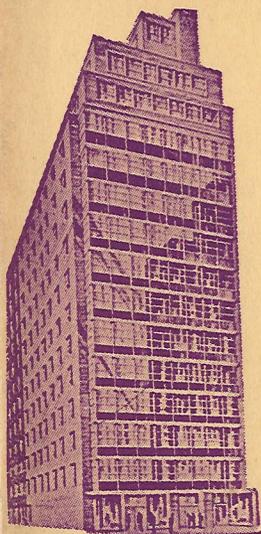


# National Health Federation



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**AMERICANS CRUSADING FOR  
BETTER HEALTH**

Site of our Washington Office  
1012 - 14th St. N. W.

**Volume X—Number 6**

**June, 1964**

# BULLETIN

## Thank You, Representative Roberts

Representative Kenneth A. Roberts  
Chairman, Subcommittee on Public  
Health and Safety  
House Office Building  
Washington 25, D.C.

Dear Representative Roberts:

I received a telephone call yesterday from a Krebiozen patient, Mrs. Gertrude Brau, who informed me that you had agreed to hold hearings if Representative Harris gave his okay.

*I understand that several thousand postcards have been sent to you by National Health Federation members requesting this hearing. Would you please give all of these postcards to Representative Harris and forward all others sent to you to his office.*

We deeply appreciate your willingness to hold hearings and we hope that you or some other member of the subcommittee will schedule hearings in the very near future.

We understand that you are running at large in Alabama this year and appreciate the fact that you will have to be absent from Washington during the time that these hearings should be held. Although we would prefer to have the hearings held under your direction, we are sure that any other member of your committee would be well qualified to chair the hearings in your absence.

Thank you for every courtesy you have shown the Federation and the sympathetic understanding you have given to the cancer survivors on Krebiozen.

Best wishes for a successful campaign.

Respectfully yours,  
Clinton R. Miller

## The NATIONAL HEALTH FEDERATION BULLETIN

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### The AMA Calls Food Facts Myths

*In its propaganda to fool the American public into a belief that our overly processed foods are good and nutritious and even better than nature made them, the AMA has broadcast over the land that food facts are myths and has labeled them as Seven Myths. It has then proceeded by implication and the quoting of unsound theories and half facts to lead the public to think that all who quote the truth about America's food supply are charlatans and/or ignorant. To set the record straight, we are reproducing herewith a speech given by Dr. Kurt Donsbach at the Louisiana Congress on Health Monopoly at Baton Rouge last April. Dr. Donsbach is an expert in this field and the facts he gives are documented and therefore true. Leaving out the introductions, the speech is as follows:*

#### **Nutritional Misinformation and the Truth**

America has many problems today, but there is one particular dilemma concerning the food we eat that should dwarf all others. This dilemma regarding **nutrition** covers a large area regarding which there is controversy and a great deal of false information distributed.

Proper nutrition is a subject which has been sadly ignored in our schools of learning. We, the people of America, have had a false sense of security and have been lulled into a state of apathy by carefully prepared propaganda which states that we are the best-fed nation in the world. Now it may be true that

we have the largest quantity of food available, but **how is the quality?**

#### **What the AMA Calls the Seven Myths**

The whole object of my lecture today will be to present to you facts—**facts that are documented**—in fact many of them are taken from reports which were published by those who publicly ridicule the thought that our nutritive pattern could be improved.

I would like to begin by enumerating the so-called "seven myths" of nutrition which are continually brought into the public view by means of the press, radio and television.

These myths are, according to the AMA, supposedly the mainstays of the "health food quack," the health food

(Continued on next page)

industry and the health faddist. By presenting the viewpoints of the AMA and FDA with their substantiating evidence and then viewing this evidence in the cold light of truth and clinical appraisal, I hope to present facts that will allow you to form your own opinions on this vital subject.

#### Myth Number 1

According to the AMA and FDA, the first myth of nutrition is:

"SOIL DEPLETION CAUSES MALNUTRITION. THEY SAY FADDISTS CLAIM THAT AS MUCH AS 95% OF OUR FARMLAND DOES NOT CONTAIN THE NECESSARY MINERALS AND VITAMINS. THERE IS NO SCIENTIFIC BASIS FOR THE THEORY THAT CROPS GROWN ON POOR SOIL PRODUCE FOODS OF INFERIOR NUTRITIONAL VALUE. THE ONLY DISEASE KNOWN TO BE ASSOCIATED WITH A SOIL OR WATER DEFICIENCY IS SIMPLE GOITER. WHEN SOILS ARE WORN OUT, ONLY THE YIELD IS AFFECTED, NOT THE QUALITY. ON POOR SOIL THE FARMER WILL, FOR EXAMPLE, GET FEWER CARROTS, AND EACH CARROT MAY BE SMALLER. BUT, OUNCE FOR OUNCE, THE CARROT WILL BE EVERY BIT AS NUTRITIOUS AS ANY OTHERS."

#### Here Is the Scientific Truth

Ladies and gentlemen, I would like to quote to you from the Firman E. Bear Report from Rutgers University. This was a study which one of our leading universities made on this very subject. According to the AMA and FDA's contention—every carrot, every cabbage, every bean will have the same nutritive value regardless of where it is grown.

The Rutgers study was made by going into various markets in a city and taking sample vegetables from the shelves. These samples were then taken to a laboratory and analyzed as to their content of the elements of which they are made up.

I now quote from this report:

"Cabbage varied in its content of iron from 94 parts per million to 20 parts per million.

"Tomatoes varied in content of iron from 1,938 parts per million to one part per million.

"Spinach varied in its content of magnesium from 203 parts per million to 46 parts per million.

✦ "The trace element cobalt—which is organic vitamin B-12—varied from 26 parts per million to 0 parts per million."

When we quote the U.S. Department of Health, Education, and Welfare: "There is no scientific basis for the theory that crops grown on poor soil are nutritionally inferior in any way," we cannot help but wonder whether these people who make statements of this nature put forth any effort to find out the facts. Do the studies which leading universities make have no bearing on their opinions or are they deliberately overlooked?

I know there are many of you here today in this audience who spent your childhood on farms. If there is one person who has had any agricultural experience or if there is one housewife in this group who has not had the experience of buying vegetables in the market that were obviously deficient in flavor—who can say that the soil on which the product was grown had nothing to do

(Continued on next page)

with its nutritive value—if such there be, I would like that person to please write me and allow me to present the facts to him.

I could go on for some time on this subject, but I feel that this statement of the AMA and FDA that poor soil grows good nutritional crops is so asinine that it needs no further discussion. Incidentally, I have a supply of this report from Rutgers University which I will gladly give to any of you who wish to ask for it.

#### Myth Number 2

"MOST DISEASE IS DUE TO IMPROPER DIET. THE THEME IS THAT DISEASE IS CAUSED BY A CHEMICAL IMBALANCE IN THE BODY. THE QUACKS MAINTAIN THAT IT IS ALMOST IMPOSSIBLE FOR THE AVERAGE PERSON TO EAT A COMPLETELY ADEQUATE DIET. THE AMA CONTENTS THAT AMERICANS HAVE TO GO OUT OF THEIR WAY TO AVOID BEING WELL NOURISHED AND THE FEW DISEASES CAUSED BY DIETARY DEFICIENCIES ARE RARELY FOUND IN THIS COUNTRY."

In this statement the AMA is insinuating that disease is not due to a chemical imbalance. Every doctor in this audience knows that anytime you have disease you have chemical imbalance. If I were to drop a 20-pound rock on my foot right now there would immediately be a chemical imbalance present. The human body is a complicated mass of chemistry and it is only when this chemistry is upset that we have disease and malfunction. The upset chemistry does not necessarily have to be due to a nutritional imbalance as I illustrated with the falling rock, but it is present when we are not functioning properly.

Now, in reference to the statement that the few diseases caused by dietary

deficiencies are rarely found in this country, I would like to add another statement that the so-called "expert nutritionists" of our governmental agencies have made, namely: quote "It is extremely doubtful if all the undernourished people in the entire United States of America were totalled that they would not total over 20,000." End of quote.

The continuing inference of these statements is that people interested in good nutrition are of the opinion that all disease is due to a lack of something in our diet and the only way to correct it is to take a pill containing vitamins and minerals. THERE IS NOTHING FURTHER FROM THE TRUTH! Every responsible person in the field of nutrition stresses the fact that the optimum situation is where the quality of the food consumed is such as to be completely adequate for the body to be healthy and capable of resisting disease.

Persons making the statement that there are only a sum total of 20,000 people in the United States suffering from malnutrition had better look at a few government statistics. For example: What is the rate of alcoholics in the U.S. today? It is astronomical in comparison to the figure of 20,000. What does the average alcoholic suffer from more than anything else? MALNUTRITION—that's what. Take the rate of liver disorders such as cirrhosis and certain forms of hepatitis. Do you know what the standard therapy for these conditions is? Bed rest and a diet high in protein, the B-complex vitamins and choline. Obviously if the treatment for these conditions is good nutrition, then poor nutrition must have a causative effect. When we refer to malnutrition, we do not refer to total starvation, but rather to those conditions which are brought about by a lack of certain essential nutrients.

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### Myth Number 3

"CHEMICAL FERTILIZERS POISON THE LAND AND THE CROPS GROWN ON IT. THE GOVERNMENT HAS CONDUCTED EXTENSIVE RESEARCH WHICH SHOWS THAT THE NUTRITIONAL VALUE OF FOODS IS NOT AFFECTED BY SOIL FERTILIZERS."

Here again we have the perversion of a statement and an answer that does not in any way reply to the charge. First of all, the charge made by nutritional advocates is that certain fertilizers now used are potentially dangerous to humans and animals. I would like to cite a case in Minnesota where the **AMA Journal** reported that 13 infant deaths were directly caused by fertilizer chemicals leaching into well water and from there into the formulae used to feed the children. Over 200 additional cases of poisoning were also reported from this same cause. As nutritionists we do not necessarily say that the fertilizer affects the nutritive value of the crop adversely, but when these crops can become the carrier of deadly toxins and in particular those that affect helpless children—then it is time to re-evaluate the benefits that these fertilizers may have.

### Myth Number 4

"CERTAIN WONDER FOODS HAVE A WONDER POWER. SOME FOODS PROMOTED BY THE FADDISTS ARE: WHOLE GRAINS, WHEAT GERM, YOGURT, ETC. WHOLE GRAINS AND WHEAT GERM MAY IRRITATE THE DIGESTIVE SYSTEM AND YOGURT IS MERELY AN EXPENSIVE FORM OF MILK WITH THE SAME NUTRITIVE VALUE. THESE FOODS DO PROVIDE NUTRIENTS BUT THE SAME VALUES CAN BE OBTAINED FROM STANDARD COMBINATIONS OF MORE PALATABLE, FAMILIAR FOODS."

Let us examine the three foods which these experts have seen fit to ridicule. We must consider the whole grains and wheat germ together for they have many things in common. One of their outstanding characteristics is their vitamin E content. It is a known fact that when wheat is ground into flour the germ is broken. Since vitamin E is a highly oxidative vitamin, the breaking of the natural seal allows the oxidation process to proceed. During this process of oxidation, rancidity begins, and vitamin E is lost at a rate of 10% per day. So at the end of 10 days, there is no vitamin E remaining.

**Why do I stress vitamin E so much?** I believe all of you have read of the research which has proven the beneficial results which vitamin E has on the body, particularly in the area of heart disease, which, incidentally, is the leading cause of death and illness in this country today. Medical literature is full of it. I refer specifically to the work done by the Shute brothers of Canada, Drs. Carpenter and Lundberg of Minnesota University and Dr. Gullickson of the New York Academy of Science. **Need any more be said?**

When these people refer to yogurt as merely being an expensive form of milk, I wonder if they have ever heard of the process involved in making yogurt—that of implanting a friendly acid bacteria in milk. This bacteria has the effect of normalizing the pH of the intestinal tract so that we do not reabsorb our own waste material. Yogurt is also a much more easily digested form of milk than milk as such. Why is it that so many doctors prescribe yogurt for infants with diarrhea? Furthermore, yogurt is a tasty substance and I can see no reason why there should be any reason to condemn this food product.

(Continued on next page)

### Myth Number 5

"CERTAIN TYPES OF COOKING UTENSILS ARE HARMFUL TO FOOD. SOME PROCLAIM THAT ALUMINUM UTENSILS ARE POISONING OUR BODIES, WHICH MAKES A GOOD ENTREE TO SALE OF 'NONPOISONOUS' COOKING UTENSILS. THE AMERICAN CANCER SOCIETY SAYS THAT USE OF ALUMINUM VESSELS DOES NOT CONTAMINATE FOOD NOR CONTRIBUTE TO THE DEVELOPMENT OF ANY DISEASE; NOR DOES THE AMA COUNCIL ON FOODS AND NUTRITION REPORT ANY SCIENTIFIC BASIC FOR THE CLAIM."

I would like to refer here to any book on toxicology, any reference book on poisons, or **The Merck Index**, which is practically the bible of the medical profession. All of these will tell you that aluminum is a cumulative toxin and can be very injurious to the body. Special care must be taken by those who work with aluminum, particularly those involved in its processing, so that they do not expose their uncovered skin areas to contamination. Masks are advised for those who work in the "melting pots" so that they do not inhale the vapors. There is only one effective antidote for aluminum poisoning to the best of my knowledge and that is silicate. **I am not saying that the cookware which is made of aluminum will present the toxic problem that for instance a large dosage would; but I would like to make clear the fact that aluminum is recognized as a toxic poison, that it has a cumulative effect—in other words builds up in the body to a point where it could be potentially dangerous—and there is no valid reason for considering the fact that aluminum is a poisonous substance a myth.** For any of you who have aluminum cookware and doubt the fact that

you are ingesting a certain amount of aluminum each time you use it, I would like to ask you to perform a little experiment for me. Take an aluminum kettle or pan and allow it to sit out in the air for a few days. You will note that the pan darkens—if you leave it long enough it will turn almost black—then take it in and boil some food in this pan. You will find that the pan comes out shiny bright. The aluminum oxide was dispersed into the water and food which you were cooking in that pan. A popular argument by aluminum salesmen is that the amount of aluminum which you get in the use of aluminum cookware is no more quantitatively than that which you would receive in eating an apple a day—which is supposed to keep the doctor away. **They forget to tell you, however, that the aluminum in the apple is in combination with silicate which renders it harmless to the body and the one in the pan is refined—a pure product. I would not deny anyone the use of aluminum cookware if they wished to do so, but I cannot see the reason why anyone should ridicule the idea that aluminum is a toxin and attempt to suppress facts which the public should know.**

### Myth Number 6

"PROCESSING AND COOKING REMOVES NUTRITIONAL VALUES IN FOOD. ACTUALLY, MODERN METHODS OF PROCESSING FOOD ARE DESIGNED TO PRESERVE NUTRITIONAL VALUES OF FOODS, AND MANY HOUSEWIVES HAVE BEEN TAUGHT TO AVOID OVERCOOKING. IT IS TRUE THAT CERTAIN B VITAMINS AND SOME PROTEIN IS LOST. WE REPLACE THE B AND PROTEIN IS ABUNDANT IN THE AMERICAN DIET IN MANY OTHER FORMS OF FOOD."

Statements such as I have just read  
(Continued on next page)

you always make me take a deep breath and count to ten before I begin erupting. What can be more inconsistent than to say with one breath that processed food is excellent food and in the next to admit that many things are lost in processing? They say that they replace these substances. Let me quote from Henry W. Trautmann, nationally-known M.D. of Madison, Wisc., who said, with respect to this matter:

Quote: "So-called enrichments in foods are enrichments in **comparison only with totally devitalized products**—not with the original food substance as it was prepared by nature. Every method of refinement, processing or preparation causes a loss of food value. How have these people become so wise as to remove all the vital elements from food and then guarantee enrichment by adding minute amounts of thiamine, riboflavin, niacin, calcium and iron? **Why these five factors only? There are over twenty elements which are known to be essential for nutrition which are destroyed in the bleaching of flour for example.**" End of quote.

Yes, these foods are enriched—enriched like you are enriched when a robber takes your money on a lonely street and then gives you back a dime so that you might have carfare back home.

I would like to bring one more fact for your consideration. Many of our refined foods have additions of thiamine hydrochloride or vitamin B<sup>1</sup>. The **British Medical Journal**, in an article entitled "Imbalance of Vitamin B Factors," reported: "Recent experiments have produced clear-cut evidence of the adverse effects that may be caused by a disturbance of the balance of the vitamin B factors in the diet. They have shown that the overloading of B<sub>1</sub>, for instance, can produce a definite deficiency of another B vitamin, namely B<sub>6</sub>. It is be-

coming increasingly recognized that there is a need for caution in the indiscriminate addition of supplements of **single synthetic B vitamins.**"

**Does this not speak for itself? Do these experts who proclaim that refined, enriched foods are as wholesome as unrefined foods read any of the research which has been done in this field? Or are they only mouthpieces and puppets for the manufacturers?**

As to their statement that most American housewives have been instructed in not overcooking food, this is definitely true in many instances, but how about the food which has been precooked, then is subjected to a high heat for purposes of serving hot in many of our restaurants? How about the heat which many of our foods are subjected to for reasons of purity—take milk for example. In pasteurizing milk, it is raised to a temperature of 140°, then tested, not for bacterial activity but for enzyme activity. When enzyme activity has stopped, the milk is considered pasteurized. How does this coincide with the articles which are printed every day on the fact that **ENZYMES ARE MEDICINE'S BRIGHT HOPE?** That enzymes are extremely useful in the battle against sickness and illness?

The stock reply is that milk must be free of the undulant fever bacteria of which it has been known to be a carrier. There is a logical solution which has worked out very well in certain areas where it has been tried—that of certified raw milk. **In countless tests the certified dairies had a lower bacteria count without pasteurization than pasteurized milk did, and the dairy herds consisted of much healthier cows.** Could this be because the dairies whose milk was to be pasteurized became slipshod in their handling of the milk because they

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felt that the pasteurizing process would take care of any contamination?

As for me, I would much rather have a product which was originally pure than have one which was contaminated and then purified with the very possible destruction of some of the beneficial elements which were originally contained.

I could go on and on about the effect which precooking has on the proteins, which are the building blocks of the body, and on many other substances. But it isn't really necessary; anyone who is interested in the facts can obtain them from many different sources.

#### Myth Number 7

**"SUBCLINICAL DEFICIENCIES ARE A MENACE. IT IS TRUE THAT ALL NORMAL PERSONS OCCASIONALLY SUFFER FROM THAT 'TIRED FEELING' AND VAGUE ACHES AND PAINS, THEREFORE THIS MYTH IS ESPECIALLY EFFECTIVE FOR HYPOCHONDRIACS."**

The **Yearbook of Agriculture** has warned of subclinical deficiencies for over 35 years. In 1929 they first published a chapter on this subject and have continued ever since. **The University of Minnesota published results of a test that really caused nutritionists to sit up and take notice.** In this test, cattle were fed grain that had been degerminated like commercial flours. The cattle gained in weight, appeared to all outward indications in good health. But they soon began to drop dead one by one with heart failure. While, at the end of 18 months, the entire herd was dead, a control group of animals which were fed natural grains were thriving. Is this degermination process responsible for our extremely high rate of heart disease? Please note that the cattle appeared to be in good health, until suddenly they developed fatal heart disease. Is this not a subclinical deficiency? Very few if any of our populace have

clinical symptoms of heart disease until that moment when they have heart attacks or are incapacitated. What else is this but subclinical? It is a known fact that doctors urge their patients to come in for frequent checkups so that these conditions may be diagnosed before they become a serious menace. This in itself is an admission that subclinical problems are present.

The one argument that an individual gave to me one time when I presented the aforementioned tests was that what was true for animals was not necessarily so for humans. I could not agree with him more. For example, if we had a billy goat on the platform here and offered him a fluffy bath towel he would probably eat it with the greatest of gusto. I am sure that I could not do so without serious repercussions. However, **the fact still remains that any living organism depends on its food supply to rebuild its body. Countless millions of cells are destroyed every day in our activity. If we do not supply with our food those substances which are needed, the body chemistry is upset. Malfunction will eventually result. It's as simple as that.**

In conclusion, I would like to summarize the basic premise of those who are interested in good nutrition. We do not wish to impose on the rights or freedom of any individual to eat as he sees fit. We do, however, wish to have the right to present to the public facts which are pertinent in our opinion to the health of everyone, including ourselves. We wish to have the right to freely choose our own food and not have it removed from the public market merely because it does not conform to the consensus of medical opinion. It is interesting to note that in all the allegations against health foods,

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there is no mention of possible toxicity or danger. We wish also the right to present the facts concerning possible dangers in processing, in chemical fertilization, in the contamination of our water and air supply, and the indiscriminate use of pesticides.

It is important for the people who are bombarded on all sides by propaganda and misstatements to have facts. Many times it is inconceivable for me to understand some of the statements made. For example: Phillip E. Harris, now the head of the Vitamin Dept. of the FDA, has made the statement that vitamin E is not considered essential for human nutrition. Yet just before accepting this position, when he was head of the Vitamin Division of Eastman Kodak Co., he published several papers on Vitamin E and its necessity in the human diet. In one of these papers, he made the statement that while grain was a very good source of vitamin E, one would have to eat 256 slices of white bread per day to supply the amount of Vitamin E needed for a normal adult. In making his statement after assuming his position with the FDA, he did not supply any corroborative evidence which would tend to make a person believe that new research had changed his mind. Is it possible that his statement was made as a matter of convenience? You can decide. . . .

Might I cite one more case which should be of interest to you as the consuming public. George P. Larrick, Commissioner for the Department of Health, Education, and Welfare, has often made the statement that his department stands ready to defend the quality of foods and products consumed by the American public. But has Mr. Larrick ever investigated one of the most flagrant violations of the Pure Food and Drug Law that has been propagated

throughout the years without legal action against it? Quote: "In 1917, Charles Evans Hughes of the U.S. Supreme Court gave the unanimous decision that the Coca-Cola producers had added poisons and deleterious substances to the product and remanded it to the lower court for action—(Notice of Judgment No. 4801 issued Sept. 18, 1917, page 380). The lower court ordered the seized product forfeited to the government but added that this 'judgment of forfeiture shall not be binding upon the said Coca-Cola Co. or its product except as to this cause and the particular goods seized herein. . . .' The Secretary of Agriculture refused to let the Bureau of Chemistry make further seizures or prosecutions, so Coca-Cola goes merrily on with 'top sales' of a legally poisoned product, while our people sincerely believe it is a safe product because they think they are protected by a Pure Food Law. Meantime, Dr. Clive McCay of Cornell testified before a Congressional Committee as to Coca-Cola's detrimental effects on teeth in that a tooth suspended in it for 30 days will entirely dissolve. Who are the 'Fakirs'?" Unquote.

America is a wonderful country founded on freedom and liberty. Our forefathers fought desperately against a monopolistic regime where people were not allowed to have personal freedoms. This is our heritage and I hope and pray that we may pass this heritage on to our children. It has been my pleasure to appear before you and I would like to say that if you are interested in learning more about the freedoms which are being methodically taken away from you—join the National Health Federation. It is one of the most effective means we have today of combating monopolistic tendencies in health matters in this country.

## Nutrients Below the Desired Level

Says F. J. Stare, M.D.  
Department of Nutrition  
Harvard University

Nutrition is an individual problem. How to be sure we're properly nourished is really a matter that requires a study of you and me. A recent article from the last annual report of the National Vitamin Foundation entitled "How Well Nourished Are Americans?" is considered in this problem.

We know from food availability figures of the Department of Agriculture that we have food to adequately nourish every citizen in this country—that is, to meet the recommended dietary allowances of our National Research Council.

**However, a review of the papers presented in the report of the Vitamin Foundation provides suggestions that many Americans of all ages and socioeconomic brackets have food intakes that provide nutrients below the amounts considered desirable. This means parents, teachers, social workers, physicians and nutritionists must be aware of the situation and strive to improve the dietaries of the critical groups.**

Here are some figures about specific nutrition problems as shown by the report:

1. While it is generally assumed that two-thirds of the recommended daily allowance is satisfactory, the following was found to be true. The average daily intake for all nutrients was lower for younger girls (13 to 15) than for older girls and for boys.
2. Studies of diets of college-age boys and girls indicate an occasional tendency to low intakes of thiamine also, but vitamins C and A usually are the ones at fault.
3. **Forty-three per cent** of the families

studied received below two-thirds of the recommended daily allowance for most nutrients.

Continues Dr. Stare: While these figures are not to be ignored, there is little reason to assume there are rampant nutritional deficiencies in this country. **What they do indicate is that many people are not using good judgment and making poor food choices and receiving borderline nutrition.**

In all the studies, calorie and protein intake were high. Where nutrient intakes were found to be lower than desirable, the intake of fruits and vegetables was found to be poor.

**N.H.F. Editor's Note:** Here is the famed Dr. Stare who has been going about the country inferring that the American people were well nourished and received all the needed vitamins, minerals and enzymes in their daily intake of food, when common sense would tell anyone that few people eat the variety of food necessary to accomplish this end, and that even a variety, if not properly prepared, would not supply such needed vitamins, minerals and enzymes. We are happy to reprint this item from the Los Angeles Times of April 2, 1964, because it pleases us to find that Dr. Stare is not all bad and at times is on the side of good nutrition, and also because it will make you wonder how the AMA and the FDA can continue to proclaim that all Americans are well-nourished, etc. etc. etc.

## Boy vs. Earthquake . . .

A man living in San Francisco during the earthquake felt that he should remain to do what he could in the work of restoration, but sent his small boy to visit his grandparents. A few days later he received this telegram: "Send us your earthquake and take back your boy."

## Dr. Frederick Stare Repudiated by 15 National Advertisers

For years it has been evident that Frederick Stare, M.D., head of the Department of Nutrition, Harvard University, has seldom if ever missed an opportunity to malign and ridicule the health and dietary foods industry.

That he has the right to his own opinions as an **individual** is without question. That he dares, as a public educator of one of our leading universities, to wage a personal vendetta against an entire industry is without precedent among respectable scientists and professional educators.

Focus of Dr. Stare's libelous campaign against health food stores was a two-page insert advertisement, sponsored by 15 national advertisers, in **Reader's Digest**, February, 1963.

The National Dietary Foods Association, acting through legal counsel, immediately filed a complaint, charging libel and slander. This was referred to The Manchester Organization, a large Washington, D.C.-based advertising and marketing firm which had prepared the **Reader's Digest** two-page insert.

A letter from The Manchester Organization, dated February 13, 1964, one year later, regarding Dr. Stare's libelous statements, on behalf of the 15 apologizing advertisers and the agency, has been received by NDFA.—The foregoing was taken from **Organic Consumer Report**.

**N.H.F. Editor's Comment:** We have seen the original letter from the **Reader's Digest** in which they stated they were sorry and did not understand how this matter slipped by their editors, for if they had known the contents, they would not have published it without its being edited. That is the gist of the letter from the **Reader's Digest**. The 15

advertisers were evidently in the same boat. It would appear that Dr. Stare is going to have to trim his sails and travel on the sea of truth if he is to maintain his status with the food processors or for that matter with Harvard University, for an institution such as Harvard University cannot afford to have the head of its Nutrition Department slandering a great industry through the use of half-truths, direct statements or by inference.

### Negative Ions for High Morale

WASHINGTON, Nov. 24, 1963 (UPI)—The Navy is investigating the possibility of using negatively-charged ions to maintain high morale aboard submarines and in other artificial environments, a military service journal reported today.

Investigators suspect that a heavy concentration of negative ions provides an increased sense of well-being, and that positively-charged ions cause irritability and anxiety.

An ion is an atom with an electrical charge. A normal atom is neutral. If it loses an electron, however, it has a positive charge. If it happens to pick up an extra electron, however, it has a negative charge.

According to the investigators, the atmosphere always contains large numbers of both types of ions.

They think a change in the ion distribution may be one of the main reasons why artificial environments often cause stuffiness, drowsiness or feelings of discomfort without apparent reason.

## N.H.F. Interviews Mrs. Esther Peterson

By Clinton R. Miller

"CONSUMER" has become a magic word in Washington. Suddenly the consumer climate has changed. A new female political personality has made hundreds of thousands of people for the first time see themselves as a potent lobby force. The President wants it that way.

Back in January, President Johnson, as one of his first official acts, created a powerful new consumer-oriented office. He appointed Mrs. Esther Peterson to the new post of Special Assistant for Consumer Affairs to President Johnson. He charged her to pay particular attention to the four key rights of every consumer, first initiated by President Kennedy:

The right to safety  
The right to be informed  
The right to choose  
The right to be heard

Mrs. Peterson is an ex-Utahan, so Clinton Miller, an ex-Utahan, was assigned to interview her for the **N.H.F. Bulletin**.

Her new offices are in the President's Executive Office Building, adjacent to the White House.

At the time appointed, I was taken into her spacious and well-furnished office. She greeted me in a wonderful, open, western manner. I don't know what that means, exactly, but she has it, I like it, and am glad that it's "in" again in Washington.

"How was the recent Utah Democratic rally at Provo?" I asked. "I heard you were a featured speaker with Senator Moss, and wondered if David King was there, or if you knew him very well."

She brightened up when I mentioned David's name. "He's one of my closest friends, and a very able legislator."

I agreed.

In answer to my next query, she said David had an excellent chance of being elected this year for his third term. (He was defeated two years ago when he ran for the Senate.) I told her I would send her a **National Health Federation Bulletin** in which we had printed Representative King's speech to the N.H.F. at our 1962 annual convention at San Diego. I said we looked on David King as one of the best friends the N.H.F. has had in Congress.

She glanced at the cards I had prepared with questions for the interview. I explained that I was rather new at the role of interviewing for the **N.H.F. Bulletin**. I told her that I hoped if any of my questions were too personal or improper that she would tell me, but I wanted to find out some of her personal and official health attitudes, as this was the primary interest of our members.

Question: You come from Utah. Are you a Mormon?

Answer: Yes. Born and raised a Mormon.

Question: Have you ever smoked?

Answer: Never.

Question: What was your educational background?

Answer: I graduated from the Brigham Young University in Provo, Utah, and did my graduate work at Columbia.

Question: Do you have any relations who are medical doctors?

Answer: Yes. I have two brothers-in-law who are M.D.'s. One lives in Provo, and one in Boston.

Question: Are they members of the AMA?

Answer: I don't know. I suppose so.

Question: Do you have any relations

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who are chiropractors or practitioners of any other healing art?

Answer: No.

Question: Do you have any friends or acquaintances who are chiropractors or practitioners of any other healing art?

Answer: No.

Question: Do you believe a consumer should be free to choose his own doctor?

Answer: Yes. I'd like them to choose their own doctor.

Question: Mrs. Peterson, most congressmen have a "crank" file. How do you tell which of your letters come from "cranks"? Don't you think that "nuts" and "cranks" will be encouraged to fill your mailbox? Do you have a "crank" file?

Answer: I know what you mean. No. We seldom get a "crank" letter. We have received from 100 to 200 letters a day; they are wonderful letters. You are free to go through the files. You may not use the names, but it is an education to just read their letters. Very seldom do we get an improper letter. I have been in government service long enough to spot them.

Question: How do you measure consumer interest for or against a product or service? Do you have an electronic system of registering complaints and suggestions?

Answer: At the time they are received we read the letters, and file them by subject matter.

We discussed health faddism and quackery for some time, and it was evident that Mrs. Peterson certainly had no brief for or against the health foods industry or non-allopathic doctors.

Question: Do you have a system of tabulating the letters you receive? Will you use IBM to catalog consumer response?

Answer: We use a human system. Each letter is read. If it should be referred to an agency, the letter is sent

to them, but these will be referred back to us with the agency answer, and then will be filed.

Question: What stands out in the letters you have received so far?

Answer: The first thing we notice is that the people who send them are non-organized. A few of them are from people who are probably writing to their government for the first time in their lives. Some seem to reflect a general feeling of helplessness.

The biggest complaint is in packaging. Many people are concerned with the high cost of drugs. We get lots of letters from people who have had bad reactions from cosmetics. There have been a lot of extremely bad accidents with people who are using cosmetics that are unsafe. The consumer does not seem to have adequate protection today against unsafe cosmetics.

Question: Besides cosmetics, what health matters seem to be of the greatest consumer concern?

Answer: We have received many letters protesting artificial food coloring and flavoring. Some are concerned with food additives and pesticides.

NOTE: Following my interview, I copied some letters which had favorable handwritten comments in the margin by Mrs. Peterson or her staff. Here is a sample postcard:

"Dear Mrs. Peterson:

"I hope you won't disregard my pleas. I've been trying to get the Washington people for ten years to listen to me.

"My favorite food was chicken, being from Kentucky—but they keep punching that hormone in it and you find that red stuff called Estrone or something every time you cut one up . . . and then I can't eat it. As you know they do it to fatten them up quickly. Anything for a quick buck—even if you get cancer.

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"Please stop them from punching all meat with that hormone. . . . And we'll all band together and elect you PRESIDENT 'cause you'll deserve it." Signed—Kentucky

Selected paragraphs from some of the letters follow:

" . . . the objectionable, to me, use of artificial coloring, flavoring, additives, and preservatives, . . ."

" . . . ingredients in ice cream, ice milk and sherbet products should be clearly and completely designated." Calif.

"I read in Betty Beale's column recently that President Johnson had appointed you Special Assistant for Consumer Affairs. He deserves a medal for doing so. This in America is long overdue." Missouri

"Red dye must be cheap, so much of it is used on our modern groceries. This use of dye stuff on our foods should stop.

"I am amazed when peeling potatoes that the sink runs red like blood. Oranges, grapefruit and other foods are colored. It's a deception and a fraud. It should be stopped.

"Best wishes to you in your efforts." Ohio

"Dear Mrs. Peterson:

"Congratulations on your appointment.

"I am gratified that the government will take a more active interest in the consumer, a somewhat unrepresented person in the past.

"I have long felt that the rapid strides made in food processing and production have been good in the main, but that sometimes they seem to have moved too far and too fast with the result we consume poorer quality.

" . . . I suppose it would upset the economy of the beef and poultry industry to do something about it, but I think that the government could sponsor some method of rewarding producers of more tasty food products, allowing them to so

label and adjust their selling price to cover the improvement so that those who so desire could pay a little more, if necessary, for food one can enjoy." Utah

"Dear Mrs. Peterson:

"The January 20 issue of *Newsweek* brought me the welcome news that the consumer has a new friend in Washington.

"My concern is with not only price and packaging, important as these are, but more particularly with the health factors involved in food production. While it may be too early to say definitely that certain food additives do cause cancer, or that pesticides are harmful, or that animals doctored to grow faster have poison meat, publications that seem to have good authority (*Consumer's Bulletin*, 1964 Annual edition and its bibliography) on the subject and occasional news stories do suggest such possibilities.

"The consumer should be made aware of any danger in the new artificial food colorings, preservatives, and flavorings, being added to foods, plus the farm and orchard treatments. A study by your office, I believe, will either correct a bad situation or set our (the consumers') minds at ease. The Food and Drug Administration seems unable to do much about them.

"In the meantime, it might be possible to encourage food packagers to put out at least a small variety of food minus the chemicals. I'd hate to see another belated public warning as was the case with cigarettes. Yours truly." Michigan

#### Regional Consumer Conferences

At the close of my interview, Mrs. Peterson explained that they were not going to depend on letters alone to get a consumer response. They were planning the first Regional Consumer Con-

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ference in St. Louis for April 16, which was a few days hence. The second regional conference will be held in Salt Lake in mid-June.

The people who have written letters to Mrs. Peterson so far may or may not be organized, but there can be no doubt about many of those who participated in the first regional conference in St. Louis. They were highly organized. The St. Louis Consumer Federation was co-sponsor of the Conference. It was made up of 31 member groups such as:

AFL/CIO Auxiliary to IBRW Local No. 1

American Business Women's Association

International Ladies Garment Workers Union of St. Louis (ILGWU)

YWCA of St. Louis, etc.

#### Health Panel

On the Health Panel for the St. Louis meeting were Mr. Bernard Marty, Vice President of Neisler Labs, a pharmaceutical company; Joseph R. North, FDA's Chief Inspector in St. Louis; Daisy Jacobs, St. Louis County Health Dept.; and Rita Oberbeck of the ILGWU of St. Louis.

Over 1,000 people registered at the St. Louis conference. One-fourth attended the health panel.

Near the front of the auditorium, a group from the International Ladies Garment Workers Union of St. Louis were seated together. They were organized. They had done their homework. Mrs. Peterson and her staff, to their credit, had resisted strong pressure to have only written questions. When Mrs. Peterson says she plans for "widest possible public participation," she means it. When comments and questions were allowed from the floor, they popped to their feet. They didn't stammer.

"I would like to ask FDA Inspector North how we can be sure, with so much new in drugs and medicine, that every-

thing we buy is absolutely safe?" The question came from a woman who was holding what appeared to be a copy of Senator Humphrey's hearings on Drug Coordination.

In a typically superior, almost haughty manner, the FDA's St. Louis inspector started to explain to the woman how the Kefauver-Harris drug law couldn't guarantee safety. It was a step toward insuring that drugs are as "close to being absolutely safe as possible," North replied.

A dozen hands went up, and it was obvious that this group of consumers was not pleased with either the attitude or the answer of the official spokesman of the government agency whose job it is to protect us from dangerous drugs, not explain why they can't.

The drug company spokesman, seeing that his "front man" had fumbled the ball, rushed to his aid. "We can't ever make any drug that's therapeutically effective and is completely safe," Neisler's Bernard Marty explained in a half condescending and a half hopeful tone.

That did it. It was like throwing gasoline on a fire to put it out.

"Have you ever heard anything so ridiculous in your life?" one of the ladies gasped loud enough so that it could be heard by everyone.

The excellent health panel chairman was Dr. Arch Troelstrup, of Stephens College, who is a member of the Consumers Union board. He had resisted pressure by certain panelists who feared genuine audience participation.

The biggest question I had about the sincerity of Mrs. Peterson and her willingness to really listen to the consumer as he spoke was answered.

She meant it! She really wants to hear from the consumer. She does not plan to muzzle the consumer and have him only say nice things about drugs

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## Washington Report

By Clinton R. Miller

### FDA Men Regulate Drug Industry— Then Join It

At least 83 key employees have left the Food and Drug Administration in the last five years to be hired by giant drug companies. Rep. Melvin Laird (R., Wis.) who dug out the information, said that it "reawakens a concern I have had for several years that individuals in Government who exercise regulatory authority over major segments of American industry may so position themselves as to obtain lucrative positions with the regulated enterprises and open them-

and foods. At our interview, I was convinced she wanted to have consumers write, but the **intensity** of the protest cannot always come through on paper. When a person can stand up, and speak his piece, then the pot starts to boil.

Cleverly poised questions by reporters had tried to trap or embarrass Mrs. Peterson even before the meeting was held.

"Are your regional conferences to be full-scale gripe sessions?" one asked.

"Of course not," she replied. "We have carefully arranged for all sides to have a voice."

Another reporter persisted, and asked if she would allow an attack on "business."

"I don't like being prejudged by certain organizations," she said. "Some say I'm going to whip business. I'm not going to whip anyone, and I hope they don't whip me. It makes me wonder what they are so afraid of."

Mrs. Peterson explained to the press and to the conference in her opening speech that she felt that we needed a "unique forum" in which the regulatory agencies, the consumer, and industry

themselves and their agencies to perhaps valid accusations of **conflicts of interest.**"

### Detroit Promises Exhaust Control for 1967 Models

Congress may approve legislation making the California standards apply nationally by 1967. AMA, that's the Automobile Manufacturers Association, announced on March 10 that they have set a target date of autumn, 1966, to make 1967 model automobiles and passenger car-like trucks, for sale in California, comply with the State's vehicle emission standards.

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are brought together. **The uniqueness of her approach is that for the first time the consumer is not to be talked down by big business or a governmental agency which industry might control.**

Now, you might think the writer has been "taken in" by the Peterson personality. Well, frankly, I suppose I have. I can't help liking her. After all, she's a Utah product. You can also suspect that this colors my view of LBJ's consumer movement. But I'm willing to take it at face value. I'm anxious to try to make it work.

If you share my optimism and hope, **why don't you write Mrs. Peterson a nice letter?**

It may be a short cut to President Johnson's ear. If you have a consumer viewpoint on health matters, and if you would like to write to Mrs. Peterson, her address is:

Mrs. Esther Peterson  
Assistant to the President for Consumer Affairs  
White House  
Washington, D.C.

## Department of Interior vs. Department of Agriculture

Secretary of Interior Stewart Udall is the first Cabinet-level administration official to **emphatically** come out for stopping **entirely** the use of widely used pesticides such as DDT, Endrin, Dieldrin, Aldrin, and Lindane. The Department of Agriculture is still just as **emphatically** contending that "normal" use of these pesticides presents absolutely no hazard to humans, fish, or wildlife.

Udall's unequivocal stand will probably force President Johnson to make an administration policy decision.

## FTC vs. Health Books

In a complaint action that looks more like harassment than honest law enforcement, the Federal Trades Commission has charged that Rodale Books have used false advertising to sell their books.

Rodale has retained the excellent Washington law firm of Arnold, Fortas and Porter, which means there will be a fight.

Mr. Thurman Arnold, when Assistant Attorney General in charge of the Anti-Trust Division of the U.S. Department of Justice, prosecuted the case in which the American Medical Association was found guilty of criminal conspiracy to restrain trade by their organized opposition to a group health plan.

Arnold's law firm won the Dextra Sugar case against the FDA last year. See **N.H.F. Bulletin** for April, 1963.

## Udall Gets New Fish Pesticide Labs

Congress has provided funds for a new, ultra-modern fish pesticide laboratory at Columbia, Missouri. Funds for the design were provided by an earlier Congress, and \$735,000 of construction funds have been approved by the House and Senate Appropriations Committee for use beginning July, 1964.

Secretary Udall pointed out to Con-

gress that fish, especially shrimp and other shellfish, are almost unbelievably sensitive to certain pesticides. It only takes 0.6 ppb (parts per billion) of Aldrin or Endrin to cause paralysis or death in shrimp in 24 hours.

## Orchids to FDA

The N.H.F. approves and applauds 100% the Food and Drug denial of a chemical company's proposal to add diethylstilbestrol to poultry drinking water.

The Food and Drug Administration has refused to issue a feed additive regulation prescribing safe conditions for use of diethylstilbestrol in the drinking water of chickens.

A chemical company proposed that the FDA authorize the use of one milligram of the drug per bird per day for 15 days to "provide a more efficient utilization of feed, a better carcass quality, and more docile birds."

FDA said "nix," and added, ". . . no assurance is provided that the conditions proposed are reasonably certain to be followed in practice."

## Justice Department Whitewashed MER/29

Biggest disappointment of the month was when the Department of Justice accepted a plea of "nolo contendere" (no contest) from Richardson-Merrell, Inc. on a 12-count Federal grand jury indictment charging they withheld and concealed information concerning cataracts, infertility, impotency, and other serious adverse reactions.

The Department of Justice thus allowed the most carefully documented drug injury case of the century to escape trial with the government as prosecutor. Damage suits totaling millions of dollars have been filed by nearly two hundred people. Now there will not be a trial record built up by the government

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# Sound Reasoning on the Subject of Krebiozen

An Editorial by John W. Campbell

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One of the major faults I find with the "scientific approach" to problems is the powerful tendency to hold that that-which-is-known necessarily embraces all-that-is-possible. Stated in that form, of course, any scientist would immediately deny it; it's normally stated in reverse form—i.e., "nothing known can produce such effects, so it is clearly a hoax, misobservation, or fraud."

I've been interested for some years in watching the case of **Krebiozen**, a cancer treatment that has been vigorously attacked by the AMA—as have

all cancer treatments other than their accepted, standard procedures of radiation, surgery, and caustics. There's been a running battle for years between the doctors who have used the stuff and believe they have clear evidence it works, and the AMA people who have not used it and insist it doesn't work.

For a long time, the Krebiozen faction refused or claimed to be unable to supply a purified sample of their material for AMA-sponsored analysis; they demanded that the AMA make

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for those suing for damages. Whoever was injured now has to build up his own case or settle out of court.

## Population Increase Equals Chronic Illness Increase

The number of persons with one or more chronic conditions is shown below for each of the years from July, 1958 to June, 1963.

It represents an average increase each year of slightly over three million per year. The population increase has averaged three million per year for the past six years.

	Number Chronically Ill
July 1958-June 1959	69,359,000
July 1959-June 1960	71,826,000
July 1960-June 1961	75,873,000
July 1961-June 1962	79,051,000
July 1962-June 1963	81,484,000

(Average increase of 3,041,000 new chronically ill per year.)

## Alarming Rate of Increase of Health Insurance Premiums

Representative Leonard Farbstein (D.,

N.Y.) is author of H.Res.683, creating a special 11-member House committee to investigate "alarming rate of increase" of premiums for health benefits plans, with Blue Cross and Blue Shield mentioned by name.

## Environmental Health Center May Be Named After Rachel Carson

Senate Joint Resolution 168, by Senator A. A. Ribicoff (D., Conn.), would honor the late author-scientist's memory with the "Rachel Carson Memorial Research Center for Environmental Health."

The selection of a site has held this project up for a year. The White House decision to recommend Beltsville, Md., came too late to get appropriations this year.

BRIEFLY: 23 drug firms hold 50% of all approved new drug applications. . . . Rep. Fogarty complained that over \$1 billion for National Institutes of Health (NIH) was "overly conservative and unimaginative. . . ."

what amounts to a biological assay test—i.e., run a standard double-blind test of the effectiveness of the remedy in actual cancer cases. In a double-blind test, neither the doctor nor the patient knows which individuals are getting the test-drug, and which are getting blank solutions; only a central computer has the number-correlations that finally match results with identification. This is the one type of test that assures that subjective factors will not influence either the patient's reactions nor the doctor's evaluations.

The new drug laws—resulting in part from the thalidomide furore—finally made it possible for the AMA, working through the Federal Drug Administration, to force the Krebiozen faction to supply a concentrate of their material for chemical analysis.

Chemical analysis has many powerful tools these days; infrared spectroscopy shortly permitted identification. The infrared spectrum of the Krebiozen sample was shown to match, one-to-one, the infrared spectrum of a well-known protein component of muscle tissue—**creatine**. The effects of creatine being well known—none whatever—it was at once clear that Krebiozen could not have any useful effects, as the AMA had long maintained.

There is, it seems to me, just one slight hitch in that simple-minded conclusion.

I am prepared to supply an extremely effective herbicide which I can positively guarantee can be shown by the most careful chemical analysis to consist of extremely pure water. "Conductivity water," in fact—water so extremely purified that it does not conduct electricity. There will be less than 0.001 parts per million of impurity in it. And chemical analytical techniques haven't even started to get good enough to reach that level of analysis!

Which seems sort of contradictory, in view of the fact that certain impurities in water, present in concentrations of about  $10^{-15}$ , are legally defined as making the water "impure." And I am not talking about radioactives, either—perfectly ordinary chemical compounds of stable elements.

My herbicide belongs to the same type-class; a concentration of  $10^{-18}$  or so would be quite adequate to ruin a field of growing plants. Readily proven by biological assay . . . but some **ten orders of magnitude** beyond the reach of chemical analysis!

How? Well, starting with conductivity water, I need add only a very minute trace of a known crystalline material—tobacco mosaic virus. The resultant solution, sprayed on young tobacco plants, could do quite a job, couldn't it?

And the legal definition of impure water has to do with the permissible concentration of **bacteria coli** in the water. Anyone want to try to spot that quantity of complex protein by **chemical** analysis?

So Krebiozen contains creatine? Well, well . . . And what else does it contain? Probably some hydrogen oxide too, I betcha. Since it's extracted from horse serum, it's quite apt to contain a couple of oddments of metabolic processes. Horses being noted for their quantity of muscle tissue, the presence of a muscle tissue extract of no significance isn't too startling, really. And since the mighty powers of modern chemical analysis can't find anything else present, that proves that creatine is all that's there.

Look friends . . . I have a bottle of a nice clear solution that should improve the situation for chemists who think like that. They're free to analyze it to their hearts' content . . . if only they'll drink it after they've "proven" it has

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nothing of any significance in it. Lessee now . . . we could load it with botulinus spores . . . or concentrated polio virus . . . or even anthrax spores; then we could let him boil it for an hour before swallowing it, and still the damn fool would have personal experience with the fact that the limits of his knowledge and talents are **not** the limits of reality.

I have no personal interest in Krebiozen; I do have an acute personal, as well as citizenship interest in the honesty of thinking of science and medicine.

Anyone in a field of medical-biological work who considers, even temporarily, that chemical analysis is adequate for the determination of an unknown remedy is inexcusably incompetent, dishonest, or muddle-headed beyond toleration.

To consider that spectrum identification is an adequate tool for such work is even further in the direction of fantastic—appalling!—irresponsibility. Obviously, spectrum identification requires that the spectrum be already known. This is a way to analyze an **unknown** material?

One microgram of cobaltamine—vitamin B-12—is considered a reasonably adequate vitamin supplement for that material. If an adult consumes one kilogram of food, plus an additional kilogram of water in a day, the concentration of that vital cobaltamine is 0.005 parts per million in his diet. You will, maybe, find this with an infrared spectrum?

Cancer, it is currently believed, arises from cells whose growth-regulating mechanisms have gone wrong—somehow the DNA-RNA information has been altered disastrously.

It is currently believed that virus particles are more or less loose DNA fragments, wrapped up in a protein capsule.

It's quite conceivable that the ultimate answer to cancer would be a highly specific virus that contained precisely

the DNA codons that the cancer cells lacked and attacked them, without, of course, bothering normal cells at all. (One class of thing you cannot learn is that which you already know. The cells that already have the codon information on self-restraint wouldn't "learn" anything from such a virus; the cancer cells would.)

If someone prepared such a virus, and submitted a highly active and adequate sample to the present AMA-FDA groups, it's evident that it would be reported as "fully identified as a solution of sodium chloride in water." Virus particles in normal saline solution, concentrated to about  $10^{-12}$ , would be an extremely powerful solution . . . biologically!

Remember that it is inevitably necessary that I use analogies which you, the reader, already know the answers to. If I handed you an example, instead of an analogy, it would of course be meaningless! I can, for instance, hand you an example-for-a-1935-scientist, but it will be an **analogy** for you. Suppose I could borrow a time-transistor somehow, and slip back to the Bell Telephone Laboratories, in 1935, and hand them a collection of a few modern solid-state devices. Say a silicon diode rectifier, half the size of a golf ball, rated at 150 amperes, 400 volts peak inverse. (That would drive the power-supply division into a flying frenzy!) And a grown-crystal audio-amplifier unit, with grown-in solid-state resistors, capacitors and transistors, half the size of a pea. A simple little semi-microscopic germanium diode detector, too, and perhaps be very generous and supply a couple of the new silicon carbide lasers. ("You put in the juice here and here, and the coherent beam of blue light comes out here.")

Let us now stand back and watch the

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chemists try analyzing that stuff. That silicon rectifier, now . . . they'll find it's a single crystal of pure silicon. They haven't got a technique good enough to come close to guessing **how** pure. (None of their reagents, or the water they're using to analyze it, are pure enough anyway; the techniques for getting commercially usable quantities of conductivity water weren't developed until transistor work forced them into use.) And since they can't come close to the purity of the silicon, they can't possibly detect the doping impurity that makes it work. They won't do it with a spectroscope, either—partly because they don't know how to get a spectroscope clean enough to do any good! The "background noise" of contaminants in their reagents, their equipment, and the atmosphere they work in would conceal the doping impurity.

A large part of the work the Bell Labs did in the years after they did invent the transistor was concerned with developing techniques for getting clean tools, clean reagents, clean equipment, which made possible the modern transistor. It wasn't just the concept of the transistor they developed; Bell Labs had to develop a whole new chemical and industrial concept to make production possible.

"Zone refining" was one of those—a technique whereby already ultra-purified germanium, silicon, or other material could be super-ultra-refined.

Back around 1940, the people working with copper oxide rectifiers at Bell Labs and other electronics industry research centers knew that copper from a certain area in Chile made the best copper oxide rectifiers. Montana copper wasn't as good, nor was African or Mexican.

Yeah—sure—everybody knows that copper is an element, and an element is an element, and where it comes from

has nothing to do with the matter. And in the days before knowledge of the "doping" behavior of semiconductive materials was available, who knew that a small-fractional-part-per-million impurity could make a huge difference?

The labs had tried analyzing the Chilean copper; they were perfectly sure that there was **some** impurity present. But no technique known to science as of 1940 was able to detect it.

After the information was of no practical significance—copper oxide rectifiers having been entirely displaced by silicon and germanium diodes—techniques developed in transistor research made it easy to determine the impurity. Zone refining, for instance, can sweep all the impurities on a bar of germanium—or copper—down to one end, thus concentrating them neatly for analysis. (But by then, of course, it had become a completely academic question. . . .)

However, if someone says something like that business about only Chilean copper being good for the device he's invented . . . he almost certainly wins himself, right there, the "Strictly Crackpot!" label.

On the other hand, when the AMA and FDA proudly announce that they have completely identified a previously unknown remedy because they've identified the infrared spectrum of one component . . . that, sir, is Science at Work!

Pardon me while I go back to Magic. The magicians used to try something out before they decided whether it worked or not.

**The meeting announced in the April issue at Raymondville, Texas, with I. M. Frost, M.D. has been postponed, because of unavoidable circumstances. If and when a future date is set, we will advise our readers.**

## Family Circle

By Fred J. Hart

### A New Thought in the Health Field

In the March issue of the **Bulletin** we called attention to the fact that Clinton Miller had startled a Congressional Committee with the thought that all health research money appropriated by the government was spent to research sickness and drugs concerned with the symptoms thereof, while nothing was being done in the field of researching health and how to keep healthy. Clinton, on behalf of the National Health Federation, suggested that, as a starter, at least 10% of the \$940 million being appropriated by the Government to research sickness be spent on researching to find how to keep people well.

In that issue we printed in full his written statement to the committee, but not his oral arguments as that would require 38 pages. Clinton did not expect to be before the committee for three hours, but the point proposed by Clinton, as the representative of the National Health Federation, so intrigued the committee members that they wanted to know more about it. It is to be hoped that many of our members will secure the complete testimony and read it, not only for the information contained therein, but it is a good testimonial as to how well the Federation, though Clinton Miller, presents the testimony. It also shows that the Federation does not resort to name-calling, but calmly and in an orderly manner presents the actual facts and does not have to back down on any of them, due to the fact that Clinton prepares himself by ascertaining the facts.

To make it possible for our readers to

obtain the complete 38 pages of testimony, the Federation will have reprints available at the following cost: one copy, 15 cents, 10 or more copies to one address, 10 cents each. We suggest that each member secure one, read it and then pass it along to someone else and urge them to read it and, if they agree with this approach, write to their Congressman and urge that when the appropriation bill for Health, Education, and Welfare comes up for action, that they amend it to provide that not less than ten per cent of the total be spent for research on health, not sickness.

### The Bulletin

This, the June issue, will be the last **Bulletin** we can send to those N.H.F. members who have not paid their 1964 dues by July 30. This is a post office regulation and we must abide by it, so we plead with those who have not sent in their dues for 1964 to do so at once.

On January first we raised the subscription price to \$4. Many of our members object to this raise, as they want to subscribe for people whom they feel should have the information contained in it, and they do not feel they should have to pay more than \$3, so we are again setting the subscription price at \$3 per year. N.H.F. belongs to the members, so we must comply with their wishes.

### Is Your Income Less Than \$200 Gross Each Month?

If your gross income is below that figure, the bylaws of the Federation provide that you can still be a full-fledged member at the old rate of \$3.

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Then, if you desire to help further with the work, you can make an additional donation. It is of course, our hope that as many with a low income as can will continue as \$5 members.

#### Life Members

Since the March issue we have enrolled ten new Life Members, which leaves us 140 to go to reach our goal of 500. We must reach that goal by the end of the year, or cut back the work of the Federation for 1965. The fact is, we must receive not less than 50 of these by August first, plus the further truth that we must receive from our Liberty stamp drive, which takes place the latter half of June and ends on July first, not less than ten thousand dollars. Last year it reached a total of just less than \$6,000. Funds from these two sources are used to pay the bills during the months of July, August and September, a period when the Federation's income, due to vacations and other matters, reaches an extremely low figure.

IF YOU CAN, please take out a Life Membership. If you cannot, then when you receive the Liberty stamps, send as liberal a donation as you can. The Federation can move forward only as fast as the members make it possible.

#### New Members

Never in its history has the National Health Federation received so much good publicity, accompanied with the admonition for health-minded people to join it. This has resulted in some increase in membership, but far too slow to offset the increased program that such publicity indicates the Federation must continue. We make this note in the hope that our members who read it will ask their drugless doctor if he belongs to N.H.F. and also ask the same question of the proprietor of their health or nutrition store. If the answer is yes, then request them to try to get their patients or customers to join. If the answer is

no, then insist that, if they value your trade, they join and help you fight for the natural approach to health and freedom. As sure as the night follows the day, the Federation cannot continue to spend its funds fighting for the right of these people to stay in business and for their freedom therein unless they get off the dime and support the work.

#### Conventions

The Phoenix and Salt Lake conventions were successful and we are now making plans to repeat them next year. Three days from the time this is being written we will be holding our one-day convention in San Francisco. Last year this convention was an outstanding event and we feel this one will be even better.

#### Encino

On May 16 the Federation will hold its first one-day convention at the Community Center Building in Encino. The program is a strong one and it is our present feeling that this convention will be the best-attended of any we have ever held. We will give you the news in the July-August issue of the **Bulletin**.

#### San Diego

On June 13 the Federation will hold its second one-day convention in San Diego, at the El Cortez Hotel. The one held last year was well received, so we feel sure this one will be even better. All members living south of Los Angeles will receive in the mail copies of the program in plenty of time to plan to attend. Please make an effort to be there. It will pay off in better health and happiness. For other convention dates and particulars see back cover of this issue.

#### Thank You, David King

One of the truly great talks given at the National Health Federation meeting in Salt Lake City last April was given by former Congressman David

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## The Legislature, the Law, and the Healing Arts

By Jack B. Tenney, N.H.F. Legal Counsel

A lawyer is often considered an obstacle to the attainment of idealistic justice when he candidly advises a client that the law—as it is written by the State Legislatures or the Congress, and as interpreted by the courts—is against the client's cause. The client—fully convinced of the righteousness of his case—is inclined to believe that his lawyer has "sold him out," that the lawyer is part of the "conspiracy against him." The fact is that a lawyer is duty-bound to advise his client of the law as it exists, and not as the client would like it to be. Under our system of jurisprudence, the legislatures of the several states write the laws and the courts interpret them. It is not the province of the courts to rewrite the statutes, to make good laws out of bad ones. They have but one

function—to give force and effect to the statutes under consideration. Generally our courts follow well-defined rules and time-honored legal principles in the interpretation of the legislation. If the law is a bad one, then it is the right and the duty of the people, through their legislative representatives, to either modify or repeal the statutes. The Eighteenth Amendment—Prohibition—is a law in point. While it was a part of the Constitution it was the duty of the courts to interpret and enforce it within the scope of its purport. This is not to say, of course, that our judges do not occasionally make "law" themselves. Lawyers distinguish between statutes enacted by the legislatures and "case

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#### Thank You, Senator Moss

The following telegram was received during the National Health Federation's one-day convention on April 15 this year.

"Please extend my Greetings and Best Wishes to all in attendance at your meeting in Salt Lake City today. I hope the meeting will be productive and enjoyable, and I assure you of my continued interest in your problems and my willingness to be of help in any way I can." Signed Frank E. Moss, United States Senator.

Senator Moss is the esteemed Senator from the great state of Utah and is always glad to cooperate in any way he can with Clinton Miller, the N.H.F. Washington representative.

King. When Clinton Miller was first in Washington, Congressman David King sort of took him under his wing and thus was of great assistance to the N.H.F. program.

Two years ago, David did not run for re-election to Congress but we are happy to state that he is again running for that office. When in Congress, David was our best friend, and we are hoping and praying that the good people of Utah will have the good judgment to again choose him to represent them in the halls of Congress. He thinks as we do, healthwise and freedomwise, and practices what he preaches along these lines.

As soon as we receive a printed copy of his speech to the convention, we will reprint it in the **Bulletin**, as it is full of sound sense and good advice.

law" decreed by our appellate courts. And sometimes "case law" is more difficult to amend, modify, or repeal than statutory enactments.

### Laws and Enactments

In considering the law as it applies to the healing arts, it is foolhardy to ignore the source of the law itself—the legislature. As a member of the California Legislature for eighteen years—both as an Assemblyman and a Senator—I can tell you that the legislature is the most important factor in every court case involving your rights as a practitioner of the healing arts and your right as a layman to freely select a practitioner, a drug, a method of treatment—yes, and even the food that you may wish to consume. In each of the State Capitols of our country, our representatives determine what you may and may not do as a doctor of medicine, as a chiropractor, as an osteopath, as a dentist, as a naturopath—even as a Christian Science practitioner. To say that the members of the several state legislatures make these important determinations is to state but a small part of the whole truth. In the technical fields—such as medicine, drugs and the healing arts—little or no legislation leaps unaided from the fertile minds of your elected representatives. The "legislative advocates"—the lobbyists—representing this or that organization, arrive at the State Capitols with their bills carefully drawn in accordance with high court interpretations—and they easily find a representative who eagerly sponsors and introduces the measure. The most important promotion is done with legislative committees—and the lobbyist representing the most influential political group usually prevails. If you quarrel with a state law, the most direct route to its amendment, modification or repeal is the shortest route to

your State Capitol. **You know, however—without being reminded—that you need an organization of state voters behind you, and, if you really want action, you had better hire a professional lobbyist.**

### My Purpose

My purpose, then, is not to discuss the law as you would like it to be, but to inform you generally what it is.

There was a time—under common law—when the medical profession was open to all without restriction. Anyone might follow it in any of its branches, subject only to liability for damages in case of lack of skill on the part of the practitioner, and the right of the government to proceed by quo warranto to prevent incompetents from so practicing. As a general proposition, the right to follow the profession of medicine and surgery as a lawful occupation is one of the fundamental rights of citizenship—a valuable property right—in which, under the Constitution and laws of the state, one is entitled to be protected and secured. It is interesting to note that it is beyond the power of a state to prohibit the practice of medicine and surgery, or any of the limited systems thereof, in the absence of any showing of injury or tendency of injury to the public health, safety, or morals. Recent rulings of state administrative bodies appear to disregard this fundamental principle of Constitutional law by attempting to bar the use of certain methods and drugs in the treatment of cancer. These administrative boards have not found these certain methods and drugs dangerous. On the contrary they have found them to be "useless" and "ineffective." The rulings of these administrative boards have not yet been tested. In a proper case our courts may determine that such findings violate the basic

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Constitutional rule, and that, in the absence of a showing of injury or tendency of injury to the public health, such rulings are beyond the power of the legislatures.

### States Require Licenses

Today every state in our nation has adopted statutes requiring practitioners of the healing arts to secure licenses. These statutes provide that such licenses shall be granted only on proof of the applicants' fitness to administer to the ailments of the people. I need not tell you that these statutes vary substantially throughout the several states in their terms and the details of their requirements. Generally the applicant must be of good character and must exhibit a diploma by a college teaching the healing art he desires to practice and stand an examination on medical and scientific subjects. The state, under its police power, may regulate and control the practice of medicine, either generally or in any of its limited branches, and this power to regulate includes the power to prescribe the qualifications which everyone who desires to engage in such practice must possess. The bills that are introduced in our state legislatures setting up these regulations and qualifications are usually written by the strongest association of practitioners in the various states. In some states medical societies or institutions chartered by the legislature are expressly empowered to grant licenses to practice to persons who satisfy them by diploma or examination of their qualifications to engage in the practice of medicine.

### What Is Practice of Medicine?

The practice of medicine has been said to mean, in its broadest sense, the practice of the art of healing disease and preserving health. It appears to be set-

tled law in the State of Louisiana that the application of physical force to parts of the body for the purpose of curing disease or relieving bodily ailments may constitute the practice of medicine within the general licensing statutes. There are many limited and special kinds of healing systems, and some of them have received the attention of the courts—particularly on the question of whether or not the practice of them constitutes the practice of medicine. In a few instances license requirements have been imposed on particular systems by statutes which have been construed by the courts. Thus, it has been held that the general practice of medicine is beyond the scope of one who is licensed to treat the sick by herbs and massage in a qualified way, or one who is licensed to practice the system of naturopathy, or one who is licensed as a physiotherapist and sanipractor. While the use by a beauty parlor operator of an electric needle to remove superfluous hair from the face has been held not to constitute the unlicensed practice of medicine, the giving of electrical treatments by unlicensed persons who profess to treat the sick or heal disease thereby **does** constitute the unlicensed practice of medicine.

### Limited Schools of Healing

Osteopathy, chiropody, chiropractic and optometry are examples of so-called special or limited schools of healing. Osteopathy has been defined generally as a system of treatment of certain parts and tissues of the body by manipulations with the hands, without the use of medicine, drugs, or surgery. Chiropractic and optometry are similarly defined. Naprapathy is another drugless system of treating human ailments by manipulations and is based on the underlying theory that many human ailments are

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due to a tightened or shrunken condition of a ligament. The question has arisen from time to time as to the status of a dentist. Is he a physician and surgeon as these words are used in a statute? Some state courts—construing their own statutes—have held him to be a physician and a surgeon, but the majority of courts have said he is not.

There is a tendency of all professions to establish a monopoly in their particular field. As a member of the California Legislature I witnessed the tugs-of-war between the certified public accountants and the public accountants, and the semi-yearly efforts of the various healing arts to achieve recognition, to predominate—and, in some cases, to merely survive. The chiropractors looked to Sacramento for recognition in vain. They carried their cause to the people of California by way of the initiative and became part of the State Constitution in 1922. They can only be repealed, amended, or modified by the vote of the people, and, while they have thus been assured of survival and are safe from legislative attack, they are, in a sense, confined to their school curriculum of 1922. The osteopaths in California have gone much further than the basic definition heretofore given, and, as a matter of fact, many osteopaths are now merged into the conventional *materia medica* groups in California and apparently have abandoned their osteopathy degrees. Hence the medical associations in California are strengthened—and the fate of minor healing arts may be said to be in jeopardy.

#### Public Left Behind

Meanwhile the general public in search of relief and cure is left bewildered and puzzled in the no-man's land between the warring factions. Between elections John Q. Public is considered a nincompoop; he doesn't know what is good for

him, and he does not have enough intelligence to make decisions on the simple things in life—let alone such highly complicated subjects as the science of medicine and the healing arts. He must be protected against the charlatans and the quacks—and everyone is a charlatan and a quack who comes up with a new idea. Old John Q. Public is only considered wise, capable and intelligent at election time. After November he doesn't know the difference between a head of cabbage and a bottle of aspirin until his elected representatives pass a law on the subject.

As a matter of fact, when is a drug a food? When is a food a drug? It is obvious that the man in the street will have one opinion, whereas the legislature and the courts will have another. Broadly defined, from the legal point of view, a drug is any vegetable, animal, or mineral substance used in the composition of medicines, any substance used in dyeing or in chemical operations, or any ingredient used in chemical preparations employed in the arts. Statutes relating to the sale of drugs, medicines, and poisons are directed at substances used as medicines. In order to give such statutes a reasonable construction, our courts generally held that their application must be confined to those articles whose primary and principal use is medicinal, or which are commonly understood as medicines; or, at least, if it is to be extended to any other articles, it must be limited to cases where they are prepared and sold for medicinal purposes. In California the use of a substance is said to determine its classification. If a substance is used for medicinal purposes, it is a drug. However, it is interesting to note that in Oklahoma the court held that an ordinance of the City of Tulsa authorizing the fluoridation of the city's water supply is not in violation of a statute prohibiting the unlicensed practice of medicine, dentistry or pharmacy.

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him, and he does not have enough intelligence to make decisions on the simple things in life—let alone such highly complicated subjects as the science of medicine and the healing arts. He must be protected against the charlatans and the quacks—and everyone is a charlatan and a quack who comes up with a new idea. Old John Q. Public is only considered wise, capable and intelligent at election time. After November he doesn't know the difference between a head of cabbage and a bottle of aspirin until his elected representatives pass a law on the subject.

#### What Is a Drug?

The Federal Food, Drug and Cosmetic Act of 1938 provides that the term "drug" means (1) articles recognized in the official **United States Pharmacopoeia**, official **Homeopathic Pharmacopoeia of the United States**, or official **National Formulary**, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animal; and (3) articles (other than food) intended to affect the structure of any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in the foregoing categories. These definitions do not include devices or their components, parts or accessories. Similar definitions have been adopted in many state pharmacy acts and food and drug acts.

The term "drug or medicine" has been construed in various instances as including aspirin, laxatives, tincture of iodine, spirits of camphor, and tincture of arnica, but not as including tobacco or borax. The term "drug" is said to embrace patent or proprietary remedies possessing or reputed to possess curative or remedial properties sold and used for medicines. It is now held that aspirin, camphorated oil and milk of magnesia are not patent or proprietary medicines.

Whether a vitamin preparation is a drug or a food is ordinarily held to be a question of fact. The same substance may be held to be a drug under one set of circumstances and not a drug under another. Apparently the test is whether

it is administered or employed as a medicine. Pure and concentrated vitamins or combinations of pure and concentrated vitamins, natural or synthetic, carried in an excipient, solid or liquid, and offered for sale as tablets, capsules, or in liquid form, have been held to be drugs in Minnesota. On the other hand, a vitamin preparation in capsule form has been held to be essentially a food product and not a drug or medicine in the State of New Jersey.

#### The State May Prohibit or Limit

It is probably uniformly conceded that a state may, in the exercise of its police power for the protection of the public health and welfare, regulate and control, and, under proper circumstances, even prohibit, the sale of poisonous or injurious drugs, provided, of course, that such regulations are not in conflict with federal statutes enacted by Congress within the scope of its legislative powers. The sale, purchase, and compounding of medicines is held to be a business subject to regulation under the police power, by appropriate legislation to the extent reasonably necessary to protect the public health. There is nothing in the Federal Food, Drug and Cosmetic Act which curtails the exercise of such power by the states. Hence the legislatures of the several states may prohibit or restrict the sale of vitamin preparations or preparations which are well known and used as household or domestic remedies, such as iodine or aspirin, except by duly authorized persons.

#### Courts Give Liberal Construction

The Federal Food, Drug and Cosmetic Act makes the introduction, delivery and receipt of adulterated or misbranded drugs in interstate commerce a punishable offense. The purpose of the Act is

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said to be the safeguarding of consumers of dangerous products and to protect the public health and to prevent fraud. In view of these alleged purposes the courts give the Act liberal construction. Conscious fraud is not essential to a conviction under the Act of shipping misbranded or adulterated articles in interstate commerce. Adulteration of drugs and misbranding covers a multitude of factual situations, too numerous to touch on here. Briefly, "adulteration," within the meaning of the Food, Drug and Cosmetic Act, not only consists in whole or in part of any filthy, putrid, or decomposed substance, unsanitary conditions of packaging, etc., but also in lack of strength and purity recognized in an official compendium. "Misbranding" is generally defined as "labeling that is false or misleading in any particular." In determining whether a labeling is misleading, there are taken into account not only representations made or suggested by statement, word, design, or device, but also the extent to which the labeling fails to reveal material facts.

### California Cancer Act

In California, pursuant to an act of the Legislature, a Cancer Advisory Council within the California State Department of Public Health has been established. The Department is empowered to "secure the 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, person, firm, association, or other entity . . . for the diagnosis, treatment, or cure of cancer; to prescribe reasonable regulations with respect to such investigation and testing, and make findings of fact and recommendations upon completion of any such investigation and

testing." It is interesting to note that the California legislature in setting forth the powers of the Department and its Cancer Advisory Council uses the phrase "investigation and testing"—ordinarily construed legally and logically as being in the conjunctive; hence, requiring both "investigation" and "testing." In the remainder of the Act the phrase is in the disjunctive, legally requiring either an "investigation" or "testing." Such apparently inconsequential words as "and" and "or"—even the misuse or misplacing of a comma or semi-colon—makes a world of difference when a court of law is called upon for construction and interpretation.

### Medical Opinion Not Research

The California Cancer Advisory Council has apparently confined its activities to "investigation." In some cases at least, the Council's "investigation" has been limited to the opinion of so-called medical experts. The following findings are typical:

The Cancer Advisory Council hereby finds as fact, by affirmative vote of at least eleven of its members, one of whom is not a physician and surgeon, that the said Lincoln Stephage Lysate Treatment or any similar agent is of no value in the diagnosis, treatment, alleviation or cure of cancer.

The Cancer Advisory Council hereby finds as fact, by affirmative vote of at least eleven of its members, one of whom is not a physician and surgeon, that the said Bolen test for cancer is of no value in the diagnosis of cancer.

The Cancer Advisory Council hereby finds as fact, by affirmative vote of at least eleven of its members, one of whom is not a physician and surgeon, that Mucorhycin in any dosage whatsoever is

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of no value in the diagnosis, treatment, alleviation or cure of cancer.

In each case the California Cancer Advisory Council recommends to the California State Department of Public Health that all persons, etc. prescribing, administering, selling, or otherwise distributing the preparation in question be ordered to cease and desist from so doing. When such order is issued its violation becomes a crime under California law—and a third offense is made a felony. Because the so-called "operative sections" of the Act require either "investigation" or "testing," "investigation" alone probably satisfies the statute, although it may, together with other defects, impair the Act's constitutionality. Reasonable men may well question the apparent reluctance to clinically test a preparation or remedy—particularly when the stakes are so high. And reasonable men may properly question the drastic action of barring a preparation or method of treatment found, after "investigation," to be "valueless" although harmless.

### A New Concept

Hence we have a new concept in the law of drug regulation, but, so far as I know, no court of appellate jurisdiction has ruled on it. The legal doctrine that reasonably supports the regulation of poisonous and dangerous drugs—the protection of the public health and welfare—is conspicuous by its absence in the findings and recommendations of the California Cancer Advisory Council. In the cases cited it will be noted that there is no finding that the substance or preparation is either poisonous or dangerous; merely a finding by popular vote that the preparation "is of no value in the diagnosis, treatment, alleviation or cure of cancer." When we remember the many instances of official opposition to

innovation in the treatment and cure of disease—opposition that stemmed from the entrenched and short-sighted medicine men who controlled the profession—we shudder at the possibility that this same obstinacy may still be effectively blocking progress in the treatment, alleviation or cure of cancer. It is certainly one thing to regulate—and even bar—the sale and use of poisonous and dangerous drugs in order to protect public health and welfare, but it is quite another to make it a crime, in the absence of a showing of fraud, to sell, use or prescribe a harmless preparation. This is particularly true, in my opinion, when those who sit in the seat of judgment have no remedy or cure of their own.

### Pursuit of Health Included

The pursuit of life, liberty and happiness includes the pursuit of health. Without health, life, liberty and happiness become just so many words. We are often mistaken in our evaluation of our freedoms under the Bill of Rights of the Constitution; we have been misled into believing that those famous ten amendments guarantee something or another to us. This conception—the so-called "guarantee of freedom of speech" etc.—paralyzes our judgment and curtails and obstructs our eternal struggle for freedom. The Bill of Rights actually consists of a series of prohibitions by free men against oppressive encroachments on their God-given rights by their servants in government. "Congress shall pass no law abridging. . ."; this is the language of the Bill of Rights; an order of a sovereign people to their elected officials. The National Health Federation stands for freedom of health, and believes that bureaucratic regulations and medical monopolies are rapidly depriving Americans of this freedom. Per-

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haps the answer is a constitutional amendment spelling out a prohibition against Congress or state legislatures improperly abridging this freedom. A constitutional amendment is worth a thousand successful lawsuits, and—believe it or not—considerably less costly. An amendment establishing freedom in the choice of doctors and healing methods, and freedom for the practitioners of the licensed healing arts, should be drafted by a carefully selected committee of representatives of the healing professions and other interested and affected persons. The final draft should then be checked by competent attorneys, its language legally researched, and its legal effect briefed and documented. This task might properly be undertaken by the National Health Federation, and I recommend it to you.

#### **Negligence or Malpractice**

It should be noted that under the case law of a majority of the states, a physician or surgeon must follow what is termed "an **approved method**" of treatment, and where he fails to do so he may be guilty of negligence or malpractice. He may adopt one of two or more accepted and recognized methods of treatment, and—in lieu of gross error—he is not liable for injuries caused by the treatment. Where there is only one approved method of treatment, however, adoption of any other method may render him liable, however high his reputation and however good his intention. This rule of law—while of some benefit to litigious patients—is capable of tying the hands of honest and dedicated practitioners, and thus depriving suffering mankind of new and more effective methods of treatment. It should also be remembered that physicians and surgeons are **bound** to follow the methods generally approved and recognized in

the profession. The question of whether or not a practitioner in his treatment of a given case exercised the requisite degree of care, skill, and diligence is to be measured legally by the general rules and principles of the particular school of medicine which he follows.

#### **Approved Methods Change with the Times**

These legal doctrines are the product of many years of experience and each of them came into existence because of a peculiar set of facts. We can imagine situations where their application worked the miracle of justice, and we can also imagine situations where their application paralyzed the hand of science. When the approved method of treatment was the leech and blood-letting, few medical men dared to use any other method. The history of medical science is punctuated with the dramatic acts of the men of medicine who dared find—and use—an unapproved method of treatment. And—really not so strange as it seems—these are the men who are honored today as the giants of the healing arts.

#### **Struggle for Freedom**

In closing, I would like to remind you that the struggle for freedom is never won. If the cruel hand of the tyrant is brushed aside, the hand of the beneficent liberator is apt to grow heavy in the intoxicating atmosphere of newly acquired power. Tyranny and dictatorship appear to be torrential winds continually hovering on the perimeter of freedom, rushing in to fill the slightest vacuum of complacency. To be free—and to remain free—requires eternal vigilance. Relaxation breeds complacency—and complacency is an open invitation to control and dictatorship. The impact

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of socialism on our generation—on the magnificent concept that man is capable of governing himself and of looking after his own welfare—is devastating and frightening to those who still believe in freedom in all its ramifications. The fact is that we no longer **collectively** believe that man is capable of governing himself, of making decisions, of determining his own best interest and destiny. Today the dominant school of political thought appears to be based on the triple hypothesis that mankind is totally inert, without form and direction; the omnipotence of the law, and the infallibility of the legislator. The dictator rules by edict and decree; the dictator-minded rule by the legislative process. A sovereign people ultimately becomes a servile and servient people, crushed under the weight of a thousand laws of control and prohibition.

#### **Be Passive and Lose Freedom**

The world will continue to be harassed by the encroachments of government on individual freedom as long as human beings with human feelings continue to remain passive. Human liberty will continue to corrode and crumble as long as people consider themselves incapable of securing their prosperity, happiness and personal welfare by their own intelligence and their own energy—as long as they expect everything from the law. In short, liberty will languish and decline as long as people imagine that their relationship to the state is the same as that of the sheep to the shepherd.

It is apparent that the members of the National Health Federation do not consider themselves "sheep." Unfortunately, the only immediate remedy is recourse to the law itself—if the self-appointed shepherds are to be eliminated. The long-range objective, however—if the ever-increasing encroach-

ments of government on freedom are to be effectively halted—is the forging of stronger links in the chains of the Constitution—in order that even our judges will be unable to escape their clear import and strength.

#### **Thank You, Mayor Graham**

We appreciate the following telegram from the Mayor of Phoenix, Arizona, which was received and read at the N.H.F. one-day convention which was held at Phoenix, Arizona, on April 13.

"Warmest greetings to the National Health Federation Convention. Please accept my sincere regret for not being with you today. Phoenix is honored at having been selected as your convention site, and, on behalf of all our citizens, I want to thank you for coming. Our city is keenly aware of the pressing need for educating the public toward a better understanding of health care, and your organization is accomplishing much toward this goal. Best wishes to all of you and to the success of your convention." Signed Mayor Milton H. Graham.

#### **Program, Anyone?**

It is increasingly important that the public and our membership be kept abreast of the progress and accomplishment of N.H.F. as well as its goals and projects. To assist you we will be happy to have our Executive Secretary address your group in the southern California area. These can be professional, business, civic or N.H.F. groups. It is requested that, if it is at all possible, if you have Mr. Long speak, that you consider a donation to N.H.F. to cover his expense.

Contact our Monrovia office for other program suggestions.

## Rachel Louise Carson

We still talk in terms of conquest. We still haven't become mature enough to think of ourselves as only a tiny part of a vast and incredible universe. Man's attitude toward nature is today critically important, simply because we have now acquired a fateful power to alter and destroy nature.

I think we're challenged, as mankind has never been challenged before, to prove our maturity and our mastery—not of nature—but of ourselves.

The above quotation from Rachel Carson's writings summarizes the message she has bequeathed to an age which, in its headlong haste for the profits of progress, too often remains oblivious to its perils.

And like any thinker of wide horizons, her exhortations against the indiscriminate use of chemicals was misinterpreted as reactionary, especially by those financially involved.

Dr. Robert White-Stevens, spokesman for the industry in last year's TV debate, said:

"If man were to faithfully follow the teachings of Miss Carson, we would return to the dark ages, and the insects and diseases and vermin would once again inherit the earth."

This, as we pointed out at the time, was a distortion of what Miss Carson had predicted—namely, that increasingly careless use "of sprays, dusts and aerosols, now applied almost universally to farms, gardens, forests and homes, would leave a deadly film lingering in the soil," with disastrous effects.

Can anyone believe it is possible (she asked) to lay down such a barrage of poisons on the surface of the earth with-

out making it unfit for all life? They should not be called "insecticides," but "biocides."

Miss Carson was a biologist, a scientist gifted with the ability to look beyond tomorrow and the day after tomorrow—a distinction which differentiated her from scientists principally concerned with instant benefits.

The success of her controversial *Silent Spring* should have been predictable. The public had long been, perhaps subconsciously, aware of the dangers against which it warned.

Contrary to the charges leveled by spokesmen for the industry she was not an "emotional crusader," but a professional scientist in search—as all scientists should be—of the truth.

"The obligation to endure," she said (quoting Rostand, the French biologist) "gives us the right to know."

She devoted the closing years of her all-too-brief life to the task of letting the world know of the perils that lie ahead.

She was motivated by the same sense of humane dedication which caused advocates of "birth control" to warn against the coming imbalance of population to the supply of food, fiber and living space in the over-populated and chronically impoverished regions of the earth.

It is doubtful that *Silent Spring* (a best seller for 86 weeks, and published in 30 languages by 1962) would have reached and alerted so many millions of readers had it not been for the success of Miss Carson's first book, *The Sea Around Us*. This classic demonstrated the author's rare gift of presenting sci-

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entific facts in lyrical language which at times reached the heights of poetry as exemplified in the final paragraph of the last chapter:

"... for the sea lies all around us. The commerce of all lands must cross it. The very winds that move over the lands have been cradled on its broad expanse and seek ever to return to it. So the rains that rose from it return again to the rivers. In its mysterious past it encompasses all the dim origins of life, and receives in the end, after, it may be, many transmutations, the dead husks of the same life. For all at last return to the sea—to Oceanus, the ocean river—like the ever-flowing stream of time—the beginning and the end."

From the *Richmond Times-Dispatch*, April 16, 1964.

**N.H.F. Editor's Note:** This editorial tribute to a great lady and public benefactor expresses our sentiments so well that we are taking the liberty of reproducing it as expressing the thoughts of our readers as well as our own.

## It's Nice to Say Thanks

Senator Abraham Ribicoff (D-Conn.) is one of the few men who is speaking out through the media of his committee to stop the continued misuse of poisonous, mutagenic and carcinogenic pesticides. He must often feel like a man alone, but he continues to speak out. On a recent radio program he indicated that "It has been over a year since Rachel Carson's book was published and nothing has been done." He was at this time speaking of the Government's inactivity.

It would be in order and commendable if each interested reader of this *Bulletin* would write the Senator thanking him for his interest and effort as concerns control of pesticides.

## National Dietary Foods Association—a Must

### EDITORIAL

If any of our readers have felt that the National Dietary Foods Association does not do much for the industry, we who have worked closely with that organization do not agree. In this connection, please consider the following facts:

1. Many things such an organization attempts to do must be done in secret, at least until the results are an accomplished fact, and then many times to brag about it or give it publicity would nullify the gains.

2. The article on page 12 tells of a real victory which took months of hard work and investigation, legal and otherwise, to accomplish.

3. No industry of any size in America would think of trying to make progress without a national organization properly financed to do a real job.

4. The National Health Federation has had 100% cooperation from NDFA in its program of overcoming the influence of the National Congress on Medical Quackery held in Washington, D.C., last October.

5. While there have been some shortcomings along the line of keeping close to the membership, etc., these items are not such as cannot be remedied.

The health food industry is a great step in the right direction, and properly handled and protected, can and will take its rightful place in the American economy. May we of the National Health Federation therefore urge those engaged in the health food industry not to weaken their organization either nationally or locally by unwise counsel and/or decisions. The industry is bigger than any individual; it should be brought closer to its members through better cooperation with its district organizations, and should labor at all times to strengthen the various districts.

By the same token, the district organizations should labor to strengthen the national organization. It is our fervent hope that the Denver Convention of NDFA will be the place where present difficulties will be resolved and the entire industry will move forward unitedly.

**NATIONAL HEALTH FEDERATION**

P.O. Box 686

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**SPECIAL**

1. **Chicago:** The Midwest Convention of the Federation will be held at the Sherman House this year. The dates will be September 10, 11, 12, and 13. It is our plan to make this the most outstanding convention the Federation has ever held in the Middle West. **More program details** will appear in the July-August issue of the **Bulletin**. For your own sake, as well as that of the Federation, we urge you to attend this convention.

**Those who are interested** in displaying products should write at once to Howard Long, P.O. Box 686, Monrovia, California.

2. **We need about \$500** worth of trading stamps to cover the cost of the folding and stuffing machine. We now have it installed, and you have no idea what a time and labor saver it is proving itself to be. We do thank those who have already sent in Green and other stamps.

3. **If you live west of the Rocky Mountains**, start planning to attend the Tenth Annual Meeting and Convention to be held at Los Angeles, California, December 30 and 31 and January 1 and 2. Later **Bulletins** will give you the details.

**Last year, we had by far the best ever held**, and this year will be better as our plans are much more elaborate.

**Attend the convention nearest you** and meet your fellow workers while absorbing truths about health which will help you to live a more abundant life. We are planning one-day conventions for Seattle, Washington, for October 3, and Portland, Oregon, for October 4 this year.

**The charge for attending** the one-day conventions will be as follows: For the full day, \$2; for one session or one lecture, the charge will be \$1.