National Health Federation
BULLETIN

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35¢

CONSUMER AFFAIRS REPORT

A new feature beginning in this issue

The Golden Age Of FOOD ADDITIVES

A Senate Floor Speech
By SENATOR GAYLORD NELSON

"... the average American daily diet is substantially adulterated with unnecessary and poisonous chemicals and frequently filled with neutral, non-nutritious substances. We are being chemically medicated against our will and cheated of food value by low nutrition foods. It is time to take a careful look at the prolific use of additives permeating our food."

People, Power and Pollution

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FDA Demotes Staff Doctors For Protecting the Public

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Keeping Fish Labels Honest

Dedicated to the Protection of Health Freedoms

THE
NATIONAL HEALTH FEDERATION
BULLETIN

Protection of Health Freedoms — *Published Monthly*

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The Bulletin serves its readers as a forum for the presentations and discussion of important health issues including the presentation of minority or conflicting points of view, rather than by publishing only material on which a consensus has been reached. All articles published in the NHF Bulletin—including news, comments and book reviews—reflect the individual views of the authors and not necessarily official points of view adopted by the Federation.

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When he introduced his Food Protection Act of 1972, Senator Nelson delivered a floor speech in which he competently outlined the present status of food additives and emphasized the need for regulation and controls on the ever-growing use of these additives. Here is the text, slightly condensed, of that noteworthy address.

The Golden Age Of FOOD ADDITIVES

By SENATOR GAYLORD NELSON

People are finally waking up to the fact that the average American daily diet is substantially adulterated with unnecessary and poisonous chemicals and frequently filled with neutral, non-nutritious substances. We are being chemically medicated against our will and cheated of food value by low nutrition foods. It is time to take a careful look at the prolific use of additives permeating our food.

The purpose of this bill, the Food Protection Act of 1972, is to prohibit the use of additives unless they are adequately proven to be safe, effective and to have a demonstrable benefit.

The bill would broaden the authority of the Food and Drug Administration over the regulation of food additives, in the areas of testing, factory inspection, and registration of producers. It would authorize third-party testing of all additives instead of requiring FDA to rely upon the tests of the producer.

It would require the Federal Government to set nutritional standards for food.

The goal of the legislation is to eliminate the use of unsafe, untested and unnecessary chemicals in the food supply.

The provisions in the bill, requiring proof of "necessity" as well as safety and effectiveness for approval of additives, are based on the recommendations of the 1970 White House Conference on Food, Nutrition, and Health. The conference report states:

INTRODUCTION OF NEW CHEMICALS

The ever-widening technological revolution has tremendously increased the number of new chemical materials offered for use in the food industry. Thus, it is advisable to develop guidelines for the determination of the acceptability of new chemicals for

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food use. These guidelines should be based on the concept that new additions to the chemical components of our food supply should have important reasons for their use.

Recommendation: In view of the fact that it is not possible to determine with absolute certainty the safety of the ever-increasing number of chemicals added to or present in our foods, and taking into account the possible interaction of these chemicals with each other or natural food constituents, no additional chemicals should be permitted in or on foods unless:

They have been shown with reasonable certainty to be safe on the basis of the best scientific procedures available for the evaluation of safety and meet one or more of the following criteria:

1. They have been shown by appropriate test to be significantly less toxic than food additives currently employed for the same purpose.
2. They significantly improve the quality or acceptability of the food.
3. Their use results in a significant increase in the food supply.
4. They improve the nutritive value of the food.
5. Their use results in a decrease in the cost of food to the consumer.

There are roughly 1,000 chemicals that are used directly in food additives. Another 2,000 chemicals infiltrate food through packaging materials or other indirect contacts. The use of chemicals as food additives has more than doubled from an estimated 419 million pounds in 1955 to an estimated 1,060 billion pounds today, according to the industry. The industry says the American eats five pounds of additives every year. In 1970, the FDA received 476 new applications for food additives. Sixty-two were approved, 148 rejected. In 1971, the FDA received 110 new food additive applications, and approved 51.

These chemicals are used as stabilizers, preservatives, disinfectants, antioxidants, extenders, tenderizers, emulsifiers, growth promoters, bleaches, sweeteners, conditioners, colors, and flavors.

The problem promises to get worse unless curbs are put on the use of food chemicals now.

Food Additive Business Expected to Boom

According to two papers presented at the 161st American Chemical Society meeting in 1971 —one by an industry representative and one by a consultant to the industry—the food additives business is expected to boom in the next 10 years. These papers reported that food additive sales at the present time amount to $500 million a year, and that sales are expected to reach $756 million by 1980. The consultant projected the following growth trends in use of food additives by 1980—not necessarily of new chemicals: flavoring materials, 50 percent growth in use; stabilizers, 50 percent growth; surfactants, 40 percent growth; flavor enhancers or potentiators, 100 percent growth—monosodium glutamate is a flavor enhancer; assidulants, 60 percent growth; synthetic sweeteners and bitter agents, 60 percent growth; antioxidants, 100 percent growth; and preservatives, 67 percent.

The American public at the present time is a testing ground for many of these agents that have not been adequately examined for safety.

Judging by the letters that come into my office from all over the country, people are disenchanted and angry about the proliferation of chemicals in the food supply. "Please clean up our food," is the cry.

Public concern is evidenced by the rising interest in organically grown, or health foods. Health food store owners report that every time the FDA issues a warning about a food substance, the health food business booms.

As scientists increasingly discover harmful effects of chemical additives that previously were considered safe, the public loses more and more confidence in the regulatory agency that approves these substances for consumption.

In addition to those deliberately added, there are other chemicals creeping into food from pesticides, herbicides, fertilizers, packaging materials, animal feeds, air and water pollution.

Long Range Accumulative Effects Questioned

The scientific community is concerned about the long-range, accumulative effects of all these chemicals on the human genetic structure, about the effects on the unborn and about the synergistic effects of chemicals in combination — interactions between chemicals may produce harmful results. For example, many processed meats, such as bologna and sausages, contain the commonly used preservatives, nitrates and nitrites, which produce the red color in the meat. Recent tests show that these additives produce cancer-causing agents — called nitrosamines — when they react with other chemicals in food or in the body.

The list grows daily of chemicals that are discovered to have harmful effects. They include cyclamates, saccharin, monsodium glutamate, bha and bht — antioxidants restricted in Britain and where they are banned from baby foods, red color No. 2, brominated oils — in fruit and soft drinks, sodium benzoate and benzoic acid—which the State of Wisconsin has banned from many foods sold in the state, diethylstylbestrol (DES) — a cancer-causing hormone added to animal feeds. Many of these chemicals have been banned or restricted by other nations, or condemned by the United Nations' World Health Organization and Food and Agriculture Organization (FAO).

The GRAS List

Many of them were "generally recognized as safe" under a 1958 amendment to the Food, Drug, and Cosmetic Act, and were included among 600 chemicals on the "gras" list, thus exempt from testing and clearance by the FDA. They include: 30 preservatives; 28 antioxidants to retard the breakdown of fats and oils and keep shortenings from turning rancid; 44 sequestrants to tie up trace elements; 85 surfactants, or wetting agents. Cyclamates have been banned from all foods, MSG has been volun-

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tarily removed from baby foods, saccharin has been removed from the "gras" list and is under study. Nitrates and nitrites are on the "gras" list. These examples point up the loophole created by that section in the law.

The FDA is reviewing the "gras" list and expects to test a number of substances. Most of them still remain in common use, however.

Another bill that I have introduced (S. 76) would eliminate the "gras" list exemption and expand the Delaney amendment to forbid the use of additives that not only are found to cause cancer, but may also cause birth defects, genetic changes and long-range biological problems.

While the scientific evidence mounts against many food chemicals, the food and chemical industry seeks approval for even more additives. The USDA has proposed adding another additive to hot dogs, already full of potentially dangerous substances. The color fixative, sodium acid pyrophosphate (SAP) is akin to phosphoric acid—toxic. The USDA says SAP would accelerate development of rosy red color, and thus cut production time by 25 to 40 percent.

Convenience, Processed Foods

This brings us to the crux of the situation: economics. The profits of the food industry are being placed above the public health as regards the safety, nutrition and necessity of food additives. Synthetic and convenience foods means high profits and greater market control for the food industry. Additives mean that foods can be manufactured at low costs, shipped long distances, and remain on shelves longer.

Many processed foods are not "real food" at all, but a combination of chemicals. On an educational television program, it was demonstrated that a commercially marketed frozen lemon cream pie actually was composed of chemicals—no lemon, no cream, no flour.

In 1970, for the first time, Americans spent more money for processed, convenience, snack, and franchised foods than for fresh foods.

This rapid increase in processed and convenience foods has caused the FDA to consider setting standards for nutritional quality of these products, and the FTC to investigate advertising claims of nutrition in synthetic food products.

Additives cut costs to the manufacturer, but not necessarily to the consumer. A package of "instant eggs," with the equivalent of two eggs, costs $.30, compared to an average of $.05 for one real egg. The consumer is paying three times as much per package for powdered eggs than he would pay for two eggs.

The food industry had $139.2 billion in sales in 1971, a 63 percent growth since 1960. It is the nation's largest and fastest growing business. The managing editor of the trade magazine, *Food Engineering*,

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People, Power and Pollution

By PROFESSOR JEFFREY M. ELLIOT
Department of Political Science, Cerritos College

In an eloquent and impassioned address to the American people, Senator George McGovern beckoned us to commit ourselves to the ecological struggle which now confronts our nation: "The challenge of our age is whether we shall seize the opportunity to decide what kind of life, what kind of environment, and what kind of opportunities we want for ourselves and for our children."

A bitter fact about twentieth century America is, that the most affluent of nations has, because of disinterest, avarice, and carelessness plunged itself into an environmental crisis of monumental proportions.

Although the problem of environmental pollution is grave, it is not unsolvable. It is clear, despite lofty denials from many of our public officials, that we can ill afford the luxury of waiting another decade for the answers. If we are to survive the ecological disaster which now threatens mankind, it is imperative that we face this sorry and perilous situation realistically.

Not long ago, Christopher Kirkland, a ten-year-old boy died because he could not get enough oxygen. His doctors said he was "eaten alive" by smog. Although the dangers of pollution are known, we seem unwilling to save our planet from this dreaded predator.

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Professor Jeffrey M. Elliot currently teaches political science at two Los Angeles area colleges. In addition to being a practicing educator, he may properly be considered also a journalist, lecturer and radio commentator who is using his talents as a concerned and aware citizen to help improve and enhance the meaning of life for all Americans. Professor Elliot is now working on his Doctorate in Political Science at the University of Southern California where he has been cited as "one of the outstanding political science scholars for the year 1970." In the best traditions of the democratic process, Professor Elliot is educating his students on environmental needs, supporting civic action to reduce pollution of air and water, and campaigning for conservation of scarce land resources.

Moreover, the public has lulled itself into believing that utopia is just around the corner. Well, the truth of the matter is, the only way that there will be a better tomorrow is if we make it so.

The realities of the present suggest that we have been betrayed; deceived by those we elected to represent us and, further, misled by those claiming to be the leaders of the fight to save our natural resources. The result of this betrayal is mirrored in the steady deterioration of California's once rich environment, its unique beauty and plentiful resources.

Why this horrible failure to clean up the environment? Over the years, many groups and organizations have come into existence. Many of these survived for a short time and passed away from the scene. However, a number of organizations continued their involvement until they came to regard the "environmental crisis" as sort of their own "pet project," thus making it extremely difficult for other concerned citizens to join them in that fight.

In addition, we trusted our public officials when they told us to have faith, that things were getting better, that the end of pollution was in sight. In fact, the reason so little has been done to combat smog is because neither the State Legislatures nor the Governors have been willing to enforce the laws against industrial polluters.

For example, the inability of the California Legislature to enact tough, effective anti-pollution legislation was evidence just recently. The most important coastline conservation bill of the 1971 legislative session was killed by a 4-4 vote of the Senate Natural Resources Committee. It is interesting to note that the ninth committee member, Senaor James Q. Wedworth (D-Inglewood), who was the swing vote, did not attend the hearing. Before leaving town, Wedworth told several of his colleagues that he supported the measure. When asked why he failed to show up, he said he was away on "personal business." Wedworth later admitted that he was out shopping for palomino horses for his dude ranch. The author of the bill, Assemblyman Alan Sieroty (D-Los Angeles) noted that "The eleventh-hour activities of representatives for developments such as Sea Ranch, Pajaro Dunes, and other land developers and a number of utilities also played a major role in the bill's defeat." Although the outcome was terribly disappointing, it was not really surprising. Actually, this tragic scenario of governmental indifference, corporate meddling, and public apathy is a rather common occurrence.

While campaigning, politicians traditionally speak of bringing the government closer to the people. Once in office, however, a functional gap develops between the people and their elected representatives. The issues on which rigorous campaigns are built are the same ones which are quietly ignored once these men take office. The lobby system takes control and these elected representatives are no longer faithful to the people. The system is so ingrained that when the interests of the people conflict with those of the lobbyists, the people invaribly lost out. Now, all this does not mean that the system is doomed to failure. But it is worth noting that the State Capitol is not a citadel of raw courage or absolute reason but is composed now, as always, of men who act more on the basis of what is popular, than what is right.

Many Americans claim, and with some justification, that government has simply become too big, too complex to cope with those social ills which blight the mind and spirit of man — hunger, poverty, racism, illiteracy, disease, pollution and war. In fact, they charge that in many problem areas, government is actually oblivious to human suffering. In denouncing what they consider abuses of power, these sincere people hope to reverse many of the government's present programs, particularly in the environmental area.

Meanwhile, an overwhelming sense of hopelessness and futility consumes the average citizen who feels powerless not only to affect his own life, but that of his country as well. How can any pressing reforms be undertaken so long as those in positions of power respond to such grevious problems with disdain and contempt? There is in the end a feeling that the individual is helpless, quite unable to make any worthwhile contribution to the society in which he lives.

More than ever before, the very integrity of our social and political institutions are being questioned. A great many people have given up on our nation, its traditions and fundamental precepts. These skeptics, nurtured by the daily nightmare of violence and poverty, prejudice and pollution, are not so naive as to believe that all the men and women we send to the State Capitol to write our laws are always going to place the people's welfare ahead of their own private, vested interests.

There is really no point in continuing to diagnose the problem. We have come periolously close to studying ourselves out of a planet. There if information enough for action. All that is lacking is political will. The time for letter writing, picketing, or boycotts has passed. What is needed now, today, is a positive program to help remedy this ominous situation.

At long last, there is in California, at least, a responsible and realistic alternative to this environmental nightmare. An organization known as the People's Lobby, Inc., has appeared on the scene. Issue-oriented, solution-motivated, and armed with the initiative, injunction, and lawsuit, this group has qualified for the June, 1972 California primary ballot, the toughest anti-pollution law in the country.

What is so significant about the People's Lobby as distinguished

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from all other environmental groups, is that it has found a viable way of circumventing all of this political chicanery while working within the system in order to effect meaningful change.

To those unbelievers who say that no man, no single organization can make a difference, the record of the People's Lobby is a dramatic example of what can be done when a dedicated group of concerned citizens accept responsibility for improving and enhancing the quality of life.

This small organization, with limited resources and no political experience, has begun to turn things around. In January, 1970, People's Lobby asked for independent testing of Standard Oil's F-310 gasoline. Soon after its initial investigation, it filed, on behalf of all California residents, a consumer fraud class action lawsuit against Standard Oil for its deceptive F-310 advertising. It successfully held the suit in court (a first for California consumers), subpoenaed Scott Carpenter, the astronaut, as well as the Los Angeles County Board of Supervisors for depositions, and called for government hearings and quick action. Within a matter of weeks, the Federal Trade Commission filed a complaint against Standard Oil charging it with conducting a fraudulent advertising campaign.

Some months ago, a lawsuit was filed by the People's Lobby against the Los Angeles and San Francisco Bay Area Pollution Control Districts charging that these two governmental agencies knowingly disseminate false reports on smog conditions. Roger J. Diamond, an attorney for the Lobby, argued that under the U.S. Constitution, the public had the right to receive correct and complete information from a public agency. In an unprecedented move by the Air Pollution Control Districts, Los Angeles deputy county counsel, Andrew Schutz, told the court that the First and Fourteenth Amendments do not specify that the public is entitled to receive accurate information from the government, *therefore, the government, if it so chooses, has the right to lie.* Judge Francis C. Whelan, after lengthy deliberations, ruled that his court had no jurisdiction over the case. It is presently being appealed to a higher court.

In a landmark case, the People's Lobby claimed it had a right, under the freedom of speech guarantee, to use the public areas of shopping centers for purposes of collecting signatures for initiative petitions on environmental and other matters. The California Supreme Court ruled in favor of the Lobby, basing its decision primarily on the grounds that "Peaceful, nondisruptive action of this kind is constitutionally protected." The high court said, "Modern shopping centers, serving as the business districts for the surrounding residential communities, have important public functions, and their owners may not rely on their private ownership to justify such usurpation of the First Amendment. Indeed, in many instances the contemporary shopping center serves as the analogue of the traditional town square." This historic case, heralded by many jurists as one of the "great victories" for the Bill of Rights, was brought to fruition by the concerted efforts of the People's Lobby.

In another case, the Lobby went directly to the California Supreme Court and won a unanimous decision guaranteeing the rights of 18-21 year olds to register to vote where they reside. The case centered around Mark Randall who lived in Bellflower, California and attended school in the same area. His parents resided in Woodland Hills, California. Both cities are in Los Angeles County, but they are in different congressional, senatorial and supervisorial districts. Before the court action, Mr. Randall would have been required to register in Woodland Hills, and he would have had no voice in determining the affairs of his own home community. By assuring the right of Randall to register and vote where he lives, the People's Lobby's case also guarantees that same right for more than a million newly enfranchised 18-21 year olds.

These are but a few of the more dramatic victories of the People's Lobby, a non-profit, non-partisan California corporation staffed entirely by volunteers and supported through contributions and memberships. This group of concerned citizens, dedicated as they are to solving the problems of people, particularly in the area of environmental pollution, has come up with an answer for the pollution menace.

In September, 1971, the Lobby accomplished the astounding feat of securing half a million signatures on an initiative petition which will, once approved by the electorate, virtually bring pollution to a screeching halt. This measure, appropriately titled, the Clean Environment Act, calls for an end to offshore oil drilling, impose a five-year moratorium on the construction of nuclear power plants, bans DDT and other dangerous agricultural pesticides, provides for phasing out leaded gasolines, and shuts down polluters who are getting too many variances until they install stand-by control equipment. In addition, it establishes a person's right to apply for an immediate injunction against polluters, makes public the records of the air pollution control districts, suspends or revokes the license of those dealers who sell vehicles which do not comply with the present emission standards, eliminates conflicts of interest from regional and state water boards, and makes current many now dormant anti-pollution safeguard procedures.

Now that the People's Lobby has qualified the Clean Environment Act for the upcoming California primary election, it is busily preparing to wage a tough and aggressive campaign on its behalf. A recent investigation has confirmed that the state's major corporate polluters (Standard Oil, the Cham-

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ber of Commerce, the California Manufacturers Association, etc.) are currently raising a $6 million war chest to defeat this unprecedented anti-pollution proposal.

At a recent Los Angeles press conference, People's Lobby attorney Roger Diamond revealed Standard Oil's "secret plan" to defeat the measure. This battle plan, allegedly stolen from the files of Standard's board chairman, Otto Miller, in San Francisco, California, shows the clear intent of the state's principal oil and utility companies to hide their participation in the campaign to defeat the initiative.

It is crucial to remember that Standard Oil and its cronies are the same ones who defeated Proposition 18 (a rapid transit proposal) and many other vital issues over the years. This time, however, thanks to the People's Lobby and its supporters, the public has found them out. The only question now is, can twenty million Californians defeat the Lobbyists and their $6 million? Let us hope so. The very survival of the state may depend upon it.

Cancer Friends and Victims To Hold Convention

The International Association of Cancer Victims and Friends will hold its Ninth Annual Cancer Convention July 14, 15 and 16 at the Ambassador Hotel in Los Angeles. Many facets of the cancer problem will be probed and evaluated by doctors, attorneys, biochemists, researchers, nutritionists and other dedicated specialists and humanitarians.

Some of the outstanding speakers will be Emanuel Cheraskin, M.D., Alan Nittler, M.D., Rudolph Alsleben, M.D., Richard Huemer, M.D., Paavo Airola, N.D., Melvin Page, D.D.S., Virginia Livingston, M.D., Emory Thurston, Ph.D., Benjamin Ershoff, Ph.D., Ann Wigmore, Ph.D., Ruth Harmer, Ph.D., Ernst Krebs, Jr., biochemist, Treesa Drury and Attorney Kirkpatrick Dilling. William Ellis, D.O., will Emcee. Representing the National Health Federation will be Betty Lee Morales and Charles Crecelius.

The highlight of the Convention will be a banquet luncheon on Saturday in the Now Grove. Beatrice Trum Hunter, author on health foods ,will be the featured speaker.

At this Convention the layman and professional can learn about the legislation which withholds from him the truth about cancer. He will have the opportunity to evaluate the therapies which are denied him, such as Laetrile, Koch, Krebiozen and Hoxsey.

One will also have the opportunity to see exhibits and a movie called "Nature's Answer to Cancer" on Laetrile and talk to recovered cancer victims with encouraging reports.

By CLINTON R. MILLER
NHF Legislative Advocate

FDA Demotes Doctors For Protecting the Public

The Food and Drug Administration has just demoted Dr. John Winkler and Dr. John Nestor who have distinguished themselves with a long record of protecting the public from harmful drugs. The irresponsible segment of the pharmaceutical industry is jubilant over their demotion for if it goes unchallenged and uncorrected, the message will go out as an unmistakable threat to all other government employees in FDA or elsewhere that their prime obligation is to serve, not regulate, industry and to ignore consumers.

But thanks to Dr. Sidney Wolfe and Anita Johnson of Ralph Nader's Public Interest Health Research Group the demotions have not gone unchallenged. With a strong outcry from NHF members and their friends in Congress the demotions may be revoked.

Here are the facts:

1. Dr. John Nestor is a no-nonsense M.D. who has proven he will not cave in under drug industry pressure which can become unbelievably intense if a dangerous, unsafe or ineffective drug they want to market is being denied FDA approval.

Dr. Nestor is a board-certified Pediatric Cardiologist who left a successful private practice to come to FDA 11 years ago in order to increase the effectiveness of an agency which then, as now, complained it was lacking in such specialists.

Dr. Nestor has been meticulous but reasonable in the performance of his duties. He has done things to protect the tax paying consumer which others in FDA have not done. For example, he was responsible for the criminal prosecution of at least one drug researcher when he found that the investigator had prepared reports on poorly conducted or non-existing studies. Hundreds of millions of dollars of unsafe drugs have been withheld from the market because of Dr. Nestor's skill and courage.

Thalidomide and *MER/29* are but two of the many drugs in which Dr. Nestor's determination resulted in saving the public from inestimably great harm.

Thalidomide is a drug, which caused hundreds of babies to be born with deformities in Europe. Dr. Nestor's suspicions concerning

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the drug were aroused from the start. Realizing that despite the horrible evidence of what happened in Europe, the drug might be marketed in this country. He arranged for a meeting between Dr. Helen Taussig, who had just investigated the situation in Europe and Dr. Frances Kelsey, an FDA medical officer. This meeting was an important step in the process whereby *Thalidomide* was blocked from marketing in this country and a repetition of the European disaster was averted in the U.S.

MER/29 is a highly toxic drug manufactured by the drug firm, Richardson-Merrell. It was widely prescribed to lower blood cholesterol, before it was assigned to Dr. Nestor in September, 1961. By this time it had already been on the market for 15 months despite one study (made known before marketing) showing it caused cataracts in humans. Shortly after being assigned to this drug, Dr. Nestor learned that in addition to serious cataract hazards, there was also reason to doubt whether the drug was therapeutically effective. On the basis of problems of both safety and efficacy, Dr. Nestor urged the FDA to halt marketing of *MER/29*. Due to a timidity which often characterizes the industry-riddled FDA bureaucracy, the drug was left on the market, exposing thousands of people to the risk of cataracts. In April of 1962, Dr. Nestor travelled to Cincinnati to investigate a complaint regarding conditions in the Richardson - Merrell Laboratory where the animal studies on *MER/29* had allegedly been done. By the end of his 2-day investigation, it was clear to Dr. Nestor that Richardson-Merrell had falsified data on animal studies of *MER/29*. Two days later Merrell offered to remove *MER/29* from the market. Subsequently, 338 million dollars in suits for damages were filed against Merrell and grand jury indictments were returned against company officials for withholding information which led to varying degrees of blindness in an unknown number of Americans.

Rather than rewarding Dr. Nestor for his remarkable record of public service with promotions, he was has been given the FDA's equivalent of an exile to Siberia. On March 14, 1972 ,Dr. Nestor was abruptly informed by Dr. Henry Simmons, Director of the Bureau of Drugs, that he was being transferred to the Office of Compliance where he was "urgently needed." In the process he was demoted from a medical specialist to a general medical officer which is akin to stripping the stripes from a sergeant for gallantry in action.

An earlier attempt was made to transfer Dr. Nestor in 1970. Among the complaints brought by Dr. Simmons against Dr. Nestor at that time were that he had "made excessive demands for information from IND and NDA holders (Investigational New Drug and New Drug Application). This very thoroughness which had characterized Dr. Nestor's work and allowed him

to discover problems which would otherwise have remained hidden, was used to criticize and condemn him. In commenting about why this action had been taken in 1970, Dr. J. Marion Bryant, a fellow FDA medical officer in the same division, commented, "It appeared to me that a large segment of the medical officers, including myself, were of the opinion that it *is* retaliatory and intended to silence Dr. Nestor." Many of these doctors hold the same view of the current actions against Dr. Nestor, and, as shall be described, against the Chief of the Division, Dr. John Winkler.

The Nader document from which I have liberally drawn in writing this article says, "In summary, Dr. John Nestor, whose determined and untiring efforts in the public interest make him one of the outstanding civil servants in this country, has been transferred out of the division where he has compiled his remarkable record to a job which he neither desires nor which matches his skills. The transfer is serious enough on its own right, but to others, especially in the government, it symbolizes what an industry-dominated government will do to 'reward' those who serve the public rather than industry." The report continues:

"Although the removal of Dr. Nestor from the Cardiopulmonary-Renal Division is, in itself, a serious blow to the functioning of this effective group, it is only part of what appears to many as a more widespread effort to dismember the division. Within the same week that Dr. Nestor was notified of his transfer, Dr. John Winkler was removed from his position as Director of the Division."

DR. JOHN WINKLER

Dr. Winkler is a specialist in internal medicine who came to the FDA in 1959, worked his way up through the ranks by compiling an excellent record and has, for all practical purposes, been the Director of the Cardiopulmonary-Renal Division since 1966 when he was made Acting Director.

Under his leadership, augmented by outstanding work by Dr. John Nestor, Dr. J. Marion Bryant, and many others, the Division has developed a reputation as one of the more effective parts of the Bureau of Drugs. It must be said that "effective," in this sense, means performing a surveillance function over the drug industry to prevent drugs which can cause cancer, blindness or birth defects from being marketed.

Despite this excellent record, on March 3, 1972, Dr. Winkler was called into the office of Dr. George Leong, Assistant Director for Scientific Evaluation in the Bureau of Drugs, told he was being removed from his job as Director of the Cardiopulmonary - Renal Division and was offered the option of a supervisory job in another division (Surgical and Dental) without loss of rank, or of staying in the Cardiopulmonary-Renal Division and accepting the demotion to a non-

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supervisory medical officer. If he accepted the latter alternative, Leong said, he would be required to sign away his rights to a grievance procedure. Dr. Winkler refused the Surgical-Dental job because it was inappropriate to his expertise. He has remained in the Cardiopulmonary - Renal Division and has signed away no rights of appeal from his demotion. His future in the division is uncertain.

Nader's researchers, Dr. Sidney Wolfe and Anita Johnson, have called for a congressional investigation of the above matter. NHF supports them in this demand. They also want Congress to investigate FDA's use of part-time consultants to the Bureau of Drugs on the grounds that this can produce conflict-of-interest situations if a consultant has done investigational work for a pharmaceutical company. The consultants are increasingly being used in the FDA decision-processes. Nader's research group charged, "Consultants are a threat ot FDA because they have virtually no conflict of interest guarantees, and because they do not have the job tenure necessary to resist industry complaints if they fail to respond to industry pressures on their daily work."

What you can do: A form letter has been prepared for your signature following this article. Please sign it, if you agree with it, and mail it at once.

Convention Talks Becoming Available On Cassettes

Tape recordings of the addresses delivered at major NHF conventions for the past several years, are available from R. E. Heald Company, P.O. Box 597, Rogers, Arkansas 72756. Dr. Heald has become somewhat the official recorder for these NHF conventions though this is an independent endeavor on his part and NHF does not benefit in any way from any sales he may make. Nevertheless, we have appreciated his making recordings available to members. His recordings are on reel tapes only, as distinguished from cassettes which he is unable to supply. A large, stamped, self-addressed envelope sent to the R. E. Heald Company will bring you a complete listing of tapes available.

In addition, now, Mr. Ray H. Womack, 227 West Fairview Boulevard, Inglewood, California 90302 is making available cassette tape recordings for those who may have only cassette tape players. To date, Mr. Womack has recordings of the talks at the January, 1972 convention in Los Angeles and the 1972 conventions in San Diego, Phoenix, Las Vegas and San Francisco. Others will be added as time goes on. If interested, write him and request a list of available tapes with prices.

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Honorable Virginia Knauer,
Special Assistant to the President
for Consumer Affairs,
New Executive Office of the President,
Washington, D.C. 20506

Dear Mrs. Knauer:

Would you please advise President Nixon on my behalf, as a concerned consumer, that I am strongly opposed to the recent "demotion" of Dr. John Nestor and Dr. John Winkler at the Food and Drug Adminstration Few public servants in the history of the United States have been more deserving of our deepest gratitude and our highest reward. Instead of being "demoted", Drs. Nestor and Winkler deserve to be promoted with highest honors with increased authority and responsibility.

It is possible President Nixon is not aware of the shameful treatment recently accorded two of the greatest consumer guardians in FDA. The Washington Post, on April 3, 1972, had an excellent report by Morton Mintz on the shameful demotion. If you need additional information, please contact Clinton R. Miller, Legislative Advocate of The National Health Federation, 121 2nd St., N.E., Washington, D.C. 20002; phone: 547-2547.

I agree with The National Health Federation and with Ralph Nader's Health Research Group .... "that Dr. Nestor and Dr. Winkler should be fully reinstated, and that other conscientious doctors in the division should be protected from arbitrary transfers.

I will be watching the action President Nixon takes with great interest.

Respectfully,

_____ (name, print)

_____ (signature)

_____ (street)

_____ (city, state)

Courage Is Needed To Be A Paul Revere

By CHARLES ORLANDO PRATT
Washington General Counsel

It is the concerned Americans who are responsible for what America is, and what America becomes, and it is these Americans who are aware of the dangers in our environment and the threats posed by these dangers to health and even life. We have lost control over our national life and environment, because we have relied blindly and with the faith of our forefathers on our Government, which has failed to protect us while assuring us that all is well and while ridiculing the warnings of informed Americans.

There is increasing and shocking evidence that our federal, state, city, county and local governing regulatory agencies, which we believed were established to protect the health and welfare of our citizens, our domestic animals and our wildlife, in fact, are building colorful and attractive camouflaged curtains which protect the vested interests of the so-called industrial establishments, while lulling Americans into apathy and inaction with false assurances and futile hopes.

Progress to make people aware was made during the decade of the sixties, because of the enlightening educational and successful legal programs of organizations such as the powerful National Health Federation.

Americans were made aware of the dangers by the informed and courageous news media, including radio, TV, newspapers, magazines, publications of health food and organic farming clubs, environmental conservation and ecology groups. and hundreds of concerned consumer-oriented foundations and organizations.

Now the Federal Government is taking the lead to stiffle the voices of consumers by fear, ridicule, embarrassment and even threats of loss of their employment and tragic isolation of those who speak out against industrial pollution and unsafe products.

Those concerned Americans who have sought to warn us of the increasing and unreversible dangers have been, and are being, subjected to untold pressures. The legal and proper health warnings uttered by these people at public meetings have even resulted, in some cases, in the isolation of the children of these leaders.

(Continued next page)

The officials of governmental bureaucracy are captives of the high ranking and powerful officials of industrial and commercial corporations. The government officials, though innocent and unaware of the real, selfish, and sometimes ruthless, motives of industry officials, nevertheless do their bidding. They want to survive. They accept the industry argument that if it is good for business, it is good for the people. By so doing, the protection of the consumer is lost, sometimes forever.

The friends, members and officials of The National Health Federation for nearly two decades have suffered abuse, belittlement, ridicule and embarrassment constituting libel and slander from federal, state and local officials at the behest of the vested interests. This unfortunate, and sometimes illegal, treatment has aroused our courage, our unity, our action, and has brought about intensified effort on the part of NHF to seek appropriate executive and legislative remedies which will offer protection for all Americans against those conditions which are bound to cause impairment of health and even death.

The National Health Federation has warned thousands of Americans of the pollution of our air, land, water, food and medicines.

The members and officials of The National Health Federation have suffered, and will continue to suffer increasing reproach and obloquey, indifference and apathy, because of their efforts to bring about a safe and wholesome environment and to assure Americans some safe air, water and land.

Knowingly or innocently, the ruthless actions or inactions of governmental consumer agencies have been, are now, and will continue to be under the control and domination of business and industry monopolies. These agencies will be guided by alleged "expert" advice from legal, medical, industrial and scientific spokesmen supported by government, tax-free associations, foundations, institutions, and councils having high-sounding but misleading names.

No longer can we rely on consumer protection by government or industry. For example, a recent proposal to require a five cent deposit on all beer and soft drink cans and bottles, in lieu of a proposal to ban the sale of non-returnable bottles to stop or curtail roadside litter and solid waste problems, was supported by environmentalists including a number of high school students. Apparently, no health or medical officials supported the proposal by pointing out to the public the non-nutritional value of the products or even the known or possible side effects of the dangerous chemical ingredients in the products.

However, the proposal to protect the environment and the health of the people was vigorously opposed by vested interests. According to the newspaper account published in the Fairfax Herald on April 7, 1972, merchants, bottlers and dealers protested the measure. The newspaper report stated further that:

"Opponents included spokesmen for American Can Company, all food chain stores, Joseph Schlitz Brewing Company, Glass Container Manufacturers, Bethlehem Steel, Reynolds Metals, Virginia Beer Wholesaler Association, U.S. Brewers Association, Drug Fair, Dart Drug, the County Chamber of Commerce, and the Glass Bottle Blowers Association."

The National Health Federation, working alone and, whenever possible, with other health-minded groups, has worked effectively in supporting needed legislation by promoting the introduction of health-oriented bills in Congress, state legislatures and local governing bodies, and in opposing deliberate and known provisions in those bills or law amendments that would protect the vested money interests of business and industry rather than the health and welfare of all Americans.

NHF has grown in influence, power and respect over the years, because its crusades were noble in purpose and because of the devotion and personal sacrificial efforts and gifts of so many loyal and concerned Americans who cared for the health and welfare of future generations of young, old and all Americans.

Lecturers and speakers at National Health Federation conventions all over America have exposed the dangers in our air, poisoned with pollution; our land, poisoned with atomic wastes, pesticides and insecticides; our water, poisoned and destroyed with industrial, commercial and solid wastes; our food, adulterated and misbranded with dangerous and/or worthless ingredients and false and misleading advertisements; our drugs and medicines, adulterated and misbranded with ineffective or worthless ingredients which cause dangerous side effects and even death.

The National Health Federation *Bulletin* and other publications concerning health matters have exposed some of the dangers to health described above. Such warnings and activities have caused all kind of spoken slander and written libels against the Federation, its officials, members and friends. However, NHF has grown in membership and wholesome influence, in spite of criticism by government officials and spokesmen for the food, medical and drug monopolies.

However, word comes from all over America that conservation, consumer, environment, and ecology movements suddenly are facing serious membership, financial and political problems. The activities of these worthy and essential organizations are being curtailed because of dwindling financial support and loss of membership. It has been clearly indicated that ever-increasing official governmental and industrial criticisms have eroded confidence and public support of

(Continued next page)

the consumer, health and welfare organizations similar in aims and purposes of those mentioned above.

Now, federal, state and local government agencies and officials are spending millions and millions of taxpayer's dollars to promote the economic and vested interests of industry, business and agriculture by destroying public confidence in the aims and purposes of citizens and organizations effectively working for a safe environment; all of which interferes with the alleged industrial "progress."

While your National Health Federation, from the day it was founded, was ridiculed and ruthlessly attacked by medical monopoly groups, food, drug, and chemical industries, and by federal, state and local health and welfare agencies, it grew in influence and membership, not only in spite of the unjust criticisms, but possibly because of those attacks.

It seems to be clear that Americans realized more and more that the curtains concealing dangers to their health needed to be lifted so that the pollutions of our air, land, water, food and medicines could and would be exposed to the sunshine of truth. Only when Americans are aware of the almost universal pollution can they act effectively to protect themselves.

There is a clear and present danger to the existence of good health or even life on this earth for people, plants, animals, birds and fish.

The success of The National Health Federation, in its educational, legislative and legal battles for freedom of choice in health matters, freedom of speech, freedom of press and freedom of assembly, has withstood so far the ever-present attacks and criticisms of government and industry officials. These officials and spokesmen have erected protective curtains for the agencies and industries by concealing from the consumers dangers of all kinds of pollution by means of public ridicule of the concerned citizens and by causing economic fears of employees and investors in industrial corporations.

NHF must, and shall, continue to try to provide the bulwark of protection for health care, health food stores, organic farmers, and all of the healing arts professions.

The freedom of thought and action in matters of health, ecology and environment must not be controlled or warped by the insidious power of money provided by government or industrial plants. NHF and you are free to act because you, as consumers, provide the limited funds by dues, small gifts and the Last Wills and Testaments of concerned Americans who have provided for carrying on our causes after their lives on earth have ceased.

Your faith alone in the future of America is NOT enough. Your concern, your contributions, your efforts combined with your faith and joined with thousands of other alarmed Americans may be able to save America. Our country needs you now.

It is not practical or prudent, from now on, to expect government and/or industry to protect our birthright. Only you, as a concerned consumer, is destined to demand and persuade public officials to require science and technology to stop and turn around the doomsday drama of earth crisis. We realize that no blessings on earth are unmixed. We know that as we solve the problems, we do thereby create others. We can survive without unnecessary luxuries; but we cannot survive much longer without fresh air, safe land and water, nourishing food and medical care that is at least safe, if not wholly effective.

Recorded history, throughout the ages, has taught that zeal is needed as a requisite for success in our crusades, but we must temper that necessary zeal with wisdom gained from experience and study.

America can be saved. Our faith and hope rest solely on the prudent and sacrificial actions of millions of informed Americans who are ready and willing to pay the price, whatever it may be. The National Health Federation is ever willing to do its part.

BEQUESTS and GIFTS

BEQUEST IN WILL: Here is a suggested statement for the convenience of those who wish to incorporate into their wills a bequest to The National Health Federation:

"I give, devise and bequeath to The National Health Federation, a non-profit corporation, incorporated under the laws of California, with headquarters at Monrovia, California, the sum of.....($.....) (and/or property herein described) for its discretionary use in carrying out its general aims and purposes."

INSURANCE POLICY GIFT: For those who wish to name The National Federation as sole beneficiary, or one of the beneficiaries, in an insurance policy, it is suggested that you obtain from your insurance agent the necessary legal form or application for your signature, before witnesses if required. The following designation is suggested:

"The National Health Federation, a non-profit corporation, incorporated under the laws of California, with headquarters at Monrovia, California, the sum of.....($.....) for its discretionary use in carrying out its general aims and purposes."

MEMORIAL FUND: Should the donor desire to create a Memorial Fund in a will or insurance policy, state, after the sum of property described in the beneficial gift, that the fund is to be known and designated as the "....(name).... Memorial Fund."

NEW LIFE MEMBERS

Mrs. Alicia Kelley
Mrs. Floyd Stearns
Mr. Floyd Stearns
Mr. Paul J. Virgin
Anna B. Orban
John and Julia Beltran
AFA Konig
Mr. and Mrs. Warren I. Elliott
Ken Draper, D.C.
Monte R. Edwards
Mrs. Herman Nichols
Helen Dzielak
C. H. Youngberg
Mrs. Dottie Spencer
Louise M. Jacomini
Don Mills
Walter Wutkowski
Beatrice Witherspoon
Robert T. Sharpe, D.C.
(Correction of previous listing)

(Received mid-March through mid-April)

THE FAMILY CIRCLE

By FRED J. HART
Chairman of the Board of Governors

Busy as a modern airline terminal describes the NHF headquarters office these days. As our membership continues to grow, so does our responsibilities and the work associated with meeting these responsibilities. There is a very apparent increase in the tempo of all our ordinary activities—a greater influx of new members and membership renewals, a greater need for mailings to legislators and personal contact with members of the various legislative bodies, a growing demand for more NHF conventions which must be carefully planned in every detail and then finally conducted, and finally, there is a very definite increase in the requests for speakers to tell the NHF story.

A gratifying request has just been received from the Connecticut Chiropractic Association for an adequate number of pieces of NHF promotional literature so that they might send it to each of their members. With the request came the assurance that the Association was launching a campaign to encourage each of their members to join NHF and then, in turn, urge their patients to join also. The Connecticut campaign follows a similar one in California by the California Chiropractic Association which has urged all state chiropractic associations to inaugurate a similar NHF membership campaign.

In California, no child need be immunized in order to attend a private or public school **IF** the parent or guardian of the child does not believe in, or objects to, immunization . . . and such belief need not be connected with any religious belief. The National Health Federation was responsible for getting this exemption written into the California law. Every state having compulsory immunization laws should amend their laws in this same manner, removing the requirement that objection to immunization must be based on religious grounds. Usually this can be done merely by merely striking the word "religious" and sometimes inserting the word, "personal."

In spite of the California law, a very large number of California school officials are telling the public, by word of mouth or through the press and radio, that no child can attend public or private schools unless he is immunized against certain diseases. By mail, the Federation has notified all California members of the true facts so that each parent can

then act with the freedom of his own personal convictions. For those who oppose immunization, NHF has available a form to be filled out and then filed with the administrative head of the child's school. These are available from our headquarters office in lots of ten or more at one cent each. With this minimum order, please enclose a stamp for postage. One doctor ordered 1,000 of these forms and another 25. They intend to make them available to all patients and friends.

Begin planning now to attend the Annual West Coast Convention of the National Health Federation which will be held January 17-20, 1973 at the Anaheim Convention Center (adjacent to Disneyland) in Anaheim, California. The arena will seat 5500 persons and we expect to fill it each of the four days. Without any notice yet being sent to our list of prospective exhibitors giving details on space and price, 29% of the space has already been contracted for. We have been informed that most of the Shaklee Distributors in California plan to attend the convention. For several years, the Shaklee organization, from the top down, have urged all those affiliated with the Shaklee sales program to join NHF. Scarcely a week goes by that either Charles Crecelius or the writer are not invited to address one or more Shaklee groups as the featured speaker. The attendance at these meetings range from 200 to 1200. Just imagine what it would mean to the cause of health freedom if all similar organizations would give NHF the same type of support. I pray that the day will soon come when they will.

The Federation is maturing and gaining greater recognition. One evidence of this is the number of libraries in America that are subscribing to the NHF Bulletin for their reading rooms. Radio and television stations and the news media now frequently ask for interviews or an NHF representative to participate in radio or television panels.

We appreciate the way our members are helping the Federation to finance its crusades for health freedoms and for a cleaner, more healthful world. We especially appreciate the number of persons who have become Life Members and those who have changed their membership from Life to Perpetual. Many members also are remembering the Federation in their will. To date, the Federation has participated in some 35 bequests made by members who have gone to that better land but are still working with us because they left some of their assets to the Federation. Such evidence of loyal support gives the NHF officers the encouragement needed to launch out into new and much needed phases of work to achieve the objectives of NHF. With assuarnce of the continuation of such financial support from members, we can greatly expand our legal and legislative endeavors.

WASHINGTON ROUNDUP

Bill To Abolish FDA Passes Senate Committee

As reported last month, the Magnuson bill (S. 983) was passed by the Senate Commerce Committee with only one opposing vote. This is the bill which would abolish the FDA and create in its place a Consumer Safety Agency. In accordance with a prior agreement, the bill has been sent to two other Senate committees, the Committee on Government Operations and the Committee on Welfare. These committees may take up to 60 days to study the bill. Consequently, it is not likely that the measure will reach the Senate floor until early June and possibly later. It is conceivable that Government Operations Committee Chairman McClellan may request additional time on the bill since he is currently in his home state (Arkansas) facing the hardest primary fight he has been confronted with since first coming to the Senate in 1943. Though it is anticipated that the Senate will pass the Magnuson measure when it reaches the Senate floor, it may come too late to get the bill through the House in this session since early adjournment is expected in this election year. Many Congressmen will be anxious to adjourn so that they may get home to campaign.

Cosmetic Control Bill Introduced in House

A bill which would impose strict quality and safety controls over what has been described as the $6.5 billion a year cosmetic industry has been introduced in the House by Rep. Frank Evans (D-Colo.).

A key portion of the bill would require pre-market testing of all cosmetics, said Evans, "to end once and for all the present situation where the American public is, in effect, the guinea pig utilized to test the safety of cosmetics." In addition, the bill would require the labeling of ingredients used, the disclosure of cosmetic formulas to the FDA, the registration with the FDA of the companies themselves, FDA inspection of consumer complaints reported to the companies, and a full release of information on cosmetic contents to local poison control centers. The measure would also impose heavy penalties on the sale of "defective cosmetics."

Rep. Evans said the National Commission on Product Safety had reported that approximately 60,000 persons a year suffer injury from cosmetics and an insurance survey had shown that "cosmetics are the basis for the second largest group of personal injury claims."

Hosmer Bill List of Cosponsors Growing

Over 60 U.S. Representatives have cosponsored the Hosmer bill (sometimes referred to as the Nutrition Protection Act) in this Congress. This bill would amend the Food, Drug and Cosmetic Act to establish food supplements and foods for special dietary uses as a separate and distinct group of products apart from drugs. New form letters expressing support for the bill have been prepared by NHF for use by members and friends who wish to request their Congressman to cosponsor the bill. An alphabetical list of the present 61 cosponsors has been printed on the back of the form letters. It is important that you check to be sure your Congressman has not already cosponsored the bill. Otherwise, you may be asking him to cosponsor a bill he has already cosponsored. If he is not a cosponsor, the list encourages him to join those who have opposed FDA's attempt to severely limit the potencies and combinations of vitamin and mineral supplements, and the truthful claims in the labeling of safe and wholesome food supplements.

If your Congressman is already a cosponsor, send your letter to another congressman from your state or a nearby state, or to the Chairman of the House Subcommittee on Health, Rep. Paul Rogers. Write for as many form letters as you can get signed. Order from NHF, P.O. Box 688, Monrovia, California 91016. Cost, 1c each.

F.D.A. actions

OF NOTE TO CONSUMERS

FDA Proposes Voluntary Food Labeling Program

The Food and Drug Administration has formally proposed a voluntary nutritional labeling program designed to encourage the listing of calories, fat, protein and vitamin content on labels of packaged food. The proposal was published in the *Federal Register* on March 30th and consumers and industry representatives have 90 days to file comments on the proposal before it will be finalized.

Here is a sample of nutrition information as it might appear on a food package label.

Nutrition Information

1 Cup	255 Calories
Protein	8 Grams
Fat	5 Grams
Carbohydrate	45 Grams

Percent of Recommended Daily Allowance (RDA)

Protein	10
Vitamin A	10
Thiamin (B1)	5
Riboflavin (B2)	15
Niacin	30
Vitamin C	30
Calcium	0
Iron	5

(Continued next page)

The plan proposes that the statement of the portion or serving of the food for which the nutrition information is given, must be in some common household unit of measure, such as one cup, 1 or 2 slices, or, if the food is usually served as a unit, in terms of the unit. Any product having less than 5% of the Recommended Daily Allowance, in the stated serving, of any of the seven vitamins and minerals may be listed as insignificant on the label. Likewise, products having less than 5% of the RDA of all seven vitamins and minerals may omit their listing if the following statement is given: "Contains no significant quantities of vitamins and minerals."

Anyone wishing to comment on the proposed regulation may do so prior to June 30. Write to: Hearing Clerk, Department of Health, Education and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Maryland 20852.

*

FDA Approves Tighter Regulations Sought By Canning Association

In an attempt to prevent incidents such as last summer's discovery of a botulism-causing toxin in canned soup, the National Canners Association, last November, submitted to FDA detailed, stringent regulations which the Association proposed to be adopted by FDA. The proposed regulations will be formally adopted by FDA by the end of April. The regulations, proposed by the canner themselves, require canners to clear their processing methods with FDA, open processing files to FDA inspectors, and train key personnel at FDA-approved schools. Under these new regulations, the FDA could close any cannery failing to meet the standards. At present, FDA inspectors are rarely allowed to check cannery files and processors are not required to register with FDA, much less clear their processing methods.

*

FDA Promises Release of Safety Data On Sodium Nitrite

It was reported in this column in the April issue of the *Bulletin* that the Environmental Defense Fund had filed a suit in federal district court to force the Food and Drug Administration to release the agency's safety data on sodium nitrite, a food additive suspected by some scientists of causing cancer. The EDF had previously requested the data from FDA but was turned down. Now, in the face of the threatened suit, the FDA has indicated that it intends to release the safety data requested from Food Additive Petitions calling for use of sodium nitrite. An FDA spokesman said this would be done as soon as the companies which had submitted the Petitions were given an opportunity to show cause why the safety data should not be released.

Chapter News

By LARRY HUTTON
Coordinator of
Chapter Activities

ALBUQUERQUE, NEW MEXICO . . . congratulations to an extremely large and very capable chapter, already. NHF has just been adopted in this fine city and the chapter there holds promise for a convention, already. Let's wish them every success, as they strive to improve the ecology and health standards for them and their children's future through NHF.

SIERRA MADRE, CALIFORNIA . . . a warm welcome to the National Headquarters neighbor to the West. It, too, shows the potential of a very prosperous future.

MILWAUKEE, WISCONSIN . . . big things are happening up in the North. Milwaukee has planned their state convention for May 20th and 21st. Let's everyone, rally behind this chapter to make the state convention a successful one.

HONOLULU, HAWAII . . . again, a growing chapter composed of dedicated members who have taken it upon themselves to put together one of our stronger conventions. Best wishes to the Hawaiians for a successful convention again this year.

KANSAS CITY, MISSOURI . . . best wishes to Kansas City for a successful convention in their city. They have made tremendous strides toward making NHF strong there.

PORTLAND, OREGON . . . they really rallied behind NHF in Portland and they have made it their utmost desire and wish to grow three times its size within the next three months. Keep right in there plugging, Portland, and have a strong working membership by your July convention.

NOTE: I want to make a special note, at this time, about legislation and how much state activity offers in the way of reform. Our legislative advocate advises that a greater strength in key states can provide the necessary differences on federal legislation. For example, this past month, if we had had more members and better organization, thus, greater strength in the state of what proved to be a key senator, we could have notified the members of that state to contact their senator and thereby possibly gaining his support for the bill. We, as NHF members, must begin to think in terms of how we can help our legislative advocate in Washington. He has to be able to count on adequate representation of the state when he goes to a senator or congressman to influence his thinking. Let's work hard on membership. Washington needs NHF and we need you.

NEXT MONTH . . . a note on State Legislatures.

Consumer Affairs Report

by TREESA DRURY

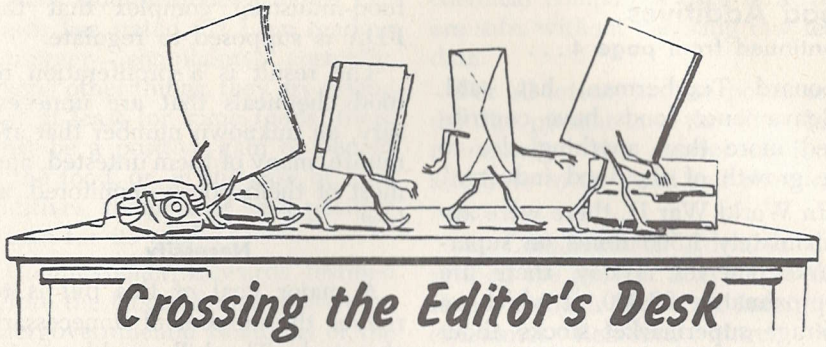
Keeping Fish Labels Honest

Acting on an anonymous tip, inspectors from the Food and Drug Administration's Boston District, uncovered a racket being run in Massachusetts. A repacking firm had rented a garage and was placing 2500 packages of imported frozen fish blocks, labeled as cod, into cartons labeled as flounder. The difference in value between the two commercial fish species would have netted the firm an unmerrited $4,000. The recent edition of the FDA papers tells of other switches that are commonly made in the fish game. In Rhode Island, it was discovered that cod had been substituted for haddock by a nationally known chain store. Fish are easy to identify with the skin on, but with the skin removed, identification is difficult even for the experts.

To prevent this fraud, which is referred to as mislabeling by the FDA, chemists in Boston and other eastern labs have been using a process known as disc electrophoresis to chemically determine fish species and prevent consumer deception. The procedure separates the proteins in fish tissue into band patterns that are characteristic of each species and are visually identifiable. Whenever a species substitution is suspected, a sample of the unknown fish is subjected to the electrophoresis process. But, of course, not all fish is tested for misbranding—only those that for some reason or another the FDA may suspect as being misbranded. This suspicion often can be arroused by a consumer calling to complain about a particular product he purchased in the supermarket.

With the frozen fillets, how can you determine whether you are getting haddock, or the less expensive cod? No way really, unless you have sensitive taste buds and can taste the difference. Then if you suspect a switch, notify your nearest office of the Food and Drug Administration. Dealing with well established firms should generally help, but remember the FDA points out, themselves, that large national concerns have been caught at this switching fish labels game. The best way of all is to buy your fish with its skin still on. That way, at least you can be sure of what you are getting. A one pound package of skinless fish fillets can masquerade as almost anything.

Treesa Drury can be heard nightly in the Los Angeles area, Monday through Friday at 9:30 p.m. with CONSUMER WATCH on KHJ-TV's NEWSWATCH—Channel 9. She also may be heard on a nationally syndicated show — check your local radio station schedules.



Crossing the Editor's Desk

Another sidelight on cures for cancer and heart disease was contained in an old news clipping which came to our attention the other day while we were cleaning out some old files. This was a story released by Associated Press in 1959. The article quoted a speech by A. I. Lansing, M.D., the then outgoing president of the Gerontology Society at their 11th annual meeting. Dr. Lansing stated he is certain that some day cancer and heart disease will be conquered . . . and **that will be too bad from the financial point of view.** He went on to say, "It is no exaggeration to point out that elimination of these degenerative diseases, which at first glance might appear to be a blessing, could easily constitute a major disaster. If these diseases are controlled, then the majority of the people will live 10 to 20 years more, and since insurance, social security and annuities are based on a lower death level . . . there would occur bankruptcy of insurance companies and difficulty in our Federal Government."

A court decision which could become precedent-setting and a pending hospital-Blue Cross contract in Philadelphia could make physicians liable for some of their patients' hospital bills if Blue Cross deemed the hospital admission as unnecessary. A Philadelphia Municipal Court judge held a physician responsible for hospital costs incurred by a patient that Blue Cross refused to pay. Unless this decision is not overturned in appeals to higher courts, the case could have broad implications for the medical profession. At about the same time, Blue Cross of Greater Philadelphia and area hospitals agreed in principle to 30 guidelines, one of which provides that patients should not be held responsible for hospital admissions deemed unnecessary by Blue Cross boards of review. Principles of the new contract were developed at the urging of Pennsylvania Insurance Commissioner Herbert S. Denenberg. Although the contract does not actually say that physicians should be required to pick up hospital bills denied for payment by Blue Cross, Denenberg said he believes they are the most appropriate ones to do so.

Food Additives

Continued from page 4 . . .

Leonard Trauberman, has said, "Convenience foods have contributed more than anything else to the growth of the food industry."

In World War II, there were approximately 1,500 items on supermarket shelves. Today, there are approximately 32,000, of which an average supermarket stocks about 7,000 to 8,000. Some 7,000 new products appear on the market every year, and about 5,000 products are dropped.

The trade magazines emphasize convenience foods and new additives which make them possible. Some examples of advertisments read:

> Out of the laboratory comes (a synthetic) dehydrated cheese. (It) gives you real cheddar taste at a greatly reduced unit cost.
>
> Partial or complete replacement of corn grits in direct-expansion snacks is possible with the use of a coarse-form modified starch from (a chemical company).
>
> Any potato product processed with (a chemical company's) sodium acid pyrophosphate (SAP) preserves the natural color.
>
> Our red coloring looks so natural you'd swear it grew on a vine.
>
> Time to increase profits! (A stabilizer) reduces cooling period required before cutting fruit pies.

One trade magazine advertised a seminar thusly:

> Now ingredients and additives suppliers can reduce significantly the risk involved in selling in this vast 5 billion dollar market.

Food additives are big business. The chemical and drug industries have joined the food industry in a food-industrial complex that the FDA is supposed to regulate.

The result is a proliferation of food chemicals that are unnecessary, an unknown number that are unsafe, many of them untested, and most of them poorly monitored, at best.

Necessity

A major goal of this bill is to reduce the number of unnecessary chemicals. The bill would require that all additives be proven to be safe, effective for their intended use, and to have a demonstrable benefit or are unavoidable by good manufacturing practices for use under the conditions prescribed. The chemical should serve a socially and economically useful purpose for the general population. If it does not, there is no reason to risk potential hazards without matching benefits. There is no reason to introduce additional chemicals into the food supply when already approved, safe, and effective alternates are available. One USDA scientist has told me that the 700 flavor chemicals—the largest group of additives—currently approved for use, many without testing, might be reduced to some 30 chemicals, which could produce the same results.

Dr. Jean Mayer of Harvard University, President Nixon's Adviser on Nutrition, has said, "We can live perfectly well without additives."

Ogden Johnson, head of the FDA's Division of Nutrition, has said, "If the additive has no definite benefit, why use it at all?"

FDA Commissioner Charles Edwards has stated, "If I am reading consumer complaints correctly, among other things, they are saying that at least for some foods, there must be a positive gain or benefit in the food, or, in the case of food additives, there must be a positive reason for its use."

Commissioner Edwards testified before the House Subcommittee on Intergovernmental Relations of the Government Operations Committee on March 16, 1971:

> It will be recalled that (at the time the Food Additives Amendment was under consideration in 1958) the FDA was then urging the Congress to provide in the amendment that no additive should be permitted unless it had some "functional value." This would have enabled the agency to exercise a judgment as to whether an additive was useful, as well as safe, before permitting it. The law as worded did not so provide, but instead allowed safe additives that had been shown to accomplish the intended physical or other technical effect. The Congressional committees explained that the usefulness of an additive should be determined in the market - place and not by FDA.

This bill would correct that loophole, by extending the concept of functional value, or necessity, to food additives. Under present law, only proof of safety is required for food additives.

Testing: The burden of proof that an additive is safe rests largely on industry's word, under present law.

The FDA conducts some tests on food additives, but admits that, because of manpower shortages and fiscal needs, it relies heavily on summary assurances by food and chemical companies that additives are safe, without checking raw test data.

For all intents and purposes, under the present law, the FDA has relinquished the control of food additives to the food and chemical industries.

As Commissioner Edwards described the present law before the House Subcommittee on Intergovernmental Relations March 16, 1971:

> The primary purpose of the food additives amendment (PL 85-929) to the Food, Drug, and Cosmetic Act was to place upon the producers and users of food additives, rather than the government, the burden of proving the safety of all such substances. Prior to enactment of this amendment . . . it was necessary for the government to prove in court that the substance was poisonous or deleterious.

This bill would enable the FDA to better check the industry's applications for additives before approving the substances for use.

Food and chemical company spokesmen went so far as to state in February 1971:

> It should be clear that industry has the right to make its own decisions on the status of any substance whether or not the FDA has listed it and that it is under no obligation to request the FDA to express an opinion on unlisted materials.

The substance of their view was that industry has the right to add chemicals to food without advising the Government.

Industry "Cannot be trusted"

Dr. Jack Schubert, professor of radiation health at the University

(Continued next page)

of Pittsburgh, in a speech before the Federal Bar Association's Food and Drug Law Committee November 24, 1969, stated that industry testing "cannot be trusted," because firms "withhold data" and do not look for things they do not want to find. He said that no food additives that do not "have sufficient benefit" should be cleared without testing, and he recommended "that the testing of food additives be done by laboratories set up by the Government but supported by the industry."

The lab tests on which FDA bases approval of additives are conducted by the additive producer or by laboratories that rely on the food or chemical industry for their business.

This bill is designed to correct that conflict of interest. It would expand the FDA's testing authority to require that additives be tested by independent, third-party laboratories. The FDA would assign additives to the labs, and the sponsors of substances to be tested would pay for the testing.

This approach would minimize special-interest influence on testing and upgrade the quality of testing, by freeing laboratories of financial dependency on the food and food additive industry. It also would reduce the pressure on Government regulatory agencies to accept one-sided testing data.

Summary

In short, the main objective of the legislation is to reduce the use of unnecessary food chemicals, and to insure greater safety through more thorough testing than now exists.

In addition, the bill requires that HEW set standards for nutritional quality of food products. This is already being undertaken by the FDA for processed and convenience foods, such as frozen meals. The FDA also is experimenting with nutritional labeling.

Improving the quality of our food products, however, will not occur through labeling. The problem of safer food must begin at the production stage, not on the supermarket shelves.

If the food industry controls the market, it controls what we eat. Consumers will buy what is on the shelves. The product must be safe from harmful chemicals and nutritious when it reaches the market.

I believe that the number of chemicals used for food processing can be drastically reduced to a few effective substances.

I believe that it is time to find out which of the chemicals we are ingesting daily are safe from toxicity and long-range harmful effects, and how they react with other chemicals affecting the human body. I believe that food can be colored, doctored, flavored, fattened, preserved, stabilized, and spiced with fewer chemicals than are currently in use.

We are what we eat. Our children are what we eat. It is time that we regained some control over what we eat.

THIS IS THE NATIONAL HEALTH FEDERATION

The National Health Federation is America's largest, organized, noncommercial health consumer group. It is a nonprofit corporation founded in 1955. Its membership is comprised of men and women in all walks of life, belonging to a variety of religious faiths and political persuasions, and engaged in nearly every profession and trade.

Its members believe that health freedoms are inherently guaranteed to us as human beings, and our right to them as Americans is implied in the words, "life, liberty and the pursuit of happiness." Yet, frequently, these freedoms and rights have been and continue to be violated. Too often, as a result of the unopposed pressures from organized medicine, the chemical industries, pharmaceutical manufacturers, and others, laws and regulations have been imposed which better serve these special-interest groups than the public at large. We see and hear of new instances daily. To name a few: spiraling health-care costs, consumer exploitation by leading industries, excessive devitalization and adulteration of our foods, restriction of certain types of treatment, banning of certain health books from the mails, the harrassment of those who advocate natural methods of healing and natural foods, the poisoning of our air, water and soil through greed and carelessness, and many other health-related issues.

The NHF opposes monopoly and compulsion in things related to health where the safety and welfare of others are not concerned. NHF does not oppose nor approve any specific healing profession or their methods, but it does oppose the efforts of one group to restrict the freedom of practice of qualified members of another profession, thus attempting to create a monopoly.

The public needs a strong voice, such as the NHF provides, to speak and act in their behalf in these health-related matters. Legislators need your support to balance the pressures exerted upon them by the special interests. The National Health Federation, through a special legal and legislative staff in Washington, keeps its members apprised of all health legislation, opposes inadequate or undemocratic health legislation, while supporting or drafting bills to protect the individual's health freedom.

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