may possibly come from his participation in the experiment.

"The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs, or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

"Nuremberg Rule No. 2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.

"Nuremberg Rule No. 3. The experiment should be so designed and based on

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the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated result will justify the performance of the experiment.

"Nuremberg Rule No. 4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.

"Nuremberg Rule No. 5. No experiment should be conducted where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.

"Nuremberg Rule No. 6. The degree of risk to be taken should never exceed that determined by the human importance of the problem to be solved by the experiment.

"Nuremberg Rule No. 7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibilities of injury, disability, or death.

"Nuremberg Rule No. 8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.

"Nuremberg Rule No. 9. During the course of the experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental state where continuation of the experiment seems to him to be impossible.

"Nuremberg Rule No. 10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of good faith, superior skill, and careful judgment required of him that a continuation of the experiment is likely to result in injury, disability or death to the experimental subject."

A valuable reference book on the instant subject is **Experimentation in Man,** by Henry K. Beecher, M.D. It is published by Charles C. Thomas, 301-327 East, Springfield, Illinois. The Library of Congress Catalog Card No. is 58-14065. The National Medical Library call no is W.50 B414e, 1954.

The National Health Federation Amendment has only included part of the Nuremberg Rule No. 1. **"The voluntary consent of the human subject is absolutely essential."** There were 23 defendants in the Nuremberg Medical War Trials. Fifteen (15) were found guilty. Seven were hanged. Four of the seven were physicians. It was freely admitted that in America there were human medical experiments similar to those of the accused war criminals, but they were all performed with the consent of the human guinea pig. It was the failure to get voluntary consent that made the act of human medical experimentation criminal. The National Health Federation would like to see the 10 Nuremberg rules established as the standard to govern all human experimentation.

Experimentation With Humans—American Style

In a press release for Thursday, August 23, 1962, the Food and Drug Administration disclosed some shocking aspects of the present uncontrolled status of experimental drugs in America. The following quotes are from this press release by FDA officers Janssen and Brooks:

"Thalidomide was never approved for sale in this country, but under the law the manufacturer could distribute thalidomide tablets to doctors for clinical investigation. On this basis, the FDA survey shows that more than 2,500,000 tablets were distributed to 1,267 doctors."

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Clinical Investigation WITHOUT Records

Lest any Congressman assume that the fancy words, "clinical investigation" imply a tight, safe, scientific, well-controlled and documented use of potentially deforming or lethal drugs, consider the following from the same press release:

"FDA disclosed that 410 out of 1,168 doctors interviewed by its inspectors had at that time made no effort to contact patients to whom they had given the drug. Many of the 410 felt it was not necessary because of the time lapse, or they had no records to indicate which of their patients had received the drug."

For emphasis, we shall repeat that last statement—**". . . or they had no records to indicate which of their patients had received the drug"!!!** Is this the picture that was painted by witnesses for the Pharmaceutical Manufacturers Association to members of this Committee? Indeed it is not! Consider that over one third of these "clinical investigators" either had **NO RECORDS,** or had made **NO EFFORT** to contact patients. Would it be an improper function of government to ask that the list of these 410 doctors be made public to protect their unsuspecting patients?

So This Is "Clinical Investigation"?

A further incredible disclosure of the method of "clinical investigation" is in the following paragraph from the same press release:

"A doctor in Kansas City, Mo., gave 50 tablets to a male patient who passed some of them on to his married daughter. She took the drug during the early stages of pregnancy and is due to deliver by October 1962. The case is being followed up."

Feathers in a Hurricane

For tightness of scientific control, this disclosure is hard to beat (also from the same press release):

"Six doctors donated supplies of thalidomide to religious groups for charitable distribution overseas and are unable to trace the present location of these drugs."

The FDA press release continues:

"Records furnished by the firms show that 2,528,412 thalidomide tablets were distributed to doctors for investigational use. They varied in strength (quantity of the active ingredient) from 12½ to 200 milligrams. Lesser quantities of liquids and powders containing the drug were also distributed.

"More than 50 per cent of the doctors interviewed had no record of the quantities returned or destroyed pursuant to the manufacturers' instructions. **There is no way of knowing the amounts actually returned or destroyed,** FDA said. (Emphasis ours.)

"Most of the doctor-investigators said that they had received the manufacturers' advice in March 1962 to stop using the drug, but 85 said they were not warned of adverse reactions and 42 said they did not get any message from the manufacturer. The notice to discontinue was given by letters, with follow-up phone calls and visits by detail men beginning in March and continuing through July 1962.

"Doctors interviewed reported that 19,822 patients had received thalidomide. Of these, 3,760 were women of child-bearing age, of whom 624 were reported as pregnant. **According to the doctors** (emphasis ours), most of the pregnant patients got the drug in the last trimester of pregnancy or just prior to delivery. There are reports of 21 women who have not delivered. Three of these are reported to have received the drug in early pregnancy.

"Three cases of abnormalities have been reported in offspring of patients who took thalidomide distributed in the United States, FDA said. . . .

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"When asked if they had signed a statement on their qualifications, required by FDA regulations to be obtained by the manufacturer, 640 doctors stated they had signed such statements but 247 said they had not. Others said they could not remember or did not anwer the question."

The release closes by updating figures in the August 7, 1962, progress report on FDA's survey of the investigational use of thalidomide in the U.S.

"Number of pregnant women reported to have received the drug by August 7 was 207; by August 21—624.

"Number of doctors reported as investigators or users of thalidomide by August 7 was 1,248; by August 21—1,267."

There is no explanation offered as to why an increase of 1½% in doctors reporting should increase by 300% the number of pregnant women reported to have received the drug.

One has the uncomfortable feeling in reading these reports that someone is trying to keep a lid on something.

In summary, NO PERSON SHOULD BE DENIED THE RIGHT TO KNOW THAT HE IS PARTICIPATING AS A HUMAN GUINEA PIG IN A MEDICAL EXPERIMENT, AND THAT HE IS TAKING AN EXPERIMENTAL DRUG WITH UNKNOWN SIDE EFFECTS. We respectfully urge this Committee to amend H.R. 11581 to include this safeguard.

The Chairman. Any questions, Mr. Friedel?

Mr. Friedel. At the proper time I probably will propose a consent amendment to the Committee.

Mr. Miller. Thank you very much.

The Chairman. Mr. Moss?

Mr. Moss. I have no questions, Mr. Chairman.

I might state that, in general, I agree with the proposal that there should be some agreement on the part of patients before they are subjected to some of these very radical new compounds.

Mr. Miller. Thank you, Mr. Moss.

The Chairman. Thank you, Mr. Miller.

This will conclude the hearings for today.

The Committee will adjourn until 10:00 o'clock in the morning.

(Whereupon, at 4:50 o'clock p.m., the hearing was adjourned, to reconvene at 10:00 o'clock a.m., Thursday, August 23, 1962.)

Vaccination Called Killer

BELFAST, North Ireland, July 24, 1962—A British physician asserted today that smallpox vaccination was a bigger killer in Britain than the disease itself.

Prof. George Dick, head of the Department of Microbiology at Queen's University, Belfast, made the assertion in an address to the annual conference of the British Medical Association.

He said the Government's aim of vaccinating every baby in Britain against smallpox "is asking for the sacrifice of at least twenty babies a year."

Dr. Dick, a 48-year-old father of four and one of the men responsible for advising the Health Ministry on vaccines, urged parents to ignore the Minister of Health's appeal to get their children vaccinated against smallpox.

Dr. Dick said his views were based on statistical studies covering the 1951-58 period.

A spokesman said later that the deaths Dr. Dick referred to among those immunized were attributed to complications arising from vaccination.

A golfing clergyman had taken a good trimming from a member of his congregation who was some thirty years his senior, and the minister was not happy in defeat.

"Cheer up," said his elderly opponent. "Remember, you'll win at the finish; you'll probably be burying me some of these days."

"Even then," the minister answered gloomily, "it will be your hole."

Doctor! You HAVE LEGAL RIGHTS

By N.H.F. General Counsel Charles Orlando Pratt

MICRO-DYNAMETER CASE

It has been called to the attention of your Washington Counsel that many of the State Chiropractic Boards and state officials, including the states of Alabama, Maryland, Michigan and Vermont, have, without any legal basis, succumbed to press release pressure from Federal Food and Drug Administration inspectors, and chiropractic officials, as the result of threats of publicity and embarrassment, have ordered the chiropractors in their respective states to destroy or cease using the Micro-Dynameter or any other electronic device. Frequently, the inspectors indicated that the "Ellis" case is court authority for outlawing the Micro-Dynameter and other electronic devices.

The August 1962 Report on Enforcement and Compliance, published by the U.S. Department of Health, Education, and Welfare, Food and Drug Administration, said that "Fifty-two 'Micro-Dynameter' machines were taken out of operation during July as a result of a nationwide FDA campaign to round up these fake medical devices.

"Forty-two of the 'Micro-Dynameters' were reported to have been voluntarily destroyed by the users. Of these, twenty-four were reported by the FDA's Boston District and eighteen by the Minneapolis District. The 'Micro-Dynameter,' manufactured by Ellis Research Laboratories, Chicago, Ill., is an electrical gadget widely promoted for the diagnosis of disease. A recent Federal Court decision banned it as dangerous because it is incapable of diagnosing any disease.

"Ten of the machines in possession of health practitioners were seized during the month.

"During the same period, FDA also seized five 'Neurolinometer' devices. The 'Neurolinometer,' like the 'Micro-Dynameter,' is also an electrical device promoted with claims for diagnosis, treatment and prevention of disease. It, too, has been banned by a recent Federal Court injunction."

It is my opinion that the chiropractor is not required under the Federal Food, Drug and Cosmetic Act and Regulations to give out any information without a court order. So far as I know, the United States Constitution is still in full force and effect; and the provision to protect U.S. citizens from search and seizure is still valid.

The Fourth Amendment to the United States Constitution by its terms protects the citizen against unreasonable searches and seizures by government, whatever may be the complaint. The words are broad and inclusive.

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizure, shall not be violated and no warrants shall issue, but upon probable cause, supported by Oath or Affirmation, and particularly describing the place to be searched, and the person or things to be seized."

It would not seem to be unreasonable for a chiropractor to courteously advise a Food and Drug Administration inspector or agent that he desires and intends to keep his property (device) unless and until the court enters an order to take it by seizure, condemnation or confiscation after he has had an opportunity to defend his right to have and to hold his property (device).

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There is a strong possibility that the decision, in the Ellis Case in the U.S. Court of Appeals, Seventh Circuit, Chicago, Illinois, which the Supreme Court of the United States refused to review in the case entitled **Ellis Research Laboratories, Inc., a corporation, and Robert W. Ellis, an individual, Petitioners vs. United States of America,** was not so broad and all-encompassing as the Federal Food and Drug Administration would lead the chiropractors to believe.

The United States District Court which tried the case **did not restrict the use** of the Micro-Dynameter by a chiropractor or anyone else. The U.S. Court of Appeals did not modify or change the decision of the trial court; and the Supreme Court of the United States refused to hear the appeal, which amounts to sustaining the lower courts.

The injunction issued by the trial court

1. restrained Ellis, et al., from introducing the machine in commerce with the type of labeling described in the findings, and

2. prohibited, additionally, the introduction of the device in commerce ". . . unless such device bears or is accompanied by written, printed, or graphic matter which clearly states every disease, condition, symptom and purpose for which the article is intended to be used and for which it is represented by any means to the public."

I believe the chiropractor should not make any therapeutic claims that the device will diagnose, cure, prevent, or mitigate any disease.

In view of the foregoing judgment, the **court in the Ellis case did not order chiropractors to cease using the Micro-Dynameter in their practice.**

There is no law that requires chiropractors to answer an investigator's questions about themselves or anyone else.

It would be advisable to answer questions by investigators if it would help the chiropractor or the one about whom the questions are being asked.

I am not of the opinion that all chiropractors who are presently using the machine should cease using the same because of the court decisions in the Ellis case in the U.S. District Court, U.S. Court of Appeals or the Supreme Court of the United States. If his state professional license to practice chiropractic does not allow, or does restrict the use of electronic devices, then, in that event, the chiropractor should comply with the state law. The Ellis case did not pass on this question of the use of a Micro-Dynameter by a chiropractor in his practice.

Are We Facing National Suicide Today?
Abe Lincoln said,
"If danger ever reach us
it must spring up amongst us;
it cannot come from abroad.
If destruction be our lot,
we must ourselves be its author
and finisher.
As a nation of free men,
we must live through all time
or die by suicide."

LET FREEDOM SPEAK

Bad politicians are elected by good people that stay home!

All that is necessary for the triumph of evil is for good men to do nothing.—Edmund Burke.

Freedom is not every man's right, but instead every man's responsibility.

Californians–Vote "NO"

Appearing on the November ballot in California is Proposition No. 22, which would, in effect, destroy an entire branch of the healing arts in that State.

You should fight the medical monopoly and help preserve the osteopathic profession and your right to use the healing method of your choice by voting "No" on Proposition No. 22.

HEALTH FIELD NOTES

As of August 15, no standards are set for the clinical testing of experimental drugs in the new regulations "strengthening control over new drugs in clinical trials," as now proposed by the new Secretary of Health, Education, and Welfare Anthony J. Celebrezze. All the proposed regulations would require is that the Food and Drug Administration be informed that such tests for human testing are to be undertaken.

The Food and Drug Administration has had authority under the law since 1938 to fully regulate and limit clinical investigative use of drugs. In promising a better use of this authority, Wilbur J. Cohen, Assistant Secretary of Health, Education, and Welfare, promised that in the near future better controls will be instituted.

The American Medical Association's Council on Foods and Nutrition has recently approved the modifying of the type and amount of fat in the diet as an experimental approach to the treating of hardening of the arteries. This action was in keeping with a report which appeared in the American Medical Association **Journal,** to the effect that experiments indicate that substitution of poly-unsaturated vegetable oils for animal fats and saturated vegetable oil in the diet of man resulted in a reduction of the blood cholesterol sufficiently to warrant the foregoing action. **Editor's Note:** Once again the so-called food faddists were right in their stand that poly-unsaturated fats were best for man, etc.

Breast feeding of babies protects them against prevalent staph. infections, which are a great problem under certain hospital conditions, according to Doctors Paul Gyotgy, Sakorn Dhanamitta and Edward Steers. These doctors work in connection with the William Pepper Laboratory of Clinical Medicine, University of Pennsylvania, Philadelphia, Pennsylvania.

West Berlin researchers reported use of a new drug, also used at the National Institutes of Health, Bethesda, Md., and in Hungary, for treatment of humans suffering from leukemia. The drug is vincaleukoblastine, an alkaloid obtained from an extract of vinca rosea linn.

U.S. healthiest? No, says a Harvard University doctor. Dr. Osler L. Peterson of Harvard says: "1. There are about one dozen countries in the world with a lower infant mortality. 2. We talk about medical care in America and do less about it. 3. The United States, England and Sweden are great industrial countries on about an equal footing from a social and economic standpoint, yet in spite of the United States spending 5.3% of its gross revenues on medical care compared with England's 4.5% and Sweden's 3.5%, the United States has the shortest life span. And 4. The death rate at all ages up to 40 for all three countries is low. But, in almost every instance, the death rate for the United States is the highest," he said.

Six women reported dead from use of birth control pill. As yet, the Food and Drug Administration said recently, there is no evidence the tablets caused the deaths. But both the manufacturer, G. D. Searle & Co. of Chicago, and the FDA have the drug under an "intensive investigation," the agency said.

The immediate cause of all the deaths apparently was thrombophlebitis, blood clots accompanied by irritation of the veins.

In addition to the six deaths there have been 20 nonfatal cases of thrombophlebitis among women who have taken Enovid, the FDA reported.

The U.S. statement was issued after British medical authorities issued a warning against the use of the contraceptive pill.

Service Award for Doctor Kelsey

WASHINGTON, August 29—Dr. Frances Kelsey, who staked her professional reputation to protect the lives of thousands of babies, Wednesday received the **Good Housekeeping** magazine "Distinguished Public Service Award."

In a ceremony attended by Anthony J. Celebrezze, Secretary of the Department of Health, Education, and Welfare, Dr. Kelsey was awarded a plaque by Wade H. Nichols, editor of **Good Houskeeping.**

Selfless Achievements

The **Good Housekeeping** Award for Distinguished Public Service was given to Doctor Kelsey "in recognition of her significant and selfless achievements on behalf of the American public, and especially of her devoted work for the United States Food and Drug Administration in preventing clearance of the drug, thalidomide."

Doctor Kelsey, while on duty in her first job with the U.S. Government, steadfastly refused to grant clearance for mass production of the drug in the face of heavy pressure from manufacturers who had thought the drug was sufficiently tested and free from harmful side effects.

Editor's Note: The Federation applauds this action on the part of **Good Housekeeping.** We also applaud President Kennedy for commending this noble and courageous woman for doing her duty in spite of pressure from within and without. We feel it will encourage other employees of the Food and Drug Administration to do likewise. It would be quite interesting to learn whether or not she was pressured by certain Food and Drug Administration officials, as was Dr. Moulton, who finally had to resign rather than betray her public trust. The Federation is very happy to have had at least a small part in getting this woman's story investigated by Congress. The result, as you all know, was the exposure of Dr. Welch, who was the head of the Food and Drug Antibiotic Division, etc. Dr. Moulton should also have been highly honored. For the sake of other Food and Drug Administration employees like these two doctors, it would be a great service to them and to the public if Congress would make a very thorough investigation of this branch of government. It is certain that no honest official of the Food and Drug Administration could object to such an investigation. Congress has not taken a thorough look at this division of government for many years. The public interest requires a periodic check-up of branches of government to which Congress has delegated some of its power.

NEWS FLASH

From the office of Ugo Morabito, Commercial Counselor of the Italian Embassy in Washington, D.C., our Washington office has secured the facts on the antismoking legislation recently passed in Italy.

The law passed the Italian Parliament April 10, 1962. It went into effect May 15.

The law states: "The publicity advertising of any smoking product, national or foreign, is forbidden. Those who act against the provision of this law will be punished with a fine of from 20,000 lire ($32.00) to 200,000 lire ($320.00), and in case of repetition with a fine of from 200,000 lire ($320.00) to 2,000,000 lire ($3,200.00)."

Incidentally, the law was submitted by the Italian Ministry Department of Health and Welfare, the equivalent of our Department of Health, Education, and Welfare.

LEGISLATIVE WORKSHOP

by Clinton R. Miller

GOOD "GREEN LIGHT" BILLS

	GREEN LIGHT BILLS with Number Sponsor Description	COMMITTEE OR SUBCOMMITTEE AND CHAIRMAN AND STATUS OF BILL	INSTRUCTIONS. Abbreviations used: H.R. — A bill in the House of Representatives. S—A Senate bill. Res.—Resolution.
FLUORIDATION BILLS	H. Res. 514 Baring (D) Nev. Makes a committee for fair study of fluoridation.	House Committee on Rules. Chairman, Howard V. Smith (D) Va. No action taken or scheduled.	This bill will die without action this Congress. If Rep. Baring is re-elected, he will reintroduce it in '63. See "red light"—S-917 bill.
	H. Res. 515 Baring (D) Nev. Provides for expenses of H. Res. 514.	House Committee on House Administration. Omar Burlson (D) Texas, Chairman. No action can be taken until H. Res. 514 passes.	Ditto as per H. Res. 514 (above). See "red light" S-917 bill below.
	H. Res. 516 Baring (D) Nev. Directs the Sec. of Health, Ed., and Welfare **NOT** to approve or promote fluoridation.	House Committee on Interstate and Foreign Commerce. Mr. Oren Harris (D) Ark., Chairman. No action taken or scheduled.	Ditto as per H. Res. 514 and 515 (above). Be sure to see S-917 "red light" bill below.
PREJUDGING BILLS	H.R. 10058 King (D) Utah H.R. 10077 Pike (D) N.Y. Prohibits prejudging publicity and stops "trial by press release." This bill was sponsored by two congressmen.	House Committee on Interstate and Foreign Commerce. Oren Harris (D) Ark., Chairman. Hearings were promised but canceled in July.	Reps. King and Pike will reintroduce these bills if re-elected. Rep. King **almost** got a hearing on this bill. Powerful support assures action in 88th Congress.
	H.R. 9926 Francis E. Walter (D) Pa. American Bar Association backed omnibus bill that includes the King-Pike "prejudging bill" (above).	Referred to the Subcommittee on Administrative Procedure of the House Judiciary Committee. Francis A. Walter is chairman of the subcommittee. No action taken.	Rep. Walter will reintroduce this bill if re-elected. This bill has come a long way in the 86th and 87th Congress. May pass in 88th.
GUIDANCE COUNSELORS	H.R. 10508 John M. Ashbrook (R) Ohio. H.R. 12114 James B. Utt (R) Calif. H.R. 12581 Henry C. Schadeberg (R) Wisconsin. All three bills are identical, and require all guidance and personality tests to be submitted to parents for their consent before being given.	House Committee on Education and Labor. Adam C. Powell (D) of New York, Chairman. No action taken or scheduled.	These bills will die without a hearing by the 87th Congress. However, all three, if re-elected, will reintroduce the same bill early in '63, and we may expect action in the 88th Congress. This bill came as a result of our Jan. '62 **Bulletin.** This is the first time the N.H.F. has had **THREE SPONSORS** for an N.H.F. "green light" bill. This is a very popular and good bill.
	H.R. 8097 Emmanuel Celler (D) N.Y. To deny tax exemption to hospitals who limit use of facilities to AMA members.	House Committee on Ways and Means. Wilbur D. Mills (D) of New York, Chairman. No action taken or scheduled. Administration-favored medical legislation prevented consideration.	This bill will die without a hearing in 87th Congress. We will try to have it reintroduced in 88th by a member of Ways & Means Committee as well as Rep. Celler.
	H.R. 9929 Gordon L. McDonough (R) L.A. To prohibit motor vehicles being sold that discharge noxious gases in amounts dangerous to human health.	House Committee on Interstate and Foreign Commerce. Oren Harris (D) Ark., Chairman. No action taken or scheduled.	This bill will die without a hearing in 87th Congress.
	H.R. 6011 King (D) Utah. Establishes a commission to investigate the extent of the relationship between food additives and cancer and other degenerative diseases.	House Committee on Interstate and Foreign Commerce. Oren Harris (D) Chairman. No action taken or scheduled.	This bill will die without a hearing by the 87th Congress. If Rep. King is re-elected, he will revise his approach in '63.

	H.R. 3556 Moulder (D) Mo. H.R. 1937 Mrs. Griffith (D) Mich. Similar, but not identical bills for humane treatment of medical experimental animals.	House Committee on Interstate and Foreign Commerce. Oren D. Harris (D) Ark., Chairman. No action taken or scheduled.	The Humane Society of the United States is encouraged, and plans to have the bills reintroduced in '63.
	H.R. 9440 King (D) Utah. To establish an Office of Nutrition in H.E.W.	House Committee on Interstate and Foreign Commerce. Oren D. Harris (D) Ark., Chairman. No action taken or scheduled.	This bill will die without a hearing in the 87th Congress.
	H.R. 9319 Herlong (D) Fla. To prevent charity funds graft by requiring public disclosure of funds records.	House Committee on Ways and Means. Wilbur D. Mills, Ark., Chairman. No action taken or scheduled.	This bill will die without a hearing by the 87th Congress. If re-elected, Rep. Herlong will reintroduce this bill.
	S-1322 Quentin N. Burdick (D) N.D. S-1055 Warren Magnuson (D) Washington. Pro-chiropractic bills to amend the Federal Employees Compensation Act to include chiropractic care.	Held before a **SPECIAL** subcommittee on Federal Employees' Compensation. Quentin N. Burdick (D) N.D., Chairman. **Hearings were held** May 24, 1962. N.H.F. submitted testimony in favor of the bills. See Sept. '62 N.H.F. **Bulletin,** page 34. Most of the testimony was favorable. AMA and Group Health Assn. of America opposed.	A favorable committee report is anticipated if they can find time to meet. However, it is possible that after all the fine work, these bills will not pass the Senate, because of crowded calendar and rush to adjourn.
	H. Res. 34 Heistand (R) Calif. For an investigation of the whole mental health field.	House Committee on Rules. Howard W. Smith (D) Va., Chairman. Action **was** taken. The bill was considered. It was tabled, which amounted to killing the bill.	The N.H.F. will revise its approach in this matter, and introduce entirely new legislation in '63. This bill died without a hearing, but it did get some committee action.

BAD "RED LIGHT" BILLS

	S-2910 Sen. Lister Hill (D) Ala. H.R. 10541 Rep. Oren Harris (D) Ark. These were identical bills for "total coverage" of national drive for mass vaccination. Favored by Kennedy administration.	H.R. 10541 House Committee on Interstate and Foreign Commerce. Oren Harris (D) Ark., Chairman. No action was taken on S-2910. Hearings were held as predicted by our Legislative Workshop in June '62 N.H.F. **Bulletin.** N.H.F. requested and won an amendment which sets a federal precedent against compulsion in vaccination programs. A **great** victory for freedom of choice in matters of health.	Postcards in the July issue sent in by members backed up 40 pages of testimony by Clinton Miller urging that a voluntary clause be included in the bill. This 87th Congress will probably pass H.R. 10541 with the N.H.F. voluntary consent amendment. The bill passed the House and was favorably reported (as amended) by the Senate Committee. Even as amended we do not favor the bill, but failing to kill the bill, we did the next best thing, and amended it. Your postcards and letters were **very** successful and effective.
	S-1552 Sen. Estes Kefauver's so-called Drug Anti-trust Act. H.R. 11581 Introduced in the House by Rep. Oren Harris (D) Ark. with similar purposes. Thalidomide issue forced hearings after it was considered "dead." Hearings that were held in the House and Senate on these similar, but not identical bills will probably result in a "CONFERENCE" compromise bill. Both committees are working frantically to get bills completed by adjournment.	Senate Committee on Judiciary. James O. Eastland (D) Miss., Chairman, on S-1552. Interstate and Foreign Commerce Committee on H.R. 11581. **Hearings were held.** N.H.F. submitted testimony that received UPI national coverage, Aug. 23. We charged proposed bills left loophole for continued experimentation on humans without knowledge or consent. Action pending on our proposed amendment to correct this. (See this **Bulletin** for our testimony.)	The bills as written were bad, mislabeled bills. They **would** not prevent "trusts or monopolies" in drugs. They just gave government more arbitrary control. If passed without N.H.F. amendment, they will do more harm than good.

	S-2892 Francis Case (R) South Dakota. To extend youth guidance counselors to elementary schools.	Senate Committee on Labor and Public Welfare. Sen. Lister Hill, Chairman. No action was taken because Sen. Case died June 22, '62.	No action needed. Sen. Case died. However, before he died, he had changed his mind because of N.H.F. letters, and was not going to push for passage.
	H.R. 828 Abraham Multer (D). Making U.S. President a dictator of health.	House Committee on Banking and Currency. Rep. Brent Spence (D) Kentucky, Chairman. No action was taken or scheduled.	Strong letters by N.H.F. members were first that had been received against this bill by Rep. Multer. He had introduced the bill in 85th and 86th Congresses with no opposition, and was surprised that we opposed it. We shall discourage its reintroduction.
	S-917 Sen. Lister Hill. H.R. 4742 Rep. Oren Harris. Identical bills which would give $7,000,000 in '63 and increase to $17,000,000 in '67 for promotion of fluoridation, etc. Watch future N.H.F. **Bulletins** for our strategy to keep this from passing in 88th Congress. We are positive it will be reintroduced in '63, and it must be defeated in the House of Representatives. It will have a new number, so watch early '63 **Bulletins** for new identification.	S-917 Senate Committee on Labor and Public Welfare. Sen. Lister Hill, Chairman. Hearings were held on S-917. N.H.F. appeared against this bill (Sept., '62 **Bulletin,** page 30). The bill was favorably reported by the committee with only Senator Barry Goldwater (R) Ariz. and Senator John G. Tower voting against it in committee, and submitting minority views. The bill will probably pass the Senate, but if it does we have it bottled up in the House, and it definitely will not pass the House this year.	**IMPORTANT!** Even though this bill will not pass the 87th Congress, it has a lot of momentum. If it passes the Senate, which I predict it will, it does not have to go through committee hearings there in the 88th Congress. **Watch our future Bulletins for instructions.**
	H.R. 1235 Mrs. Sullivan (D) Mo. A 41-page omnibus FDA bill that holds many threats for the health food industry.	Committee on Interstate and Foreign Commerce. Rep. Oren Harris, Chairman. No action taken or scheduled.	Introduction of H.R. 11582, a similar bill by Mr. Harris, indicates we may see more of this bill in '63. It will not pass this year.
	H.R. 7904 Cleveland M. Bailey (D) W. Va. S-2345 Wayne Morse (D) Oregon. To extend and expand the National Defense Education Act of 1958 to include in excess of $200 million dollars for "youth counselors" over the next five years.	H.R. 7904 House Committee on Education and Labor. Adam C. Powell (D) N.Y., Chairman. S-2345 Senate Committee on Labor and Public Welfare. Sen. Lister Hill (D) Ala., Chairman. The National Defense Education Act was continued for two more years.	Continue opposing any expenditure for "youth counselors." Even though this law passed, the appropriation can be cut off. In '63 this holds true too. Present law appropriated $7¼ million in '62 and '63.

Legislative Workshop Explanation

The foregoing Legislative Workshop outline is an attempt on the part of the Washington Office to keep our members posted, in a simple manner, on legislative bills, **what they are,** who is the author. Their identifying number will be found in the first column. **Where they are,** the committee to which they have been referred, the name of the chairman of that committee and what action has been taken will be found in the second column. **What you** should do, who you should encourage to push the bill and who you should ask to support it is printed in the third column.

While Congress is in session, changes will be made in each column to keep the workshop up to date. Example, if a hearing is scheduled, this information will appear in the second column. If some action is taken, the action will be recorded in this column. If the ones to whom you should write change, this information will be recorded in the third column. It is our hope in this manner to provide our members with last information on each bill.

TERMINOLOGY: — H.R. means a House Bill; H. Res. means a House Resolution. S means a Senate Bill, and S Res. means a Senate Resolution. The words Joint Res. mean a Joint House and Senate Resolution. The letter D following the name of an author of a bill means Democrat and the letter R means Republican.

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SPECIAL BULLETINS

1. **The November Bulletin** will contain the detailed program of the coming Annual Meeting and Convention, at Breakers Hotel, Long Beach, January 2, 3, 4 and 5, 1963.

2. **We urge our readers to study** the Food and Drug Brief on page 3 of this present issue. The facts are set forth and give the lie to a lot of misinformation that has been handed out by a certain official of the Food and Drug Administration as to what the amendment to Section 125 would do to the health food industry and to the public in general.

3. **Start planning now to attend the annual meeting.** This is your organization, so, if possible, attend and take part in its work.

4. **The mail rolling into Washington is tremendous.** This matter has stirred the people up as never before, and both Congress and the Food and Drug Administration are astounded at the vast number of people who are sufficiently interested in this matter to write their objections to it.

5. **As surely as night follows day,** the public must win in this present contest with the drug and chemical interests. WE CAN—WE MUST—WE WILL.

6. **WE'RE MOVING!** After October 15, 1962, our address will be 211 West Colorado, Monrovia, California.