

**National  
Health  
Federation  
BULLETIN**

JUNE, 1975

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**LONG, PRODUCTIVE,  
DEDICATED LIFE OF  
NHF FOUNDER ENDED**

1888 - 1975

**Fred J. Hart Living Memorial Fund  
Established by Federation Officers**

Colleagues Pay Tribute to Wise,  
Courageous Leadership of Man Who  
Prized Freedom of Health Choices

His Belief That Science, Technology  
Should Be Utilized in Diagnosis and  
Treatment Led to Encounter With FDA

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**PAUL ROGERS  
DECLARES WAR  
ON VITAMIN  
CONSUMERS!**

Dedicated to the Protection of Health Freedoms

# THE NATIONAL HEALTH FEDERATION BULLETIN

Protection of Health Freedoms

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The Bulletin serves its readers as a forum for the presentation 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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*A Full and Vigorous Life Behind Him*

## NHF Founder Fred J. Hart Dies After 2-Year Illness

After two years of declining health, Fred J. Hart, founder of The National Health Federation who resigned as Board Chairman in early January, died March 29 in the Capitola Extended Care Hospital near Santa Cruz, Calif. He had been hospitalized since mid-January when his condition worsened. Death was due to a weakened heart and other complications of age.

Funeral services were held April 1 in the First Baptist Church, Salinas, Calif., his home for 50 years until moving to Palm Springs in 1967. In charge of the service was the Rev. Fred A. Fels, a longtime friend in whose church Mr. Hart taught Sunday school classes for many years. Last rites were in the San Jose Mausoleum.

Using no written text, the pastor offered simple but eloquent testimony to the character of the man he loved, with this moving summary: "Fred Hart possessed an enormous concern for others. At the base of all his enterprises, interests, capabilities and output, was this concern for people, for bettering the human situation, improving the human condition.

"He recognized that the basic treasure of life is not property, not possessions, but the spiritual heritage he left. What he left me as a pastor, in terms of profound respect for the Word of God, was more

important than if he had left us 20 million dollars at 20% interest."

It was this passion to "improve the human condition," plus a profound respect for Albert Abrams, M.D. who applied electronic principles to the diagnosis and treatment of disease, that led Mr. Hart upon his retirement when he was 50 to become dollar-a-year head of Electronic Medical Foundation, San Francisco — an involvement which drew the hostility of the American Medical Association and ultimately led to formation of The National Health Federation in 1955.

### A 'BORN ORGANIZER'

One of seven children, he was born August 20, 1888, in Tacoma, Wash., and was graduated from McMinnville College in Oregon. When he was 24 he went to California, operating a hotel three years in Tulare. Following his marriage in 1915 to Eva Porter, he settled in the fertile Salinas Valley and made a success as a farmer. Mrs. Hart died in January, 1962, and in 1963 he was married to Mrs. Dorothy Bobby of Watsonville.

A "born organizer," Mr. Hart was among the founders of the Monterey County Farm Bureau, California Farm Bureau, and American Farm Bureau Federation. He was one of the core group in the Salinas Valley to inaugurate

the raising of lettuce, a crop for which the Salinas Valley is widely publicizing. For 10 years he published a chain of 42 Farm Bureau newspapers, turning the operation over to the organization in 1932.

In 1925 he became manager of radio station KQW in San Jose where he pioneered public-service programming. It was the first station to use "electric pickup" for music — antecedent of tape-recording, and made the first transcriptions on equipment made by the pioneers Louis and Max Graff and MacGregor, San Francisco. He bought the station from its Baptist Church owner, later sold it. It is now KCBS, San Francisco.

#### MANY ACHIEVEMENTS

During his early years in radio, working with a handful of business-agricultural leaders, he was successful in eliminating inequitable Commission House practices, unjust Savings & Loan practices, and city domination of state politics (winning a nine-month campaign for adoption of a constitutional amendment providing for one senator from each county, with assemblymen chosen on a population basis).

Other activities in those years included a role in formation of Growers' Cooperatives, and organization of a string of Farm Bureau elevators. He was organizing director of the California Farm Bureau Exchange for carload purchase-buying, organizing director of the California Tariff League which won tariff protection for California products, and was active in the Taxpayers' Association.

After selling radio stations KGMB and KHBC in Hawaii in 1938, he retired from business, and then became busier than ever as non-paid head of Electronic Medical Foundation, and as President and later Board Chairman, of The National Health Federation.

Throughout his life he was active

#### *Mrs. Hart's Thanks*

##### *For Cards, Prayers*

*Unable to personally acknowledge all the expressions of sympathy during the illness and in the days following the passing of her husband March 29, Mrs. Dorothy Hart takes this means to express her "sincere gratitude to all those members and friends who remembered us with cards, and with their prayers. It was like an avalanche of mail — all of it from folks who knew Fred and loved him. It is a humbling experience to learn how wide is the circle of friends, and how deep the association, no matter at what distance. Thank you, all, from the bottom of my heart."*

in church work, serving as a Sunday school teacher many years, and also as a pastor. He published a book, "Why God Made You," distributing it widely, an expression of an evangelistic mission.

Mr. Hart is survived by the widow, Dorothy B. Hart; one daughter, Mrs. Gordon Packard, Atherton, Calif.; and three sisters, Mrs. Mary Maxin and Mrs. Vera Lang, both of Olympia, Wash., and Mrs. Sarah Woodward of Sumner, Wash.

#### So His Work Will Go On, NHF Officers Establish

### 'FRED J. HART LIVING MEMORIAL FUND'

In tribute to his foresight, wisdom, faith, and perseverance, the Executive Committee and Board of Governors of The National Health Federation have established a "Fred J. Hart Living Memorial Fund" to perpetuate the monumental contribution made by the founder of NHF to the cause of health freedom.

The action was taken at the April meeting of the Executive Committee in the Monrovia headquarters in a resolution of appreciation for the work of the man who devoted the last of several careers to organizing and steering The National Health Federation through many difficult years—but always with one goal in mind: achieving and maintaining the right of choice in decisions pertaining to one's health.

Expressions of gratitude for two decades of devotion to that ideal came from Executive Committee members who had worked with him in volunteer capacities for many years. The resolution follows:

#### RESOLUTION

WHEREAS, the late Frederick James Hart, who passed to his reward on March 29, 1975, gave unstintingly of his time and energy to establish an organization which could speak for the people on issues relating to their personal health—their very lives in fact;

AND WHEREAS, as a result of these tireless efforts, and his unswerving faith in the rightness of the cause, The National Health Federation has grown in size and in influence to a point that, in conjunction with the efforts of others of like mind, it was able to prevent the U.S. Food and Drug Administration from classifying vitamins/minerals as drugs; and

WHEREAS, the battle to preserve health freedom is waged on many fronts against forces with unlimited financial resources — a battle which must go on because any relaxation of vigilance means a steady erosion of freedoms;

NOW THEREFORE, be it resolved that The National Health Federation establish the "Fred J. Hart Living Memorial Fund;"

BE IT FURTHER RESOLVED that members and friends of The National Health Federation be invited, and urged, to make cash contributions to this Living Memorial Fund, in whatever amounts donors believe they can afford. The work must go on. The need is continuing, and the winning of one battle, while satisfying, does not mean the war is won. We believe that no more fitting memorial could be created for Fred Hart, than one which will help insure that the work he started shall not cease.

## Tribute to Fred Hart: 'Loved by Friends, Respected by Foes'

BY DR. KURT W. DONSBACH  
Chairman, Board of Governors

Most of us admire certain individuals who achieve national status for their contributions to society, but few have the privilege of close association. I had the fortunate privilege of a very close relationship with a great man who possessed depth of character and insight rarely found.

Although I had met Fred J. Hart and his wife Dorothy a few times while a representative for Dr. Royal Lee, I really didn't know him until I was on a lecture tour of NHF conventions and accompanied him and his wife on a drive from Phoenix to Salt Lake City in 1963.

The car we rode in had been donated to the Federation by Mr. Hart, and I soon learned this was one of his lesser gifts. Whenever a cause or project came up requiring cash, Fred Hart was always ready and willing to advance the money.

One of his favorite sayings was, "Our members have never let me down if the cause is right." And, of course, time has proved that to be

true over and over again. A facet of Mr. Hart that many did not know was that although he was a great crusader, he always appreciated the other side's position and the reason for that position. I believe this quality made him the great leader he was.

A brilliant general when it came to leading an apparent lost cause to victory, he always was able to change tactics in a battle without losing his perspective and ultimate goal.

Fred Hart will never be forgotten. He was loved by his friends and followers, and respected by his foes. The National Health Federation is a national monument standing tall, for all to remember that human freedoms are dear indeed to the American citizen.

I know I speak for all members of the Board of Governors, the Executive Committee and officers of NHF when I say, "Fred, to the utmost of our ability we shall continue to carry the banner of health freedom that you raised so high and carried so long."

### CHIROPRACTORS WILL MEET JUNE 12-15

Chiropractic With New Concepts," the convention will feature lectures on radiology diagnosis, commonly-used drugs, orthomolecular medicine as related to nutrition, pelvic mechanics, phenomenon of pain, and chiropractic principles.

The "continuing education program" will be satisfied during three days of four-hour lecture sessions at the 1975 annual convention of the California Chiropractors' Association June 12-15 in the Los Angeles Marriott Hotel.

Centered on the theme, "Basic

NATIONAL HEALTH FEDERATION  
HUMANITARIAN AWARD

TO  
FRED J. HART

FOUNDING FATHER OF THE  
NATIONAL HEALTH FEDERATION  
FARMER, PIONEER IN ELECTRONIC  
MEDICINE, AUTHOR, PUBLISHER,  
PAMPHLETEER, PHILANTHROPIST,  
IN GRATEFUL ACKNOWLEDGEMENT AND  
APPRECIATION OF HIS OUTSTANDING  
CONTRIBUTION TO THE HEALTH OF  
AMERICA BY FEARLESSLY CHAMPIONING  
FREEDOM OF CHOICE IN MATTERS OF  
HEALTH AND FOR ORGANIZING THE  
NATIONAL HEALTH FEDERATION  
TO ACCOMPLISH THIS END.

THIS 5TH DAY OF JANUARY, 1963  
IN ANNUAL CONVENTION,  
LONG BEACH, CALIFORNIA

'The Passing of a Giant'

## President Crecelius Calls for 'Renewed Courage, Dedication'

BY CHARLES I. CRECELIUS  
President

A great man has fallen! The passing of Fred J. Hart, founder of The National Health Federation and its President for the first 10 years, has removed a tower of strength from the fighting arena.

He was a man of courage and vision. The NHF is the measure of this outstanding American. His steadfast devotion to the cause of health freedom built the Federation. His insight molded a dedicated few into an effective health freedom organization. Having felt persecution at the hands of the Food and Drug Administration because of his untiring efforts to help suffering humanity, he was able to identify and strike at the very heart of a problem.

Two years after the NHF was founded he wrote: "The National Health Federation believes that the strength of the enemies of the health of the American people lies in and is measured by the extent such interests can get the Federal Food and Drug Administration to do their dirty work. To, in a large measure, remedy the situation, it becomes necessary to coordinate the efforts of all the people toward making the Food and Drug Administration a servant and friend of the people, instead of its worst enemy as it is now.

"Because of the crimes being committed against the sick folks of

carried through, or over, every difficulty. Maintaining a firm faith in God, the uncertainties of tomorrow were set aside, not permitted to interfere with today's effective solving of the challenge at hand.

I personally have gained much strength from this outstanding example of personal strength and courage. An article by Mr. Hart published in the February 1957 issue of *Herald of Health*, "Moment By Moment God Cares," presents a philosophy which can strengthen each of us in our day-to-day encounters: "Tomorrow you have no business with. You steal if you touch tomorrow. It is God's. The writer who penned these words must have had in mind the exhortation found in Matthew 6:34: 'Take . . . no thought for the morrow; for the morrow shall take thought for the things of itself. Sufficient unto the day is the evil thereof.'

"It is anxious care that the Saviour forbids — for each day brings its own adversity — but you cannot kill tomorrow's anxiety by being anxious about it today. So often we do not heed this practical truth — that each day has enough of its own troubles. One said, 'I'll not confer with sorrow about tomorrow, but joy shall have her way this very day.' Anxiety does not empty tomorrow of its sorrows, it empties today of its strength. It does not enable us to escape the evil, it makes us unfit to cope with it when it comes. God promises that 'as thy days, so shall thy strength be' (Deut. 33:25). Anxiety is always care about the future. We do not carry cares before they come. We

APRIL, 1975

### MEMENTO

The book, "Why God Made You," by Fred J. Hart, will be mailed, on request, while the supply lasts, to those contributing \$10 or more to the Fred J. Hart Living Memorial Fund. This book provides insight to the great spiritual strength of an outstanding leader.

The names of those contributing to the Fred J. Hart Living Memorial Fund will be permanently recorded in a volume for that purpose. An appropriate area in the Monrovia headquarters is being set aside to accommodate a large photograph of Mr. Hart, the memorial book of names, and memorabilia, including a silver tureen presented by the Federation in 1966, and a Humanitarian Award presented in 1973, and a plaque presented that year by the California Chiropractic Association.

may die before tomorrow. We know not what may happen on the morrow. So let us watch and pray against an over-careful spirit; and as this little verse says:

"Build a little fence of trust around today.

Fill the space with loving deeds and therein stay;

Look not through the sheltering bars upon tomorrow,  
God will help thee bear what comes of joy and sorrow."

"The National Health Federation is leading the fight to retain your freedom in the field of health! Such

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## With the Editor . . .

### *Man With a Dream . . .*

If this issue of *The Bulletin* seems to be "full of Fred Hart"—it is. Purposely.

If we seem to be eulogizing him—we are. Fervently.

Men the likes of this man don't come across the pike often. And when they do, it is "meet and right" that their accomplishments be aired, their virtues extolled. Who knows what fertile minds these seeds might fall upon, what lives might be influenced, changed, inspired, by the life of a man such as Fred Hart?

Three months ago this space carried a message from this writer, sketching a little of the relationship we enjoyed. I had no thought when that was written that three months later he would be gone. It can be said, however, that since his 86½ years had taken their toll physically, and since he had long been prepared spiritually, his release was provident.

In the files here at NHF is a copy of the April 1958 issue of *Herald of Health*, with a likeness of Mr. Hart, sketched by the late Boris Reidel of Los Altos. I wrote a six-page story about Mr. Hart for that issue, and on the cover with his picture were these headlines: "Fred J. Hart—Farmer, Scholar, Gentleman. They may get him down, occasionally, but he never says die!"

The National Health Federation was only three years old then, with one paid employee and several volunteers. No one could say, really, whether or not it would develop political muscle. It did have "going for it," to use today's jargon, a talented leader with the convictions and the courage of David—the David who met Goliath on the desert sands.

Indeed, Fred Hart had intestinal fortitude. Combined with his vision, and spurred by a stony determination to see the dream realized, he nurtured the "baby," lived with it during all his waking hours. Yes—even until his final breath.

He was another of America's greats, who had a vision, and the know-how, and perseverance, to make it materialize. But those close to him know that he looked daily to a higher source for guidance. His wife, Dorothy, who devoted herself to making his last months and days some-

what easier, prayed with him, at least twice daily, throughout their time together.

Although Fred Hart is not with us physically now, that vision, that materialized dream, are very much a part of the American scene. He organized The National Health Federation because he realized political power can be corruptive, and that the victims of abuses of such power are you and me. The National Health Federation is geared to fight power abuse. It has only one axe to grind: Preserving for the individual the right of choice in health decisions.

If you, your acquaintances, your friends, believe this goal is worth achieving, you can have a role in the glorious struggle by insuring that NHF does not die. Your check to the Fred J. Hart Living Memorial Fund buys that insurance.

—D. C. M.

### *And They Wonder About 'Image'!*

An Associated Press story from Washington reported that "the nation's first 'morning after' birth-control pill" had been okayed for distribution as of March 7.

"Because of concerns that DES may cause cancer when taken over prolonged periods," the story related, "the FDA said it will require brochures and labeling stressing that the drug should be taken only in emergencies, such as rape. But physicians will be free to define emergency situations in each case."

The Food and Drug Administration knows diethylstilbestrol causes cancer. It knows that many young girls whose mothers took DES during pregnancy later developed rare vaginal and cervical cancer. Yet it approved the drug for manufacture and sale.

It is the paradox in this kind of decision—not an isolated case, unfortunately—that disturbs those who oppose FDA attempts to regulate nontoxic vitamins as drugs. Is it any wonder people are frustrated and disillusioned and resentful when their government comes up with rulings of this sort?

Surely there must be some people within the agency who wonder why it is held in such low esteem by many Americans, why it does not command the respect and confidence of the population.

Some public servants—Senator Proxmire for example—understand this. But administrative personnel, removed from the election process, appear to be more concerned with drug industry profits than protecting the health of those who pay their salaries. It is a harsh judgment, but this conclusion has to be implicit in a decision such as the one giving the green light to the pill containing diethylstilbestrol, the cattle-poultry fattener, the drug which induces vaginal and cervical cancer in human bodies.

## Mrs. Hart Inundated With Tributes to NHF Founder

Expressions of regret at the passing of Founder Fred J. Hart, and of tribute to his leadership qualities and integrity in his longtime effort to insure health freedom of choice for Americans have come from many persons and places. It is possible to reproduce only a few of the hundreds received by Mrs. Hart, such as this one from Miles H. Robinson, M.D., Potomac, Md.:

"I have just heard that Fred passed away. I want to express the great sympathy Ruth and I feel for you and the family, and the deep sense of loss I feel personally.

"True, he left us after the fullness of his own years, which is some comfort.

"I have always told anyone, whether friend or adversary, that I admired Fred's dedication and abil-

ity, and believe his work with NHF was invaluable in maintaining and increasing the causes of freedom and health.

"Had it not been for the initiative and support of Fred and his NHF staff here in Washington, I would hardly have known about the great vitamin hearings, nor felt able to fight in them for two long years.

"Fred worked in the great traditions of America - freedom and democracy. Men like him will not be forgotten, nor the women like yourself who stood by their side, with infinite patience, love and good advice."

"P.S. Rather than flowers, enclosed is our check of \$25 made out to NHF, which Fred founded and served so well for many years."

**Thousands of NHF members remember Fred Hart as he was photographed by Geri Matchan during presentation of the Humanitarian Award at the 1963 annual convention in Long Beach. Dr. Frederick Doughty-Beck presented the plaque while Clinton Miller (left) and Charles I. Crecelius, right, looked on.**



## Why Fred Hart Didn't Trust Either the AMA or the FDA

*"Someone must teach the new things, someone must take the abuse, someone must be ostracized, someone must be called a fraud and a quack, then out of it all comes the new truth to become a part of us . . . Thus we receive new facts to make up our proud possession of knowledge . . ."*

Thus wrote Fred Hart in 1952, during the 30th anniversary of the Electronic Medical Foundation (EMF), founded by Albert Abrams, M.D., brilliant San Francisco doctor-scientist who at one time was vice-president of the California Medical Association. Two years later the equipment this organization researched was branded by the acting director of the Food and Drug Administration as one "of the most widespread systems of quackery ever encountered." Ten years later, the principle that each disease has its own vibration, and that electromagnetic and alternating magnetic energy of low-power density, properly tuned and/or applied, normalizes diseased tissue, was recognized as scientifically valid. Remington-Rand produces an instrument for the Diapulse Corporation utilizing that principle.

The *New York Times* (3/30/59) carried a story by John Osmundsen: "Discovery that radio waves can influence behavior of cells has been reported by Dr. John H. Heller, Dr. A. A. Teixeira-Pinto, and Dr. John L. Cutler of the New England Institute for Medical Re-

### AMA'S 'CHINESE WALL'

In 1939 Mr. Hart sought scientific evaluation of the Abrams theory, and efficacy of the method. Two of the Foundation's attorneys were told by AMA officials that the first step was clinical testing in universities and/or hospitals, and that after this was accomplished, the AMA would look at the results.

Then followed an experience which ultimately led him to tell the California Senate Interim Com-

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mittee on Public Health that the AMA had erected "a Chinese wall" which blocked research in the field of electronic therapy.

Six universities in a span of six years refused to do the research, to be financed by Electronic Medical Foundation: In 1939 the University of California Academic Council, a faculty group which included medical doctors, said "no" even though then-President Robert Spirol had shown interest.

In 1942 one dissenting member of the Academic Council at Cornell University blocked approval of a Foundation grant for Dr. Hans Barth who had done a year's work on small energies at Cornell.

In 1944 the dean of the medical school at University of Maryland refused to approve a \$10,000 grant from Electronic Medical Foundation for "unrestricted research in the field of small energies as related to body tissue." President Curley Bird endorsed the proposal, but the dean refused to accede.

In 1944 the University of Washington administration in St. Louis, Mo., expressed interest in doing the research, but the biology department refused to participate.

In 1945 the veterinary department at Cornell agreed to undertake the research on a \$50,000 grant from the Foundation, but backed down because of opposition from Cornell's medical advisor.

Also in 1945, two UC professors — Dr. Herron at Berkeley and Dr. Hart, head of the Animal Husbandry Department at Davis — refused to evaluate research work being done by EMF with a Salinas dairy herd — Bang's Disease was

eliminated following treatment of the water, and a 72.5 pounds-per-animal increase in butterfat content was achieved in two years. Additionally, disease chemistry within animals was correctly diagnosed — the story published by *Pag-eant Magazine*. When approached by Mr. Hart for the reason he refused to be involved in the evaluation project, Dr. Herron commented, "I can just see Dr. Schultz' face (Stanford University) if he were to learn I had gone down to check on that."

During negotiations with the University of Maryland, EMF attorneys tried to win AMA acquiescence to the research. While the AMA committee indicated it would not object, its letter to the university was so phrased that the dean dared not proceed lest he encounter reprisals, Mr. Hart said.

The earnest endeavor of Mr. Hart to obtain cooperation of scientific agencies in universities and government in researching the role of electronics in diagnosing and/or treating disease is well documented. So, too, is the role of the Food and Drug Administration in stifling that research.

#### COOPERATED WITH FDA

For many years prior to November 1953, Electronic Medical Foundation had cooperated fully with FDA requirements on labeling, changing language which might be construed as making unjustifiable claims as to efficacy, and conforming to regulations governing advertising of equipment, admittedly still in the experimental stage. In 1950 the Foundation wrote the 1,600 doctors using its equipment

urging them to cooperate with FDA inspectors by letting them see the equipment, telling them candidly their opinion of its value, if any. This letter said in part: "... The Food and Drug Division ... was created to protect you and the public against impure and worthless food, drugs ... and devices ... The inspectors are human ... can be wrong ... they are your friends ... It is their duty to make inspections. Please look upon these inspections as in the interest of yourself and your patients. All the literature of the Electronic Medical Foundation is on file in Washington. That office has access to all our equipment ... While our instruments are in a new field, not as yet universally accepted, we have no fear but that we can successfully defend their useful performance in any court ..."

#### HE WANTED COURT TEST

Because he believed what he said in that letter and wanted to establish the validity of the principle of electronics in medicine, Mr. Hart proposed to Washington FDA officials that one of its staff visit doctors using EMF equipment, compile the doctors' replies as to its value, and assure FDA that "our future activities will be guided by the weight of the testimony such an official gathers." He also proposed that FDA obtain a court order to seize the equipment, so it might be defended before a jury, and a court decision obtained on the basis of bonafide evidence as to the value of low-power energies. "We made this proposal," Mr. Hart told a reporter, "because officials hesitated to take a position that

radiation of living tissue with energy too weak to produce heat was of any value — despite the fact the athletic departments in 42 universities found our equipment beneficial in healing bruised muscles and fractures, and clinics in chiropractic colleges used it to advantage."

The proposals were ignored by FDA, and in mid-November 1953 three FDA officials visited the EMF offices in San Francisco. One, a physicist from Washington, stayed one day. The other two spent about 10 days with Mr. Hart who supplied them with detailed information, orally and printed, about EMF's work, its structure, program, aims, history, and "its desire to serve humanity." He was assured that the visit was friendly, that FDA wanted a complete file and proper understanding of the Foundation's program, intentions.

A month later the Foundation was faced with an FDA demand that it close its doors. To gain time to obtain documentation of effectiveness of equipment for a court test, the Foundation entered a consent decree and agreed to sell equipment only in California until final adjudication. The decree was ordered in February, 1954. The Foundation's attorney, A. J. Zirpoli, now a federal judge, had been told by a U.S. Attorney representing FDA that no press release would be issued by FDA alone, and that when it was issued it would be a joint release.

#### AGREEMENT IGNORED

This agreement was ignored by FDA officials who put a four-page

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release into news channels charging that the instruments made by EMF were "misbranded, not capable of diagnosing or curing disease . . ." and that the "magnetic field was similar to that created by home appliances . . . worthless for any therapeutic purpose . . ."

A protest from Attorney Zirpoli brought the response from FDA that it was not bound by the gentleman's agreement to issue a joint press release.

Effect of this publicity was to destroy the reputations of the Foundation and its officers. Mr. Hart brought a claim against the government, and presented evidence that the Foundation had spent \$1½ million through the years for research (detailed, with results).

"We are not arguing the merits of our theories or activities here . . .", said the EMF presentation to Congress. "Our grievance is based on these elements: Certain officials within the Food and Drug Administration have unfairly, deliberately, maliciously and capriciously set out to destroy the reputation and good will of the Electronic Medical Foundation and its instrumentalities before *judicial determination can be had of the merits of the issues*. These officials have gone far beyond the intent of Congress when it passed the Federal Administrative Procedures Act in 1946. They took it upon themselves to violate the government's valid agreement with Electronic Medical Foundation . . . It is clear that the U.S. Attorney was in complete and

## War on Vitamin Consumer

# Rogers, Proxmire Bill Foe, Launches NHF 'Inquisition'

Possibly with the best of intentions and believing his position is in the public interest, Congressman Paul Rogers, chairman of the House Commerce Committee's Subcommittee on Health and Environment, in effect has declared war on the vitamin consumers of America.

Now this may not be the way the popular Congressman from Florida views it, but in the context of all that has transpired in the past year, it is the only logical interpretation observers close to the scene can come up with.

Late in 1974 the United States Senate voted 81-10 to enact the Proxmire bill to prevent the Food and Drug Administration from regulating vitamins and minerals as drugs. The agency sought authority to restrict the manufacture and sale of megavitamins except through prescription—a sure road to skyrocketing prices—as occurred after folic acid was ruled a prescription item (it went to \$32 a bottle in this country, while the same bottle costs Canadians \$1.25). The Senate passed that bill by an overwhelming majority because the public felt strongly about the issue—so strongly that within a few months' time more than one million letters found their way into the offices of Congressmen and Senators. Few if any other issues have brought such a blizzard of protests.

And in the House more than 200 Representatives were cosponsors of a companion bill to the Proxmire measure.

And that is where the drama became truly interesting. With such lopsided sentiment already registered in the Senate, and with nearly half the House also on record for the legislation, it was a cinch to become law—if a vote were taken in the House.

But that vote never was taken. One man blocked it. That man is Paul Rogers, whose power as a chairman enabled him to keep the bill "bottled up" in committee.

After the thundering Senate action on the Proxmire bill during the waning days of the 93rd Congress, Chairman Rogers scheduled hearings—but instead of calling up the bill desired by the public and most of Congress, he and colleagues, working closely with an FDA lawyer, produced a new bill bearing the name of Peter Kyros of Maine—one which the National Health Federation could not endorse. The Congress adjourned without House action on any of the measures. Mr. Rogers branded the Proxmire-Hosmer legislation as "industry-oriented," described the Kyros bill as "consumer-oriented"—charges hotly denied by Senator

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William Proxmire and several Congressmen.

The organization in the forefront of the campaign to permanently enjoin the Food and Drug Administration from classifying vitamins/minerals as drugs was The National Health Federation. Now it is not good politics to thumb a nose at the public, nor to call the public names — but Congressman Rogers did attack the organization which represents the consumer public — The National Health Federation — in speeches on the Floor and in the public print. He also made a demand for information and data dating back to 1962, which he was told by Attorney Kirkpatrick Dilling, it would be "highly improper to give."

Congressman Rogers' pique — some would now call it vendetta — toward Legislative Advocate Clinton R. Miller and The National Health Federation may be better understood with this additional background: When it became apparent that Mr. Rogers' position as Chairman of the House Commerce Committee's Subcommittee on Health and Environment would be used to effectively block House consideration of the Proxmire-Hosmer legislation, Mr. Miller decided to look into campaign contributions. On October 10 in a hand-delivered letter to Congressman Rogers, Mr. Miller — noting that it had been reported by the Citizens' Committee for National Health Insurance that Mr. Rogers had received \$16,500 from medical sources in the 1972 campaign — asked for a "complete list of all contributions." The West

Palm Beach Congressman referred him to the Florida Secretary of State.

#### 1972 CONTRIBUTIONS

From that list Mr. Miller extracted the following contributions, totaling \$18,500 (a figure disputed by Mr. Rogers who said \$4,000 had been counted twice): American Dental Association, \$1,000; Florida MEDPAC, \$5,000; Federation of American Hospitals, \$1,000; American Nursing Home Association, \$1,000; American Podiatry Association, \$500; Carl Andrews, Palm Beach, \$500; Bernard Kimmel, M.D., Palm Beach, \$1,000; Howard Wilson, M.D., Del Rae Beach, \$1,000; Harold Yount, M.D., Palm Beach, \$1,000; Maxwell Geffen, chairman of the Board of Family Health (magazine), \$2,000; Mrs. Geffen, \$1,500; \$500 each from four medical doctors — Bernard Miller of Pompano Beach, Stephen Staryk and John Purger of Fort Lauderdale, and Carl Kaplan; and \$1,000 from Elmer Bobst, chairman of Warner-Lambert Pharmaceutical Co.

Upon receiving this request for information in the October 10 letter, the congressman "blew his stack," said in effect he was being blackmailed, that "unless I do what NHF wants me to do they will use this information to my political detriment."

#### LIST AIRED AT DEMO MEET

But Mr. Miller didn't consider it blackmail — he did think the information should be shared with the public. And when, shortly after the November election, he was invited by the Sunshine Democratic Club

## AMA SWEETENS POT BY OVER \$1 MILLION

Last-minute pre-election contributions from the Political Action Committee of the American Medical Association of about \$100,000 went to 24 successful Senate and House candidates, and 19 who lost. The figures — revealing total AMA campaign gifts of \$1,017,834 during the 1974 campaign — were reported to the secretary of the Senate and clerk of the House of Representatives.

An AMA spokeswoman told the Associated Press the organization contributed throughout the campaign to 22 Senate candidates, including 14 winners, and 248 House candidates, with 183 winning.

in Mr. Rogers' district to speak on the vitamin controversy, he went through the list. The talk was reported in a newspaper, and drew an angry response from the Congressman who told the *Palm Beach Post-Times* November 17 that he was the victim of "a vicious campaign of mistruth," and, "I do not think that I nor other members of the Congress will be intimidated by this vicious campaign of mis-truth brought forth by people who promote bogus cancer cures and say that polio can be prevented by dietary measures."

But the Congressman's ire did not deter Mr. Miller from continuing to press Mr. Rogers for more financial information — three times he wrote Mr. Rogers asking for a

list of "honorariums you have received from medical and special-interest groups while you have served as Chairman of the Subcommittee on Public Health and Environment." The list was not provided.

#### ANOTHER REASON?

And there may be still another reason Congressman Rogers doesn't like Clinton Miller and the NHF: Shortly prior to and during organization of the 94th Congress, an unsuccessful and indirect effort was made to change the top leadership of the Subcommittee on Health — in other words, to unseat Mr. Rogers. Several autocratic chairmen did lose their positions, but he survived. Whether he suspected NHF prodding in the move to change chairmen is not known.

The pot didn't really start boiling until after the Maine election when Congressman Peter N. Kyros, considered a shoo-in, was defeated by a political unknown, David F. Emery. (That is another part of the story). And when Mr. Miller accused Mr. Rogers of playing footsie with the FDA and the medical lobby, the Florida Congressman used the *Congressional Record* to blast the National Health Federation.

Its support of the Proxmire bill he labeled as "misrepresenting, distorting, and emotionalizing . . . the issue in order to try to pass a bill backed by certain irresponsible members of the health foods industry."

(Please turn the page)

## NHF BLASTED IN RECORD

He then inserted a "memorandum" prepared in May, 1973, by the Food and Drug Administration, based on American Medical Association news releases attacking the Federation and some of its officers — charges to which Mr. Miller responded in testimony before the Rogers subcommittee in October, 1973. The memorandum, after noting that NHF "is promoting a mass write-to-Congress campaign against the recently-issued FDA special dietary food regulations and urging support for . . . a bill which would virtually destroy all FDA control over health claims made for special dietary foods," stated that:

" . . . The major purpose of the Federation is to promote medical remedies and devices which violate the law. From its inception, the Federation has been a front for promoters of unproved remedies and eccentric theories. It has consistently supported discredited medical treatments such as the outlawed Hoxsey cure for cancer and other equally worthless treatments. Currently they are promoting Laetrile . . .

"Under the guise of 'the right to freedom of choice' in health matters, the NHF continues to advocate and defend ill-founded and unsupported theories and practices . . . This philosophy, of course, exposes innocent members of the public to worthless products, false hopes, and a return to the long-discarded philosophy — 'let the buyer beware!'

" . . . NHF's exaggerated views concerning the value of most vitamins and minerals and many other substances are not supported by recognized nutrition and medical authorities both inside and outside government . . . The bill it is sponsoring would open a loophole for a return of the infamous 'patent medicine' style of promotion, with 'food supplements' taking the role of the 'snake oil' remedies of bygone times — good for anything."

On December 20 last year Congressman Rogers wrote Mr. Miller that he did not appreciate being the object of charges by Mr. Miller that his opposition to the Proxmire-Hosmer bills and his espousal of the Kyros bill may have been influenced by the fact he had received, in the 1972 campaign in Florida, cash contributions of \$18,500 from medical sources.

When the "kitchen" got very hot (to paraphrase the late President Harry S. Truman), Congressman Rogers decided to take on the Federation. In a 4½-page letter dated December 17, he asked for information on contributions, personnel, and supporters of the National Health Federation, making seven specific requests.

## TIMELY TOPIC

"Our Poison Jungle" was the theme of a slide presentation viewed by Sunset Juniors (parents of pre-schoolers) of Hacienda Heights, Los Angeles area, during a California Federation of Women's Clubs program in observance of Poison Prevention Week, reported the *Los Angeles Times* (March 16).

## Congressman's 4 1/2-Page Letter Seeks Information Dating Back to 1962

The letter, and the NHF response as formulated by NHF Counsel Kirkpatrick W. Dilling, follow:

"Dear Mr. Crecelius:

"In reference to your recent letter in which you asked us to list questions regarding the National Health Federation, we would greatly appreciate and respectfully request the following:

"First: the original and intermediate sources and amounts of each and every contribution derived from any person engaged directly or indirectly in the manufacture, sale, distribution, advertisement and promotion of vitamins, minerals, substances and other ingredients of any food, dietary or organic supplements, which the National Health Federation has received or benefitted from since 1970.

"Second: the total amounts of all contributions derived from all persons who are directly or indirectly engaged in the manufacture, sale, distribution, advertisement, or promotion of vitamins, minerals, substances and other ingredients of any food, dietary, or organic supplements, and the total amounts of all contributions to the National Health Federation from all persons for each year since 1970.

"Third: a separate listing of the original and intermediate sources and amounts of each and every contribution in excess of \$500 which NHF has received or other-

wise benefitted from for each year since 1962. For each contribution referred to in the preceding sentence, please list the name of the organization, individual or person making the contribution, name of corporation, organization, or other person the contributor is affiliated with, represents, or is acting as agent for, the street address, city and state in which these persons are located or doing business, nature of business each is engaged in, and the purpose of their organization, and each date (month, day and year) of each contribution.

### LOBBYING COSTS SINCE 1962

"Fourth: a list of all receipts and expenditures of NHF, and a separate listing of all receipts and expenditures of NHF in connection with attempts made, directly or indirectly, to influence legislation or lobby for legislation for each year since 1962. For receipts, please indicate the total amounts of each of the following: (1) dues and assessments; (2) gifts of money or anything of value; (3) printed or duplicated matter received as a gift; (4) receipts from sale of printed or duplicated matter; (5) receipts of salaries, fees, or other consideration for services; (6) amounts borrowed from others; (7) total amounts now owed to others on account of loans. For expenditures, please indicate the total amounts for each of the following: (1) public relations and advertising ser-

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vices; (2) wages, salaries, fees, and commissions (other than requested by the preceding item number 1); (3) gifts of contributions made; (4) printed or duplicated matter, including pamphleteering and distribution cost; (5) office overhead (rent, supplies, utilities, etc.); (6) telephone, telegraph and mailogram; (7) travel, food, lodging and entertainment; (8) all other miscellaneous expenditures; (9) amounts of loans lent to others; and (10) amounts of loans others now owe NHF, its agents or subsidiaries.

"Fifth: a list of names and addresses of all members of the Board of Governors of NHF, all officers of NHF, all persons engaged in lobbying or influencing legislation for or in behalf of NHF, and all persons on the editorial and professional staff of the *National Health Federation Bulletin*. Please state the dates and terms of service for each of the persons referred to in the preceding sentence since 1962.

"Sixth: a list of all persons employed by NHF, on the Board of Governors of NHF, and officers and agents for or in behalf of NHF (who have served in the past or presently in the aforementioned capacity) who have been arrested, charged, indicted, convicted, or subjected to legal sanctions regarding any violation of the law, regulations, orders, decrees, and other legal processes of the legislative, judicial, executive, and other instrumentalities of the United States and its states and subdivisions, ter-

ritories, and possessions. Please indicate the name and address of each such person listed, the date and nature of the charge, arrest, indictment, conviction, or other legal sanction for each person listed, and the disposition of the case or other action including the amount or amounts of any fines assessed or paid, property seized, and time and place of incarceration, imprisonment, or institutionalization in any penal or correctional institution, or if sentence is suspended, or probation is granted for any person in connection therewith.

#### CAMPAIGN ACTIVITIES

"Seventh: a list of all political campaign activities the NHF, its employees or agents on its behalf, have engaged in from 1963 to date. Please specify the applicable political office involved, names of the candidates supported or opposed, designation of which candidates NHF has supported and which named candidates NHF has opposed through such activity, the specific act or type of campaign activity, and the public issues involved in which NHF engaged in each political campaign, and the expenditures of NHF, its employees, and agents on its behalf, for each of the campaign activities.

#### DEFINITIONS

"For purposes of the questions in the letter:

"1. The word 'contribution' is defined to include a gift, subscription, loan or deposit of money, or anything of value including a contract, promise, or agreement, whether or not legally enforceable, to make a contribution.

"2. The word 'engage' means to involve oneself, to occupy, and on occasion to hire.

"3. The word 'person' is defined to include an individual, partnership, committee, association, corporation, and any other organization or group of persons.

"4. The word 'legislation' is defined to include not only bills, resolutions, amendments, nominations and any matters pending or proposed in either House of Congress of the United States, but also any other matter which may be the subject of action by either House of the Congress, its Committees, Subcommittees, or staff members.

"5. The word 'for any consideration' means 'for any motive' or 'for any cause.'

"6. The word 'expenditure' is defined to include 'a payment, distribution, loan, advance, deposit or gift of money or anything of value,' and includes a contract, promise, or agreement whether or not legally enforceable, to make an expenditure.

"7. The word 'pamphleteering' means the preparation and/or distribution of printed or duplicated matter presenting one side of the issues having legislative aims.

"8. The word 'lobby' or 'lobbying' is defined to include any action or attempts made, directly or indirectly, to influence legislation by any person, who by himself or through any agent or employee or other persons in any manner whatsoever directly or indirectly solicits, collects, or receives money or any other thing of value or form of consideration, to be used in whole

or in part, or for the purpose of in whole or in part, to aid in the accomplishment of any of the following purposes: (a) the passage or defeat of any legislation by the Congress of the United States; or (b) to influence, directly or indirectly the passage or defeat of any legislation by the Congress of the United States.

#### EXCLUDED

"The preceding definition shall not apply to any person whose sole action has been to appear before a Committee of the Congress of the United States at a scheduled official hearing opened to the public in support of or in opposition to legislation, nor in the case of any newspaper or other regularly-published periodical (including any individual who owns, publishes or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials or other comments or paid advertisements which directly or indirectly urge passage or defeat of legislation, if such newspaper, periodical or individual engages in no further or other such activities in connection with the passage or defeat of such legislation other than merely to appear before a Committee of Congress at a scheduled official hearing opened to the public in support of or in opposition to such legislation.

"9. The words or phrases 'campaign activity,' 'political campaign,' or 'campaign for election or nomination' mean the engaging in or making of, whether directly or indirectly, any expenditure, communication, or other thing of value or form of consideration, to be used in whole

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## NHF 'Glad to Cooperate' If Congress Investigates Food Trusts - Dilling

This is what Congressman Rogers wants, now *The Bulletin* will share with Federation members the reality, presenting the Federation position as prepared by NHF Counsel Kirkpatrick W. Dilling:

"Dear Congressman Rogers:

"This will reply to your communication of December 17, 1974, addressed to the President of The National Health Federation. The undersigned is counsel for the Federation.

"Your letter also bears the signatures of other Congressmen (including four persons no longer in the Congress). Nevertheless, the Federation's reply is addressed solely to you, as the moving party concerning the matters involved.

"We would appreciate receiving information or other act for the purpose of opposing, supporting or otherwise influencing the nomination for election of any person to Federal, state or local office.

### 10 SIGNATURES ON LETTER

"We would appreciate receiving this information at your earliest possible convenience."

The letter was signed by Mr. Rogers and nine other congressmen: Ancher Nelsen of Minnesota, Tim Lee Carter of Kentucky, James F. Hastings of New York, Richardson Preyer of North Carolina, William R. Roy of Kansas, James Symington of Missouri, Peter N. Kyros of Maine, H. John Heinz of Pennsylvania, and William H. Hudson of Indiana.

"It is our considered opinion that according to the sweeping requests for data and information contained in your communication would be highly improper, and that any effort on your part to compel compliance with such requests would grossly violate the rights of the Federation and its members.

"For example, every person would have to be named, for a five-year period, who has contributed anything to the Federation, designating the amounts of contributions, providing such person has been connected in any capacity with distribution of foods. Thus would be placed in the 'Congressional spotlight,' so to speak, even 'car hops,' waiters, supermarket employees, health food proprietors, and a myriad of other persons.

### GREAT FOR 'BIG BROTHER'

"Even more 'shotgun' in nature is the portion of the communication which would specify designating all parties contributing more than \$500 to the Federation over a period of 13 years, also rendering addresses and avocations of each contributor. What a marvelous list that would be for 'big brother' bureaucratic harassments of those people by agencies such as FDAL

"The Federation avowedly lobbies, of course, for legislation which is considered protective of freedom of choice of consumers in matters of health. Likewise, it opposes repressive legislation which would deprive consumers of such rights.

The Federation considers unjustified your requests for data in this regard, covering a period of 12 years, and to include, once again, names of persons involved.

"Fundamental guaranties of the First Amendment, if nothing else, would negate any necessity for naming for a 13-year period 'all persons on the editorial and professional staff of the *National Health Federation Bulletin*' as you have further specified.

"Your communication also unjustifiably specifies naming those connected with the Federation ever involved 'regarding any violation of law.' So sweeping is your specification that it would include within its scope everyone who ever had a traffic ticket as well as individuals involved in purely civil matters.

### IS IT 'PERSONAL ANIMUS'?

"As to your communication, generally, is it possible that your recent differences with Clinton Miller, Federation Legislative Advocate, have impelled this and other requests therein? Mr. Miller has been highly critical, among other things, of the fact you have been the recipient of substantial sums from the American Medical Association. Such organization has fostered and endorsed restrictive vitamin regulations which would place many of the dietary products now freely available to the consumer on a 'prescription-only' basis. On behalf of the Federation, Mr. Miller has opposed such regulations, backing legislation endorsed by a majority of your House colleagues, and sponsored in the

Senate by Senator William Proxmire and others. As you know, the Proxmire legislation recently passed in the Senate by a vote of 81-10. You have strongly opposed such legislation, a circumstance concerning which Mr. Miller has also rendered comment.

"Whatever the case, we do not feel that any personal animus on your part should facilitate discriminating against the Federation in the manner initiated by your recent communication. Nor does such communication seem motivated by any genuine desire for information, you having 'jumped the gun,' so to speak, by slanderously attacking the Federation in the House on several recent occasions, and before sending the requests in question.

### ANYONE MAY JOIN

"Moreover, your recent requests must be viewed in the light of undoubted and established civil rights enjoyed by the Federation and its membership. The National Health Federation does not 'catalogue' its members. Anyone may join its ranks, including 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. Their freedom of association for the purpose of advancing ideas and airing grievances are absolutely protected by guaranties of the U.S. Constitution. (See, for example, *U.S. v. Rumely*, 345 U.S. 41; *Bates v. Little Rock*, 361 U.S. 516; *Louisiana Exrel Gremillion v. NAACP*, 336 U.S. 293; *NAACP v. Alabama*,

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## Oregon House Rejects Bill For Statewide Fluoridation

April 1 was a good day for health-minded Oregonians. That day, following an hour of turbulent debate during which a spectator was ejected from the gallery, the House voted 37-21 to reject a bill which would have mandated fluoridation of water in communities of more than 500 population by Jan. 1, 1977, unless 5% of local voters petitioned to put the issue on the ballot in 1976.

Introduced by Representative Stephen Kafoury, chairman of the House Human Resources Committee who opened hearings Feb. 27,

357 U.S. 449; and other appropriate rulings).

"Under the circumstances, the Federation most respectfully declines to comply with the requests contained in your communication of Dec. 17 last.

### WHERE NHF WOULD COOPERATE

"Please be assured, notwithstanding, that the Federation would wholeheartedly cooperate with you or your colleagues in any Congressional investigation directed to monopolistic practices affecting the health of the nation, as engaged in by organizations such as the American Medical Association, the white-sugar trusts, white-flour, soft-drink and other food-processing interests, whose influence on the American public is so pervasive, and often adverse to its welfare."

the bill was opposed by many Oregonians, supported by "establishment" doctors and dentists.

Although a mandatory fluoridation bill has passed the Senate during the last two sessions, it has died in the House where such legislation never has been approved.

At the initial hearing in February, supporters told the committee fluoridation would reduce tooth decay by about 60% and that "Oregon should join with other progressive states that fluoridate their water."

A team of six dentists, public health officers and physicians said Oregon is "cheating its children" by not fluoridating. It was alleged that in fluoridated Salem, children's tooth decay has declined 69%.

During that hearing Dr. John Yiamouyiannis, a biochemist and science director of The National Health Federation, revealed to the committee results of his preliminary study indicating that "cancer death rates may be higher in cities where fluoride is present in the water supply," to quote the Salem *Capital Journal*. (Ed. note: An expanded study by Dr. Yiamouyiannis has convinced him the link between fluoride intake and cancer is "definite." That report will appear in an early issue of *The Bulletin*). He also told the committee that lives are being endangered by

use of fluoride in baby formulas. His testimony was countered by medical witnesses who said fluoride is "not dangerous," and that "the American Medical Association and the American Dental Association would not recommend its use in public water supplies if it were."

At a hearing three weeks later the "pros" sent in some "Mister Bigs" who denied any relationship between fluoride and cancer. Dr. William Morton, specialist in environmental medicine at the University of Oregon Medical School, branded as "false" the NHF thesis that fluoride increases the risk of cancer. "Fluoride has not been proved to have any association with cancer," he said.

Dr. Tomm H. Pickles, manager of the Dental Health Section, Oregon State Health Division, said most opponents of fluoridation use "scare tactics" when arguing against it. He said "it is shallow for opponents to argue that simply by reducing the amount of candy, cake and coke, tooth decay will be prevented. I want to emphasize, there is no question about the proven practicality and safety of optimum community water fluoridation, and no substitute for it in effectively preventing dental decay."

Dr. David Rosenstein of the Oregon Medical School said many proponents of fluoridation are "well-trained doctors, whereas many of the opponents follow the questionable advice given by the National Health Federation." He presented testimony that "several

members (of NHF) have been convicted of practicing shoddy medical techniques," and that fluoridation opponents have used "outdated studies to drum up support."

Dr. Tom Shearer, director of the Division of Nutrition, University of Oregon Medical School, said the total amount of fluoride in food and water "has been repeatedly shown to be safe in communities with fluoride in the water systems."

Questioning the wisdom of adding fluoride to water, Mrs. Stella Johnson, Portland, told the committee fluoridation should not be administered in mass dosages through community water systems, that those who want it can get it by using fluoridated toothpaste or by dissolving fluoride tablets in their drinking water.

"You should give it that way to those who want it," she said. "If it is good for the teeth, put it where it belongs. Don't make everybody else use it."

Dr. Howard H. Hillemann, professor of Physiology at Oregon State University, long an opponent of fluoridation, told the committee environmental agencies have tried to reduce fluoride emission levels into streams "because fluoride is poisonous to fish and aquatic life." He said fluoride does not lessen tooth decay, and said the bill would allow the legislature to "practice mass dentistry without a license."

On October 2, 1973, the FDA implemented an Order making a prescription necessary in order to purchase any product providing vitamins A and/or D in excess of 10,000 and 400 units, respectively, in the label-recommended daily dose. NHF has opposed the Order on the legal grounds that no hearing was held on the Order following its proposal, and on the basis that it imposes an unrealistically low potency limitation on vitamin A. Potential toxicity resulting from excessive intake of vitamin D, however, has been well documented but in essentially every reported case, vitamin D-2, a synthetic form of the vitamin, has been used. By contrast, the natural form of the vitamin (D-3) appears, comparatively, to have a remarkable degree of safety. NHF believes FDA should make a distinction between the two forms in imposing any limitations of potency. The enactment of pending legislation, which would curb FDA's authority to restrict potencies of harmless vitamins, would still permit FDA to protect the public safety by imposing restrictions on the potency of any nutrient shown by the preponderance of scientific evidence to be potentially dangerous in the higher levels of intake. Vitamin D-2, the synthetic form of the vitamin, probably is such a substance.

## Vitamin D-2, The Sunshine Vitamin's Synthetic Counterpart — Friend Or Foe?

By J. YOGAMUNDI MOON, B.S.

The best known and understood function of vitamin D is to facilitate the absorption of calcium from food in the intestinal tract, and its retention in the body. The normal utilization of the calcium following its absorption is regulated by vitamin D as well as by other vitamins and hormones. For decades, it has been considered that a deficiency of the vitamin, with the subsequent lack of absorption of calcium from the intestinal tract, leads to a condition known as rickets and thus, the vitamin is referred to as the anti-rachitic vitamin. Before milk and some other foods were commonly fortified with the vitamin,

rickets was not uncommonly seen in children.

In passing, it might be mentioned that a growing number of authorities believe that the vitamin should be considered as a hormone rather than as a vitamin because of its chemistry, its physiological actions, and its close relationship with known hormones of the body—more about this a bit later.

Although we have referred to "vitamin D" above as if it were a single, specific chemical compound, there are, in reality, at least 27 different chemical substances which

develop anti-rachitic properties following irradiation with ultra-violet light. Thus, the term "vitamin D" is rather meaningless inasmuch as some of the 27 forms are highly toxic in spite of having anti-rachitic properties.

### Vitamin D-3, the Natural Form

The natural form of the vitamin (or hormone) is produced in the subcutaneous layers of the skin when we are exposed to sunshine. Since it is synthesized in the body from a derivative of cholesterol, it is known as "cholesterol-derived-calciferol." This form of the vitamin is referred to as *vitamin D-3*. It is the form found also in certain fish liver oil although it is not understood how these deep sea fish synthesize such a rich supply of "D-3" without exposure to ultra-violet light.

"D-3" is the only really natural form of the vitamin. However, there are over twenty different plant sterols which may be "activated" by exposure to ultra-violet light or by chemical reaction to have "vitamin D activity." Some of these forms are much more active and often much more toxic than the natural form.

### Vitamin D-2:

#### Irradiated Ergosterol

Ergosterol is a plant sterol which, when irradiated with ultra-violet light, provides potent "vitamin D activity." Technically, this form is referred to as *vitamin D-2* and is the form used in the fortification of milk and a number of other foods and is used also in a very large

percentage of vitamin supplements. In fact, it is fairly safe to assume that if the label of the supplement does not state that the product contains fish liver oil, the source of the "vitamin D" is irradiated ergosterol and is thus the "D-2" form.

### Relationship Between Use

#### Vitamin D-2 and Abnormal

#### Calcium Deposits Noted

Since the introduction of "vitamin D-2" in human nutrition in 1928, there has been a tremendous increase in the incidence of many illnesses which are associated with unnatural deposits of calcium, and abnormal cholesterol metabolism. A truly vast amount of clinical and experimental evidence is available which indicates that the use of "vitamin D-2" is one of the principal factors involved in the etiology of some of these pathological conditions.

Among the conditions which are induced in laboratory animals by "vitamin D-2" and the many related "vitamin D"-analogues are: kidney stones, heart-artery degeneration, osteoporosis, calcified lesions in the eyes (cataracts and band keratopathy), calcified lesions in the joints and bursae, hypercalcemia and hypercalciuria (excessively high levels of calcium in the blood and in the urine) with their many complications (urinary calculi, infant convulsive disorders) and other conditions of internal calcification characteristic of advancing age and senility. Most of these conditions have been documented also in humans who have been poisoned by "vitamin D-2."

Within months after the introduction of "D-2" several severe human poisonings were reported. Autopsy reports revealed heart-artery and kidney damage similar to that seen in some forms of human arteriosclerosis. At the time, atherosclerosis was a rare illness.

At first it was believed that the production of "D-2" by u.v. irradiation of the plant steroid, ergosterol, was accompanied by toxic side-products which were appropriately named *toxisterol*. As a result, the early preparations of irradiated ergosterol were withdrawn from the market, the method of synthesis was modified, and the new preparations were claimed to be free of *toxisterol*.

Nevertheless, human poisonings continued to be reported, and it was then generally believed that this was due to frank over-dosage, which undoubtedly did explain many cases of "vitamin D" poisoning, especially during the period of "mega-vitamin-D-2 and D-3-therapy."

#### **Prevalent Use Of Vitamin D-2 Reversed Incidence Of Rickets**

At the time when irradiated ergosterol was synthesized, rickets was a very common illness of infancy, and the use of irradiated ergosterol was so effective in reversing and preventing rachitic conditions that there was no reason to question the vitamin-status of this chemical.

Accordingly, in 1953, British public health authorities recommended an increase in levels of "D-2" added to powdered milk and infant foods.

The result of this move was disastrous. Within three years time over 300 infants were severely poisoned before idiopathic hypercalcemia and other manifestations of "D-2" toxicity were brought into control by halving "D-2" levels added to "fortified foods." Even the present level of intake, however, is not universally safe, and a number of infants are severely poisoned by "D-2" each year in Great Britain and in the United States. Some of these infants are irreversibly damaged, and are severely mentally retarded as a result.

The British experience clearly demonstrated the fallacy of attributing "D-2" poisoning to massive over-dosage or to the presence of *toxisterol*, since these infants were poisoned by intakes generally calculated to be less than 4000 I.U. per day, and frequently known to be only a few hundred I.U. per day. It is known that only 1800 I.U. per day generally retards linear growth during infancy. (Apparently this is true for both the natural "D-3" and for "D-2.")

As a result of the extensively documented toxicity of "D-2," the American Academy of Pediatricians began, more than ten years ago, urging limitations on "D"-containing supplements. At that time, the FDA requested that manufacturers of vitamin supplements limit D-levels to 400 I.U. in the recommended daily intake.

There is a very great deal of evidence that "D-2" in milk is a principal factor involved in the

etiology of coronary heart disease, and that "D-2" in levels previously believed to be safe may induce kidney damage in adults. Just last year it was demonstrated that levels of only 500 to 2000 I.U. per day, taken over a few months time, will induce hypercalciuria (too much calcium in the urine), and predisposition to kidney stone and urinary calculi formation, in a proportion of healthy adults.

Until 1969, nearly half a century after "vitamin D-3" was discovered, it was generally accepted that the family of chemicals with anti-rachitic activity were actually essential nutrients for humans. No one bothered to question this even though a majority of the human family never consumes any "vitamin D" as adults, and all animals seem to get along fine with no dietary sources of these "essential nutrients"! Remarkably, however, researchers in biochemical medicine were able to induce rickets in laboratory animals, not by feeding a diet deficient in "vitamin D," but by feeding a diet with an imbalanced calcium to phosphorus ratio.

#### **Vitamin D Regarded As A Hormone By Some**

In 1969, Professor W. F. Loomis, a brilliant physician and biochemist, carefully reviewed the literature concerning rickets and "vitamin D," and suggested that rickets is not a dietary deficiency disease, but is the first air pollution disease, being due to insufficient solar u.v. irradiation, and not a lack of any essential nutrient.

Subsequent to Professor Loomis'

brilliant hypothesis, it has been conclusively demonstrated that "vitamin D" is a *steroid hormone*, not a *vitamin*. Irradiated ergosterol is not the natural form of the hormone, and so "vitamin D-2" is, in fact, an *unnatural growth-promoting steroid hormone*, rather than a member of a large family of vitamins. In this respect, "vitamin D-2" is very similar to diethylstilbestrol (DES), the unnatural growth-promoting steroid hormone formerly used to fatten livestock, and now banned by the FDA.

#### **Safe Methods Of Rickets Control**

There are three safe methods of rickets control: 1) the use of fish liver oils which have not been excessively concentrated. Fish liver oils are also safe for adults, and this natural food is believed to aid in normalization of the aging process. 2) Ultra-violet irradiation, which may be derived from some of the new artificial lighting systems which closely simulate natural sunlight, or may be derived from natural sunlight in areas where pollution is not excessive. 3) Enrichment of milk by direct u.v. irradiation of the milk itself to give a *delivered potency* of 400 I.U. of the natural hormone per quart of milk. Prior to the 1950's milk was generally enriched in this way in the United States, and *not one case* of idiopathic hypercalcemia was reported in the United States. It is not yet certain that u.v. irradiated milk is safe for adults except during pregnancy and lactation, when its use is generally recommended.

### How Common Is Poisoning By Vitamin D-2?

A 1951 review of the literature conducted by workers at Harvard Medical School included 111 documented cases of human poisonings, and these workers added 7 of their own cases. By 1953, when it became more certain that idiopathic hypercalcemia of infancy is a manifestation of "D-2" poisoning, over 300 additional cases were added in Britain alone, and another hundred or so cases were reported in the United States, Germany, Sweden, France, and other countries. At about the same time, it became apparent that generalized arteriosclerosis of infancy—an illness diagnosed only on autopsy—is also likely to be due to "D-2" poisoning, and this added another 30 or 40 fatalities. Several years later it was recognized that the Williams' syndrome (supravalvular aortic stenosis, also an irreversible illness) is a manifestation of idiopathic hypercalcemia, and this added another handful of severely poisoned infants. Still later, workers at the Johns Hopkins Hospital recognized a late manifestation of undiagnosed idiopathic hypercalcemia which results in mild to severe mental retardation in later childhood.

In her 1969 review of the "vitamin D" problem, Dr. Mildred Seeley included information indicating that a high incidence of renal acid phosphaturia (which may seriously damage delicate kidney tissue) in England prior to the epidemic occurrence of idiopathic hypercalcemia

was also due to excesses of "D-2." She later summarized evidence indicating that the widespread occurrence of magnesium deficiency convulsions during infancy, is associated with the presence of "D-2" in milk. ("D" accentuates the bodies need for magnesium.)

Last year, Dr. W. W. Meyer from the Pediatric Clinic in Stockholm, Sweden and Dr. J. Lind in Germany reported autopsy findings in infants and children from 1 to 16 years of age who had died after accidents or after brief illness. Calcification of the internal carotid artery was found to a greater or lesser extent in every infant and child autopsied!

It is not clear or certain that this condition is due to "vitamin D," but "D"-sensitization to the development of calcific deposits is a primary suggested factor discussed by these authors.

In another article, these workers reported calcific deposits in the iliac arteries in about 2/3 of the infants autopsied during the first four months of extra-uterine life. Again, "physiological" levels of "D" is a primary suspected causative factor.

#### "Vitamin D"

#### and Heavy Metal Poisoning

The presence of "vitamin D" in foods containing lead results in increased absorption and retention of this toxic metal. There is also evidence that "D" may exert a similar effect on cadmium and strontium. (Continued on next page)

### Summary

In summary, then, reputable pathologists, clinicians and physicians have documented, in hundreds of papers in the medical literature, reasons for suspecting that during infancy and childhood even relatively small excesses of "D-2" may be responsible for:

1. idiopathic hypercalcemia of infancy
2. renal acid phosphaturia
3. generalized arteriosclerosis of infancy
4. the Williams' syndrome (supravalvular aortic stenosis)
5. magnesium deficiency convulsions
6. early kidney calcification
7. calcification of the iliac arteries
8. heavy metal poisoning

During adulthood, small excesses of "D-2" are believed by many reputable physicians to contribute to:

1. arteriosclerosis
2. other forms of arterial degeneration
3. renal calculi
4. urinary calculi
5. cataracts
6. osteoporosis

In the light of well-documented information, there appears to be an urgent need to bring about a greater general awareness of the potential dangers attending an excessive intake of "vitamin D-2," and to enlist the cooperation of the food industry in an effort to bring reform to the "vitamin D" problem.

### President Crecelius Asks 'Rededication'

(Continued from page 7)

a project takes funds. Have you sent in your contribution? Now is the accepted time. *Today* we have a chance to win. Let's not fail for lack of funds."

This is the message penned by Fred Hart in 1957. He early recognized that the financial burden of a crusading organization would be a continuing one. Loss of such a great leader and loved one requires renewed courage and dedication on the part of each of us. At this moment NHF is in urgent need of your support. We have cut expenses to the bone, but if additional funds are not forthcoming, our vital program soon will suffer cutbacks. We urge you to mail your generous contributions today, to N.H.F., 212 West Foothill Boulevard, Monrovia, Calif.

### DR. EILEEN F. MARSH IS CYCLE ACCIDENT VICTIM

A cycle accident has taken the life of Dr. Eileen F. Marsh, Land's End, Hamilton, P.O., Bermuda. *The Bulletin* learned from Dr. Harold Pallatz of Melbourne, Fla. Described by Dr. Pallatz as "a tireless fighter for health rights," Dr. Marsh was a contributor for many years to the *Herald of Health*. "She gave freely of her time and energies," he said.

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(Received mid-March through mid-April)

**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 industry, 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 devaluation and adulteration of our foods, restriction of certain types of treatment, banning of certain health books from the mails, the harassment 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.

Will you join us in this worthy effort?

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Opinions expressed in The **Bulletin** are those of the writers of the articles and are not necessarily the opinion of the National Health Federation.

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3. Work for beneficial and needed health legislation and, at the same time, oppose proposals which are detrimental to the health interests of the people or which do not provide for equality of recognition of all legally established health professions.
4. Support a united effort to reduce the cost of health care.
5. Oppose insults upon our ecology which have an impact on health
6. Oppose the use of chemical food additives which have not been proved absolutely safe or which are not needed.
7. Secure fair and impartial enforcement of food and drug laws and regulations.
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THESE ARE THE THINGS THE NATIONAL HEALTH FEDERATION IS ORGANIZED TO DO — JOIN ITS RANKS AND TAKE PART IN THIS VITAL EFFORT ON BEHALF OF YOURSELF AND OF ALL AMERICA.

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**Rocky Mountain — May 31-June 1**

Downtown Holiday Inn — Denver

**Northern California — June 7-8**

Jack Tar Hotel — San Francisco

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Seattle Airport Hotel — Seattle

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