

**QUACKERY
A \$10 BILLION SCANDAL**

**A REPORT
BY
THE CHAIRMAN
OF THE
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE
OF THE
SELECT COMMITTEE ON AGING
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QUACKERY*

Quackery—n: the practice or pretensions of a quack.

Quack—n: (short for quacksalver) 1: a pretender to medical skill;
2: charlatan.

Quack—adj: of, relating to, or characteristic of a quack; esp : pre-
tending to cure diseases.

As used in this report a Quack is anyone who promotes medical schemes or remedies known to be false, or which are unproven, for a profit.

PREFACE

This report marks the culmination of an intensive four-year review of quackery and its impact on the elderly. The inquiry it reflects was initiated after a series of hearings by the House Select Committee on Aging concerning frauds against the elderly which identified health fraud as the single most prevalent and damaging of the frauds directed at the elderly.

As this report details, quackery has traveled far from the day of the pitchman and covered wagon to emerge as big business. Those who orchestrate and profit from the sale and promotion of these useless and often harmful "health" products are no longer quaint and comical figures. They are well organized, sophisticated and persistent.

The Subcommittee estimates the cost of quackery—the promotion and sale of useless remedies promising relief from chronic and critical health conditions—exceeds \$10 billion a year. The cost of quackery in human terms, measured in disillusion, pain, relief forsaken or postponed because of reliance on unproven methods, is more difficult to measure, but nonetheless real. All too frequently, the purchaser has paid with his life.

While the impact of quackery on our lives has been increasing and growing in sophistication, public and private efforts designed to address and control this problem have diminished, been redirected or disbanded. Of the numerous federal agencies charged with reviewing aspects of this problem, only the U.S. Postal Inspection Service maintains a proactive program to identify quack products sold in violation of federal statutes. The Food and Drug Administration, once a formidable force in controlling quackery, now directs less than .001 percent of its budget to the control of quackery. The Federal Trade Commission's efforts to control misleading advertising are even less significant and have diminished in recent years to the point where they are almost non-existent.

This report reflects the efforts of many people. The Committee's activities were directed by Val Halamandaris, Senior Counsel and Director of Oversight from 1977 to 1982. Aging Committee staff members, Kathleen Gardner Cravedi, David Holton, Nancy Smythe, Bill Halamandaris, Melanie Modlin, Mark Benedict and Susan Roland and interns Mary McNamara, Frances Hill, Bonnie Hogue, Peter Reinecke, Andi Samuels, Laurel Hixon, Margaret Campell, Stephen Bernstein, Brian Adams, Marcia Finkel, Marjorie Epply, and Cindy Jones participated in this review. The Committee's efforts were augmented by detailees from five agencies—Thomas Bazley and Nan Kalthoff from the U.S. Postal Service; Dr. Lewis Kuller, Robert Wood Johnson Fellow; Mary-Lou Stone from the Inspector General's Office, Judy Blanchard from the Health Care Financing Administration, Department of Health and Human Services, and Dayle Berke of the Federal Trade Commission.

Medical and scientific experts from across the country provided guidance and reviewed products obtained by the Committee in the course of its inquiry. These experts included:

William Ayers, M.D., Georgetown University School of Medicine; George Blackburn, M.D., Ph.D., Harvard Medical School; Dr. Martin Braun, Dermatology Department, George Washington University Hospital; Algie C. Brown, M.D., Emory University Hospital; Dr. Michael Drir, University of Georgia, Department of Horticulture; Dr. Calib Finch, Gerontology Center, University of Southern California; Arthur Frank, M.D., Mr. Gene Galletta, Research Geneticist, Fruit Laboratory, Beltsville Agricultural Research Center; Dr. Joseph T. Judd, chief, Lipid Nutrition Laboratory, U.S. Department of Agriculture ARS; Robert B. Katinis, M.D., Endocrinology Associates, P.A.; Dr. Stephen Katz, Director, Dermatology, National Institutes of Health; Mr. Robert J. Knight, research horticulturist, U.S. Department of Agriculture; Samuel Loube, M.D.; Dr. Sheldon Margen, professor of public health, University of California-Berkeley; John P. Naughton, M.D., director, division of rehabilitative medicine, George Washington University School of Medicine; Dr. Robert D. Reynolds, Vitamin and Mineral Nutrition Laboratory, Nutrition Institute, U.S. Department of Agriculture; Mr. Stephen S. Sklarow, Georgetown University; Dr. Murry C. Zimmerman.

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William Wuester, M.D.; Mr. John M. Jerke, National Bureau of Standards; Dr. John G. Mayne, Department of Rheumatology, Mayo Clinic; Dr. Vincent Cordaro, Associate Director for Compliance, Bureau of Drugs, Food and Drug Administration; Dr. Frederick T. Sherman, chief, division of geriatric medicine, Mount Sinai Medical

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This report was written by Bill Halamandaris, Staff Director, and Kathleen Gardner Cravedi, Assistant Staff Director. It was produced by Melanie Modlin, Professional Staff Member and Ted Kimmerly, GPO printer detailed to the Committee. Val Halamandaris, former Senior Counsel, provided guidance and editorial assistance.

We would like to acknowledge the good work and invaluable assistance provided the Committee and Subcommittee by all of those who participated in this endeavor. We are particularly grateful for the assistance of our medical and scientific experts, all of whom interrupted busy schedules to donate time to this project.

Finally, we would like to acknowledge the generous and complete cooperation provided the Committee and Subcommittee by the U.S. Postal Service, Food and Drug Administration, Federal Trade Commission, National Institute on Aging, American Cancer Society, Arthritis Foundation, the American Medical Association, the National Institute of Medicine, Better Business Bureaus, State and local consumer groups, police chiefs, State legislators, among others.

It is our hope the outcome of this unprecedented examination will serve to increase public awareness of the real dangers inherent in reliance on unproven health remedies, guide public policy and lead to needed reforms.

CLAUDE PEPPER,
Chairman.

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INTRODUCTION

The persons who seek the aid of health professionals are very honest and sincere in their wish to get rid of their complaints . . . there is nothing people will not do, there is nothing they have not done, to recover their health and save their lives. They have submitted to be half-drowned in water, half-cooked with gases, to be buried up to their chins in earth, to be seared with hot irons like slaves, to be crimped with knives, like codfish, to have needles thrust into their flesh, and bonfires kindled on their skin, to swallow all sorts of abominations, and to pay for all this, as if to be singed and scaled were a costly privilege, as if blisters were a blessing and leeches were a luxury.

Oliver Wendell Holmes

In 1978, the House Select Committee on Aging initiated a series of investigations and hearings into the panoply of frauds against the elderly. The Committee conducted more than 12 hearings on this subject, reviewing business frauds, pension frauds, medicare frauds, land frauds, insurance frauds, quackery, and health frauds directed at the elderly.

The Committee found the elderly were being targeted and systematically bilked by conmen and crooks. The elderly, which at that time accounted for 11 percent of our population, were found to account for more than 30 percent of the number of fraud victims in this country.

The Committee found the elderly were particularly vulnerable to quackery and health frauds perpetrated through the mail. The Committee received testimony indicating more than 60% of those victimized by health frauds perpetrated through the mail were elderly.

Because of the prevalence of these frauds and the particular vulnerability of the elderly to health frauds, Chairman Claude Pepper directed the Committee staff to conduct a detailed review of this problem. This report represents the findings of that inquiry.

This project began in the fall of 1980 under the sponsorship of the full Committee when Congressman Pepper was chairman. The work was continued and concluded by the Subcommittee on Health and Long-Term Care under Chairman Pepper's direction. Chapter I presents the Scope of the Problem. The Committee's activities are detailed in Chapter II. Chapters III through X discuss specific forms of quackery. Chapter XI discusses enforcement and preventative activities of the government and the private sector. Chapter XII is summary. Chapter XIII presents recommendations for change.

CHAPTER I

SCOPE OF THE PROBLEM

Quackery is a complex and evolving matter. The reliance on unproven health methods is as old as man, spawned in pain and desperation. When pain is intense and prolonged, the temptation to "try anything" is almost irresistible. Commerce in these remedies is probably of equal age and, near the time of its origin, was almost indistinguishable from accepted medical practice.

With the advance of medicine, however, and the development of scientific procedures, the distinction between quackery and medicine becomes more apparent. We have traveled some distance since the day of the medicine man. Eating mummy flesh as a remedy for serious illness has been out of favor since the 17th century. We now know that mistletoe has no curative power over corns, frostbite, infertility and bubonic plague. We now know "filling your mouth with milk and shaking it until it becomes butter" will not cure toothaches; and eating a mouse a week, as Pliny prescribed, will not prevent toothaches from occurring.

With the extension of our scientific knowledge, the practice of quackery has changed but not diminished. It has, in fact, grown in size and sophistication. Quackery now invades nearly every aspect of our lives, and, at points, attracts adherents with near religious zeal. The easy-to-recognize and somewhat comic figure of pitchmen of the past has been supplanted by sophisticated and shrewd hucksters with a keen sense of the vulnerability of potential customers, the limitations of the law and the profitability of exploiting both. Quackery has become big business. Twenty-five years ago, quackery was said to cost \$1-2 billion a year. Today, it probably totals at least \$10 billion.

The word "quack" is said to have evolved in the middle ages when the original term in use was quack-salver. Application of the modifier "quack" is said to be derived from the imitation of a duck's call, which was used to denote something unduly noisy or boastful. The use of the term in this report is more specific. It is not the Committee's intent to disparage *every* unproven remedy. The practice of the healing art continues to evolve. Some of what is unproven may yet prove of benefit.

In this report we focus on a specific set of unproven remedies, a special area of "quackery." The common denominator of these is the element of conscious deceit and the absence of, and, in most cases, total disregard for, scientific proof. Quackery reflects pseudoscience at best. In the words of Dr. Oliver Wendell Holmes, "probably in many nostrums and in some pseudo-medical treatments of disease or disturbances there is a grain or two of truth, which, however, has been so magnified and lauded for financial gain that

nothing but quackery, deceit or insanity is left." In other words, a quack is anyone who provides medical remedies known to be false, or which are unproven, for profit.

The modern quack's prime target is the senior citizen. His purview is chronic and incurable diseases. His approach is the illustrated brochure, the supermarket press, television commercials, "testimonial" ads, phony foundations providing "scientific" information, and storefront clinics.

Eighty percent of seniors have at least one chronic health conditions. Forty-four percent of those over the age of 65 have arthritis, 39 percent have hypertension. 27 percent have a heart condition, 28 percent have hearing loss, 12 percent suffer visual impairment, 50 percent have lost their teeth, 16 percent have orthopedic problems and 8 percent have diabetes. Many seniors have more than one of these chronic health problems.

In all, seniors, about 11 percent of the population in 1981, account for about 33% of our nation's total health bill. Per capita health expenditures for seniors, defined as those over 65, is more than three times that of those under 65—about \$3,140 compared to \$828 in 1981.

Seniors are less mobile and therefore less able to shop and compare quality, and more dependent on the mail. They are attractive victims because their age and physical impairment, when combined with nature and the delay inherent in our criminal justice system, decrease the odds a conman will be prosecuted and convicted.

Seniors' susceptibility is increased by misconceptions about health that plague the general population. A study jointly funded by the Food and Drug Administration, the Administration on Aging, and five other government agencies, found the nature and prevalence of fallacious or questionable health beliefs and practices in this country to be enormous. Three-fourths of those surveyed, for example, believe that extra vitamins provide more pep and energy. One-fifth thought diseases like arthritis and cancer are caused by vitamin or mineral deficiencies. Twelve percent of those surveyed reported self-diagnosed conditions of arthritis, rheumatism, asthma, heart trouble or other debilitating illness. Four percent reported using some "cure" that was not obtained from a physician. Of concern equal to these misconceptions and of particular benefit to the quacks, surveyors found most people believe that advertisers in the health field are so rigorously policed and regulated that serious distortions are very unlikely or impossible.

On these beliefs, needs, misunderstandings and fears, the quacks build and prosper. The purveyors of quackery provide a panacea for virtually all human ailments. They are unconfined by the need to be credentialed and establish scientific proof. Unconcerned by the distant and difficult discipline of a cumbersome, unfocused regulatory and judicial process, they profit and become "respectable."

Beneath their mask of respectability lies more harm than just the dollars diverted from those in need. Their take includes the health that could be protected and improved by proper medical procedures. It must also be measured in terms of disillusion, despair, misery and death.

CHAPTER II

COMMITTEE AND SUBCOMMITTEE ACTIVITIES

In November of 1978 the House Select Committee on Aging completed an exhaustive review of abuses in the sale of supplementary Medicare health insurance policies. The Committee found the escalating cost of services not covered by Medicare and the increasing cost to the beneficiaries of services provided by the program were having a severe impact on seniors. Health care had once again become the number one fear of the elderly. Largely as a result of this fear, senior citizens had become increasingly vulnerable to those who would capitalize on these concerns with the sale of supplemental insurance policies. The Committee found it was not uncommon for seniors to have two, three, four or as many as 30 overlapping and duplicating policies.

Following a recommendation by the Committee, legislation was adopted to begin to address these abuses. This legislation made "overloading," the practice of deliberately selling the elderly duplicative and useless medicare supplemental policies, a federal crime. It also established a program of voluntary certification whereby insurance companies could obtain a Federal "good housekeeping seal of approval" by submitting their policies to the Department of Health and Human Services for review.

About the same time, the Committee began receiving complaints indicating the concerns inherent in the medigap legislation were making seniors vulnerable to yet another abuse—the quick remedies and easy promises of charlatans and quacks. In October of 1980, the Committee conducted a hearing of this subject. The Committee found, in the words of Chairman Pepper, "Every year thousands of older Americans spend millions of dollars in search of miracles that never happen."

Some of the examples reviewed by the Committee at that time included:

- the inducto-scope, which purported to cure arthritis through magnetic induction;
- the miracle spike, a tube costing \$300 and containing about a penny's worth of barium chloride, which was to be worn around the neck as a cure for cancer and diabetes; and
- the Congo Kit, two hemp mittens which when worn were supposed to cure arthritis.

Representatives of the Postal Service testified these kinds of abuses were commonly directed at the elderly. Some were capable of damaging more than the pocketbook. One product demonstrated by the postal authorities called for the injection of kelp extract and B-12 vitamins to cure cancer. The product was so contaminated by

poisonous bacteria that serious illness or death could result from its use.

A few weeks later in New York, the Committee conducted another hearing concerning this problem. Witnesses testified to a wide range of quack remedies directed at the elderly—a coral bracelet sold by a New Jersey firm to control the symptoms of arthritis; a promoter who advertised he had developed a cure for nearsightedness, farsightedness, and astigmatism; and diet frauds.

The Committee learned in New York that this problem was of dimensions not commonly understood. The eye program, which, medical experts testified, rather than cure eye disease could actually cause blindness, had been sold to 66,000 people for an estimated loss of \$726,000. The promoter of the weight reduction fraud was said to be grossing \$112,000 a day until the intervention of authorities.

In May and June of 1981, hearings were held in Boston, Massachusetts, and Hartford, Connecticut. Representatives of the Federal Trade Commission testified in Boston that senior citizens "are extremely vulnerable" to health frauds. The FTC documented abuses in the sale of hearing aids, and arthritis and cancer cures. In Hartford, testimony was received indicating seniors are the primary victims of mail-order pirates who promise arthritis and cancer cures, the expansion of a life span, or the halting of the aging process." More than 60 percent of these abuses were said to be directed against the elderly.

These findings were supplemented by hearings held in New Jersey and Ohio. As a result of this growing body of evidence, Chairman Pepper directed the staff to conduct a comprehensive review of quackery and its impact on the elderly. In the ensuing months and years, the Committee initiated the most comprehensive review of quackery ever undertaken by Congress.

The elements of this inquiry include the following:

- reviewing all books, periodicals and newspaper references to health fraud and quackery in the possession of the Library of Congress;
- reviewing correspondence and complaints received by the 60 members of the Committee concerning health fraud and quackery.
- reviewing all hearings and related reports on quackery by Congressional committees and administrative agencies.
- inspecting and reviewing the operation of all devices, machines and therapies seized by the government or in the possession of voluntary agencies concerned about quackery. Products and devices in the possession of the Food and Drug Administration, the U.S. Postal Service, the Smithsonian Institution, the National Cancer Institute, the Arthritis Foundation, and the American Medical Association were examined.
- reviewing the complaint files of the U.S. Postal Service, National Cancer Institute, American Medical Association, National Arthritis Institute, and Food and Drug Administration to identify typical health scams being perpetrated against the elderly.

- conducting telephone interviews with officials from dozens of health care associations and experts in health fraud and quackery.
- conducting telephone surveys of all state offices of the American Cancer Society and all state offices of the Arthritis Foundation to determine what their experiences have been in the area of medical quackery;
- conducting a review of Foundation Center records to determine the status and activities of tax-exempt foundations and associations supporting unproven health remedies;
- responding to and investigating constituent concerns regarding phony health cures;
- drafting questionnaires to federal, state and local government agencies with a responsibility or interest in quackery—agencies surveyed included city consumer affairs offices, county consumer affairs offices, state consumer affairs offices, state district attorneys, state attorneys general, state legislative committees on aging, state legislative committees on consumer affairs, state offices on aging, area agencies on aging, police chiefs of major metropolitan areas, the U.S. Postal Service, Food and Drug Administration, Federal Trade Commission, the National Institutes of Health, and the U.S. Justice Department. (See Appendix I.)
- drafting questionnaires to the Better Business Bureaus, action line reporters and other private sector agencies with a concern for health fraud, consumer issues, and quackery. (See Appendix II.)
- recruiting postal inspectors to assist the Committee staff as detailees in identifying fraudulent health products marketed through the mail.
- responding, with the assistance of the detailed postal investigators and the cooperation of the postal authorities, to advertisements promising questionable health benefits in national newspapers and magazines. Thousands of advertisements contained in hundreds of magazines and newspapers were reviewed. In all, this activity resulted in the identification of some 300 cases of potential fraud. About 10% of these involved outright fraud in the sense that nothing was received for the money order sent in response to the promoters advertisement. The advertiser simply “took the money and ran.” In another 15 percent of the cases, the products reviewed were blatant and obvious misrepresentations. [See sample advertisement, appendix III.]
- on receipt of the item advertised, the Committee requested expert analysis of the product and accompanying literature obtained in the test purchase to determine the accuracy of the advertisement promoting its sale. Products were reviewed by individuals with nationally acknowledged medical or scientific expertise in the specific area the product was said to address. The experts assisting the Subcommittee and Committee are identified in preface. (See sample opinion, Appendix IV.)

In short, this report reflects the most comprehensive review of this grave issue ever undertaken. More than 2 dozen committee staff members, 4 dozen medical and scientific experts, and detailees

from 5 cooperating agencies were involved in this investigation over a four year period.

The Subcommittee reviewed information on this matter from every source that could be identified. To validate these reports and place them in perspective, the Committee initiated a prospective review of ads promising questionable health benefits. More than 90 percent of these questionable ads turned out to be fraudulent. Some were mild, like the woman's \$5 arthritis cure, which turned out to be 3 typewritten pages on "How I cured myself and my dog from Arthritis." Others were deadly dangerous and not the least humorous. If the potential for direct harm resulting from dangerous ingredients and/or impurities involved in careless preparation were added to the potential harm involved in delaying or forsaking clinically proven treatment methods, about 75 percent of the products reviewed could be said to be potentially harmful.

CHAPTER III

ARTHRITIS AND QUACKERY

More than 1 out of every 10 people in the world, including 1 out of 7 Americans, suffer from arthritis, and yet this disease receives little attention.

In the United States some 40 million people have arthritis symptoms ranging from moderate to severe. One out of every three families will be hit by the disease, which claims a new victim every 33 seconds.

Every year, at least 1 million people every year in the United States learn that they have arthritis. Virtually everyone who lives long enough will know the pain of arthritis. Some 97 percent of those past the age of 60 will have arthritis severe enough to be seen on an X-ray.

Arthritis attacks more women than men by a ratio of almost 2 to 1. It is not limited to the elderly; about 8 million U.S. victims are under 45 including about a quarter of a million children who have juvenile rheumatoid arthritis.

Arthritis is America's number 1 chronic crippling disease; some 7 million people are disabled by it. It is the leading cause of restriction of mobility and it is arguably the most costly disease to the nation.

In 1976, the Arthritis Foundation estimated that when all direct and indirect expenses were added, arthritis cost the economy \$13 billion a year. This figure included about \$1.5 billion in hospitalization and almost a billion each in prescription drugs and physician's fees. Medical quackery was factored in at \$1 billion as well. To this was added lost wages, income taxes, disability insurance payments and the like.

Projecting this figure forward 8 years into 1984—by an increase of 13 percent a year which is the average increase in the medical component of the cost of living index over the period—yields a startling figure. Arthritis costs the nation some \$25 billion a year.

And it kills people—some 6,000 died of it last year.

What is arthritis?—Arthritis is the name given to a group of diseases, about 100 in number. The term "arthritis" means inflammation of a joint, and yet interestingly not all of the diseases in this category involve inflammation.

Inflammation is the swelling, redness and pain in the joint; that is, where two bones meet in an enclosed capsule containing a fluid called the synovial fluid. If the inflammation continues it eats away the cartilage surrounding the bone ends. Scar tissue forms so that the joint becomes fused, permanently rigid and immovable.

There are several major kinds of arthritic diseases. Numerically, the largest is osteoarthritis or degenerative joint disease. It is asso-

ciated with the normal wear and tear on joints. There is pain, sometimes severe, and stiffness. The disease does not cause general illness or affect other parts of the body. Some 16 million Americans have this kind of arthritis.

Rheumatoid arthritis is the most serious and the most crippling. About 7 million Americans suffer from it. Although it attacks the joints mainly, it can spread to other parts of the body including the lungs, heart, spleen, and muscles. It can flare up suddenly like a volcano and it can vanish just as fast. Usually it is chronic, meaning that once you have it, you are never rid of it. It affects three times more women than men.

Ankylosing spondylitis is a chronic inflammatory arthritis of the spine that begins in the teens or 20s. It generally results in the fusion of vertebrae in the back causing it to be perfectly stiff.

Systemic lupus erythematosus, called "SLE," "lupus," or "lupus arthritis" for short, is an acute systemic disease, a cousin of rheumatoid arthritis. It can inflame and damage joints and organs throughout the body, including the kidneys, heart, lungs, brain and blood vessels. A skin rash on the face is common. It strikes women more often than men. A mild form of the disease, which affects the skin only, is called discoid lupus erythematosus.

Gout, also called gouty arthritis, is in many cases, but not always, an inherited disease. It can attack and inflame any of the joints, usually one at a time, and especially the big toe. Most victims are men. It is intensely painful.

Other arthritic diseases include psoriasis, a common skin disease which affects some 4 million Americans. About 1 in 10 cases is complicated by symptoms similar to rheumatoid arthritis. Rheumatic fever is considered an arthritis disease because it inflames joints. Bursitis and fibrositis are two other diseases in the series.

What causes arthritis?—No one knows with certainty. Heredity inevitably must play some role since science has recently discovered genetic markers which are strongly predictive of whether one will develop some forms of arthritis. Viruses have been shown to be a cause of arthritis in both men and animals. Injury may be a cause of arthritis. Because they are very different diseases, scientists are looking for very different causes for rheumatoid and osteoarthritis.

Is there any cure?—In a word, no. There is no cure for arthritis at the present time. But this does not mean that nothing can be done for the disease. Most of the time crippling can be prevented. Pain can be controlled. Those who receive proper medical attention can usually be spared the serious side effects of the disease.

What is the treatment?—The first line of treatment is medication. Aspirin is the drug of choice because it is effective against inflammation and because it has few serious side effects. Other anti-inflammatory drugs which are used include motrin, indomethacin, ibuprofen, phenylbutazone and gold salts. Steroids such as cortisone are the most potent anti-inflammatory drugs but they are seldom used and always prescribed for a limited period of time in the smallest possible doses. This is because their side effects are sometimes worse than the disease for which they are given.

Heat in the form of hot baths, hot packs, heat lamps and the like are all an integral part of arthritis therapy. A properly balanced

program of rest and exercise is also essential. Too much exercise makes the disease flare up, too little leads to deterioration of the muscles.

Surgery in the form of the implantation of new joints made of plastic is also being used on a wider and wider scale.

How much is being spent on research?—In 1984, some \$80 million will be spent on research in order to find a cure for the disease. This works out to be about \$2.00 per arthritis sufferer in the United States. In 1980, some \$58 million was spent. In this same year, the government spent \$3.8 billion for all health research through its National Institutes of Health. About 25 percent of the total (about \$1 billion) was spent on cancer research and \$527 million searching for a cure for heart disease. By contrast less than 2 percent of the NIH budget was spent on arthritis. In fact, arthritis is buried in the National Institute of Arthritis, Diabetes, Digestive and Kidney Disease Institute. Arthritis ranked only 4th in dollar outlays within its own Institute. Legislation has recently passed the House and is pending in the Senate which would split off arthritis and give it its own Institute.

Why do arthritis quackery and unproven remedies flourish?—With so little being spent on legitimate research, it is ironic that so much is spent on quackery—or at least on unproven remedies. Some unproven remedies are an outright fraud. Others hang on to a scintilla of credibility which requires neutrality at least until they are once and for all proved either to be effective or ineffective.

The Arthritis Foundation says that in 1976, Americans spent about \$1 billion on unproven remedies. This estimate is considered conservative. It does not include about \$700 million that was spent on legitimate prescription drugs in that year or an estimated \$575 in over-the counter (non-prescription) drugs.

Increasing the amount of money lost to unproven remedies by an inflation factor of 13 percent per year between 1976 and 1984 (this equals the increase in the medical component of the Cost of Living index), means that the estimate must be increased 104 percent. In other words, Americans will spend in excess of \$2 billion on questionable arthritis remedies in 1984. According to the Foundation, arthritis quackery succeeds because:

- (a) there is a widespread lack of understanding about arthritis;
- (b) there is no cure at present;
- (c) there is tremendous pain associated with the disease;
- (d) there are so many people suffering that promoters have a huge market; and
- (e) the symptoms of arthritis come and go like the tide, allowing people to connect a disappearance with a phony remedy they have just been taking.

Another reason which should be added is the so-called placebo effect. This is the power of the mind over the body. People who want to get better and have faith that they will get better often do get better—temporarily. The placebo effect is a scientifically proven phenomenon. People often improve in controlled tests getting “sugar pills” instead of the real medicine. So, the placebo effect clouds the picture of what does and does not help arthritics.

Still another reason for the success of unproven remedies is that there is very little by way of policing the problem. Penalties for selling unproven remedies are small. There is little by way of enforcement going on at either the State or national level. The chances of being caught and prosecuted are slim. The penalties even in the face of unlikely conviction are small. In short, there is little risk and a tremendous amount of money to be made in selling hope to the desperate.

The Arthritis Foundation offers these guidelines for spotting the unscrupulous promoter:

1. He may offer a "special" or "secret" formula or device for "curing" arthritis.
2. He advertises. He uses "case histories" and testimonials from satisfied "patients."
3. He may promise (or imply) a quick or easy cure.
4. He may claim to know the cause of arthritis and talk about "cleansing" your body of "poisons" and "pepping up" your health. He may say surgery, x-rays and drugs prescribed by a physician are unnecessary.
5. He may accuse the "medical establishment" of deliberately thwarting progress, or of persecuting him . . . but he doesn't allow his method to be tested in tried and proven ways.

A. QUESTIONABLE DRUGS AND SERUMS SAID TO CURE ARTHRITIS

There are millions of chemical preparations which have been offered for use in alleviating arthritis pain or the underlying causes of arthritis. There are some that have been proven to work. Unfortunately, their relief is temporary. None of the products is a "cure." Equally unfortunate, the products sometimes have serious side effects. The sad part of the story is that the products that are helpful are outnumbered by a ratio of 10,000 to 1 by the products that are not—or at least they have not been proven to do so. In some instances, there is proof, not only of failure to help but of greatly increasing the risk facing patients.

What follows is a catalogue of some of the drugs which had been put forward as arthritis remedies over the past 20 years and found to be unhelpful, sometimes even dangerous.

Cocaine.—Although it is hard to believe, a California physician up until 1980, when authorities intervened, was offering cocaine as a remedy for arthritis. Few doubt the pain-killing effect of the drug.

The Arthritis Foundation was not impressed saying:

So the idea of cocaine for arthritis pain is not new.

And in all the years that it has been used for pain, it has not been shown to have an effect on or reduce inflammation—which is what causes all the pain and swelling and joint damage in rheumatoid arthritis.

Medical advisors reviewing this purported cure for the Committee tell us there is no scientific evidence that cocaine "cures" or improves arthritis, nor any good scientific reason why it should do so.

In addition they pointed out that the drug was addictive, dangerous and illegal, adding that it would be a terrible mistake for patients to resort to it instead of other more effective, less dangerous (and less costly) products.

Procaine (Novocaine)—There is a controversial drug known as Gerovital or GH₃ which allegedly was developed in Europe and is said to have a "great effect on rejuvenation." It is claimed that it is effective in chronic degenerative disorders. The Nevada Legislature passed a law making it legal to sell the product in that State even though the FDA has not approved it. In Florida, an attempt was made to market the drug and sidestep FDA procedures through the sale of Club Memberships. Club SenX was formed and members were to pay \$240 for a year. The ads said the drug would cure impotence, frigidity, graying hair, baldness and ugly wrinkling skin. The FDA took the Club to court and put a halt to the distribution of the drug through this means.

Says the Arthritis Foundation:

Gerovital H-3 is an old age and arthritis "remedy" which has been a matter of controversy for many years.

The drug is procaine. We know of no proper scientific evidence showing that it is effective in the treatment of arthritis.

DMSO.—DMSO (dimethyl sulfoxide) is an industrial solvent which acts as an analgesic when rubbed on the skin. There is little doubt but that it kills pain to some extent. The drug is also useful as a carrier in that it penetrates the skin and finds its way rapidly into the bloodstream. Some evidence indicates the drug may be useful in the treatment of arthritis, particularly osteoarthritis which is not accompanied by inflammation.

The Committee on Aging conducted hearings on the drug in 1980 and heard testimony about its effectiveness. Physicians as respected as Dr. Arthur Scherbel, Head of Rheumatology at the Cleveland Clinic, testified that the drug is valuable and should be approved by the FDA.

There is little doubt that the drug is safe. The FDA already reached this decision when it legalized the drug for use in humans for a rare bladder disease. The FDA points out, however, that its unique quality as a carrier may cause problems. They say an individual who had insecticide on their hands, and who then applies DMSO, might soon have the poison right in their bloodstream. The FDA further points out the dangers facing the great number of people who obtain the drug illegally and have no assurances that it is pure. The drug is legal in Florida and Oregon. Nevada is said to be considering taking such action as well.

The Arthritis Foundation takes the position that DMSO is another unproven remedy. However, it has supported scientific studies to determine the drug's effectiveness. The Foundation also issued a statement that said they have learned that DMSO interacts with Clinoril, a commonly prescribed anti-arthritis drug, and may have caused paralysis in one case.

The National Academy of Sciences reported that there was some clinical evidence that DMSO was effective in scleroderma, acute trauma, and other conditions of the musculoskeletal system, and that these leads should be pursued.

Numerous tests are going forward at the present time at several universities in order to determine whether the drug is effective in the treatment of arthritis and other diseases.

Tetracycline Therapy.—Tetracycline is an effective drug approved for use by the FDA to fight bacteria. It is an antibiotic. The drug has been used in a controversial way to treat arthritis. The physician who began this therapy enjoyed some success in caring for an arthritic gorilla in the Washington, D.C. zoo. After a series of injections the gorilla did improve. The offshoot is that it is becoming standard procedure in zoos to use this drug to treat arthritis-like symptoms.

The physician who developed this technique is a well respected member of the medical profession who specializes in arthritis. The Arthritis Foundation remains skeptical, stating approval of this therapy for humans should await proof of its effectiveness in scientific or controlled studies.

Flagyl.—The drug Flagyl, or metronidazole, has been touted by some members of the medical profession as successful in combating rheumatoid arthritis. The Arthritis Foundation has taken sharp exception to the use of this drug in arthritis. The drugs manufacturer agrees, saying that unnecessary use of the drug should be avoided. It has serious side effects in some people including nausea, diarrhea, dizziness, vertigo and convulsive seizures.

The manufacturer said that it does not have any "valid evidence that would support Flagyl being effective in the treatment of rheumatoid arthritis, nor that it exerts any activity as an anti-inflammatory agent."

Mericin.—In the early 1960's this drug, which was a combination of salicylamide and gebtustic acid, was sold. It was found to be less effective than aspirin, but sold at five times the cost.

Defencin.—This drug was sold for the relief of arthritis. It contained aspirin along with phenyltoloxamine dihydrogen citrate, an antihistamine and glyceryl guaicolate. Again, this was a case where the extra ingredients added little to the relief but a great deal to the cost.

Norkon.—Norkon was a drug promotion with ads saying "Relieves Pain Faster with No After/Effects". The FTC initiated proceedings based on false advertising. The only active ingredient in the drug was aspirin. The FTC found that it did not provide any faster, safer or longer-lasting relief than aspirin.

Doxyhydren.—This product was advertised with the statement, "Guaranteed Help for Arthritis and Rhumatism." A test purchase was made which brought 4 ounces of fluid. The ingredients analyzed chemically revealed water, sodium and dihydroxyethylglycinate. Medical opinion was that "since this product cannot have any possible pharmacologic value at all, claims in this ad are false."

In February 1979, Texas officials took action arresting the promoter for violation of the consumer protection laws and for making false claims in an advertisement. The Postal Service took no action because the scheme was discontinued.

DPA.—D-phenylalanine or DPA is a synthetic modification of a naturally occurring amino acid which some people allege potentiates the body's own pain reducing system. The cost of the drug was reported in 1978 as \$65 for 25 grams. The Arthritis Foundation

emphasizes that this is an unproven remedy. There have been no controlled tests. To date, there is no scientific evidence that the drug is effective.

HORMONE CURES AND THERAPY

Hormones are substances produced by various glands in the body. Perhaps best known are estrogen, the female sex hormone, and progesterone, its male counterpart.

Not surprisingly, there have been attempts to prescribe one or more hormones individually or in combination as a cure for arthritis.

Some research such as that being conducted at the present time, by a physician, Herald Varon of Dallas, Texas, suggests that therapy may have benefit. Varon has claimed some good results in treating rheumatoid arthritis patients with estrogen. Unfortunately, this research has been blown out of proportion by the checkout counter press, who have heralded it as the cure. Dr. Varon himself disavowed these stories saying they did not accurately reflect his research.

The Arthritis Foundation takes the position that this and other hormone cures have been shown to be worthless and dangerous.

For example, one Foundation report emphasized that "estrogen, one of the hormones used in Dr. Varon's treatment, has recently been publicized as a possible cancer causing agent. Is the high dosage of estrogen Dr. Varon uses safe in this respect? Scientists don't know the answer yet."

Following are other examples of these kinds of products:

—A St. Louis, Missouri company marketed a product called Specifex. Eight ounces sold for \$10. "Don't be too skeptical for your own good," read the ad ". . . it can work fast like a shot; no hypodermic needle injection; just massage with Specifex." A Federal District Court banned the sale of the so-called adrenal hormone cream saying that its curative powers were unproven and that false and misleading claims were made about it. The cream contained epinephrine (adrenaline) hydrochloride, methyl salicylate, menthol and capsicum.

—A Tulsa, Oklahoma firm marketed a similar product called "Rheuma-Creme" which it said would relieve chronic arthritis pain in a few minutes. It sold for \$3 a jar but was just as ineffective as an arthritis cure. The active ingredient was epinephrine hydrochloride.

—*Liefcort* is the name of a highly controversial remedy developed by Dr. Robert Liefmann in the early 1960s in his clinic in Montreal. Patients lined up to take the cure which was a combination of cortisone (prednisone) with estradiol and testosterone (female and male sex hormones) Liefmann explained that the latter two drugs were allegedly to prevent steroid side effects. There has been a protracted legal battle concerning this drug, which is still being distributed in clinics in New York and Florida as well as in Santo Domingo and Mexico. It has been sold under the name of rheumatril as well as the Liefmann Balanced Hormone method.

The FDA said that Liefcort was an irrational mixture of potent ingredients and that it was dangerous to any person who uses it even when under medical supervision. The drug has been banned by the FDA in the U.S. and by its Canadian counterpart. The Arthritis Foundation says there is no evidence to justify a claim of benefit from sex hormones

Testifying at an October 1980 hearing before the House Select Committee on Aging, Wilbur Blechman, M.D. said of sex hormones:

Dr. BLECHMAN. They are not helpful when given alone, and sometimes cortisone is added to it. When that is done, there is a definite chance the person will feel better. The question is, will they feel better 5 years from now or have the severe side effects of taking cortisone?

Cortisone even in lower doses can predispose people to infection, diabetes, and tends to lead over a period of time to what we could call softening of the bones. It causes skin changes, problems with weight, also causes a tendency to blood spots on the skin. These are probably the most common ones other than cataracts.

In the higher doses, all these things happen but they happen more quickly and with greater severity. Some people are making claims that by adding all types of hormones together, this will not happen. But they have never presented any proof. In fact, when the Arthritis Foundation requested proof or to be allowed to examine the records of some of these groups which use these combinations, they were given in return a list of counter demands. My answer is no: I do not think this will work.

VENOM

For centuries mankind has been fascinated by the notion that venom from poisonous snakes, ants and bees might have curative powers. Reports of these methods are found in the earliest medical writings. The question at this point is: Is there any scientific evidence that such venoms are effective in curing arthritis?

Bee venom.—The June 1983 edition of the *A.M.A. Journal* contains a question about whether the stings of bees or the subcutaneous injection of bee venom is useful in the relief of arthritis.

The report states that the first reference to this technique was published in 1859 by Demartis, and Terc wrote at some length about its use in 1880. It continues that beekeepers in Europe have been widely believed to be immune from arthritis. The report concludes: "To date, no one has proved that bee venom is a specific form of therapy for rheumatoid arthritis."

In November, 1947, the *AMA Journal* reports that bee venom contains a substance similar to snake venom. It notes that "the procedure employed of bringing about the stinging of the patient by live bees is somewhat hazardous," and that other procedures had been developed to extract the toxin and allow its injection under the skin. The report says: "Untoward reactions to bee venom therapy are fairly common and usually take the form of painful local swelling at the site of the injection." The report adds that these swellings have sometimes hemorrhaged and that moderately

severe general reactions have been observed. It continues: "On the basis of the evidence available at this time, bee venom therapy cannot be recommended."

A 1959 report also concluded there was no evidence that bee venom was helpful in arthritis.

In 1978, 1981 and 1983, stories appeared in some national tabloids which extolled bee venom as a "New Cure for Arthritis." Writing in *Patient Care* magazine, Gerald Weissman, M.D., Director of the Division of Rheumatology and Professor of Medicine at the New York University School of Medicine is quoted as saying this form of therapy is potentially lethal and has no place in the treatment of arthritis.

In Maine, there is a practitioner who has advertised in *National* magazine who treats arthritis by covering the patient (or at least the effected joints) with bees and inducing them to sting.

Interestingly, in its latest reports, the Arthritis Foundation notes that this remedy has been in the folklore for a number of years but that a number of arthritis specialists would like to see it tested in properly controlled trials. Such trials have yet to be conducted.

Says the Foundation:

Bee venom should not be given the quackery label. But because it has been in that category in the past, it is difficult today to break down resistance, and researchers have to worry about the threat of malpractice suits. This probably explains why it has not yet been investigated more thoroughly and quickly.

Ant venom.—There are reports that a magic cure for arthritis called Rhuvax is available in Freeport in the Bahamas and in Santo Domingo. This is alleged to be an extract made from the venom of a South American ant called pseudomyrmex.

It is said the ant is cinnamon-colored and lives in a certain special tree called "palo diablo"—tree of the devil. The ant's bite has been describes as being "like a blow from a hot poker."

The ant's venom is said to be unique, made of 12 kinds of protein, a complex sugar molecule and other ingredients.

To date there is no evidence that ant venom can cure arthritis. Legitimate research, however, is reported underway at the University of Miami.

The official position of the Arthritis Foundation is as follows:

The ant venom being tested as a remedy for arthritis is only one of several promising new drugs for arthritis that today are undergoing their very early-stage scientific trials. There is public fascination about any venom as an antidote for human illness, which makes this a natural for the tabloids' kind of razzmatazz journalism. It takes more than two surprising case histories reported by enthusiastic doctors to prove the worth of an arthritis medication.

It's nice to know there's hope. But we must all just wait and see, possibly for several years, to find out if this and other new drugs pan out. In the meantime, they are not available.

Snake venom.—The January 8, 1944, edition of the *AMA Journal* contains a note on the use of snake venoms in arthritis. It says:

Venom from several species of snakes, including the cobra, pit viper, water moccasin, and copperhead, have been employed by various workers in the treatment of arthritis and rheumatism disorders. Their virtues have not been impressive to physicians, although laymen have long favored ointments of snake oil and the stings of bees in the treatment of "rheumatism." The consensus among qualified workers today is that the scientific evidence for any of these venoms in the treatment of arthritis is lacking. None of the snake venoms have any place in the treatment of arthritis or rheumatism.

In February 1979, an article in the national magazine of a major airline set off a storm of controversy. It related to a drug employed by a physician in Miami called PROven. The article alleged that PROven, a concoction of cobra, water moccasin, and krait venom, was being injected into patients and had been proven effective both against arthritis and multiple sclerosis.

The Arthritis Foundation described this "remedy" as follows:

It is easily the most exotic unproven remedy for arthritis to be publicized in some time; the manner of its promotion . . . makes it the most reprehensible.

In its March 1980 advisory the Foundation said:

Cobra venom is a totally unproven remedy . . . until tests are carried out and until there is proof that this potentially dangerous substance is really safe, we cannot and do not approve of its continued use for arthritis.

In a September, 1980 statement the Food and Drug Administration blocked the interstate sale of snake venom (PROven) by the Miami Serpentarium Laboratories. Said the FDA:

—Many people across the country have been using the snake venom without medical supervision, even though there is no evidence it is either safe or effective. Proper studies have never been conducted on the substance.

—Adverse reactions have been reported among people given the snake venom, but because adequate records have not been kept, there is little documentation of what effects the substance has had. For example, a young Texas woman died while being treated with the snake venom, but the doctor in Florida who supplied it made no effort to see if the death was related to the venom.

—The venom product is potentially toxic and FDA tests have shown that the amount of PROven in a human dose kills rabbits and mice.

—The serpentarium has distributed snake venom before testing it for sterility and has not performed other important safety tests.

—The serpentarium, inspected by FDA investigators on a number of occasions, has not followed accepted manufacturing procedures for making a drug.

—There is no standardization of the composition of the snake venom, and FDA tests have shown significant variations between batches of the substance.

In summary, there is no conclusive evidence at this point that venom, whether that of snakes, ants, or bees, is helpful in the treatment of arthritis. There is no evidence that it can be considered a cure. Research at the present time is underway which may provide definitive answers to questions of possible effectiveness.

B. QUESTIONABLE DIETARY CURES FOR ARTHRITIS

As the Arthritis Foundation notes in one of its publications, people insist on believing that special diets or exotic diets are helpful in arthritis. "If there was a relationship between diet and arthritis, it would have been discovered long ago. The simple fact is, there is no scientific evidence that any food or vitamin deficiency has anything to do with causing arthritis and no evidence that any food or vitamin is effective in 'curing' it."

According to experts, more people are susceptible to false promotion of foods than any other product in the health field. The AMA has been quoted as estimating that \$500 million is lost every year in nutritional quackery. Frederick Stare, M.D., Professor of Nutrition at Harvard University, describes the four great myths in nutrition as follows:

1. That all diseases stem from a faulty diet;
2. That soil depletion causes malnutrition and disease;
3. That our food is worthless and overprocessed; and
4. That sub-clinical deficiency diseases abound in our population.

Following is a catalogue of some of the foods either implicated falsely as causing arthritis or falsely promised to cure the disease. The one exception to the rule announced in the first paragraph is gouty arthritis. Certain foods can increase the uric acid levels in the body and cause gout, which is classified as a form of arthritis; such foods should be avoided. Gout can be controlled with appropriate drugs.

Green lipped mussel extract.—Sold under various names such as Seatone, Freedom and Aquatone, this foul smelling pill is made from the extract of a mollusk which is native to the waters of New Zealand. It falls into the food category. Its magic in arthritis was touted in a book, "*Natural Relief from Arthritis: A Safe and Effective Cure from the Ocean,*" written by a "marine pharmacologist." An ad for Seatone follows:

AMERICAN DIETAIDS IS LICENSED EXCLUSIVELY IN THE U.S. AS THE IMPORTER OF THE ORIGINAL AND GENUINE EXTRACT BY THE NEW ZEALAND SCIENTISTS RESPONSIBLE FOR THIS UNIQUE PRODUCT.

Each SEA CARE tablet supplies 250 mg. of 100% pure New Zealand Green-Lipped Mussel extract. Nothing artificial. No sugar. No starch.



Directions: Take up to four (4) tablets daily with meals.

IMPORTANT: Sea Care is an extract from shellfish. It should not be taken by those with a known allergy to shellfish.

CONTENTS: Each sugar and starch free tablet contains 100% pure NEW ZEALAND GREEN-LIPPED MUSSEL EXTRACT, 250 mg. Four (4) tablets supply 1000 mg. (1 Gram). In an all natural base containing terra alba, kelp, plant cellulose, acacia, protein glaze, calcium stearate, silica gel, stearic acid, talc, chlorophyll.

PLEASE NOTE: This product is a natural product of the sea and has a characteristic odor reminiscent of the sea. Prior to taking Sea Care you may wish to allow the tablet to breathe for 15 minutes outside the bottle — or you may find it more convenient to place your full daily dose of tablets out of the bottle each morning to breathe.

Exclusively From

DIETAIDS

A174BKLA

ABC, Inc.

SEA CARE™ NEW ZEALAND GREEN-LIPPED MUSSEL EXTRACT

Perna canaliculus



AMERICAN DIETAIDS IS LICENSED EXCLUSIVELY IN THE U.S. AS THE IMPORTER OF THE ORIGINAL AND GENUINE GREEN-LIPPED MUSSEL EXTRACT BY THE NEW ZEALAND SCIENTISTS RESPONSIBLE FOR THIS UNIQUE PRODUCT.



The Arthritis Foundation said this is a "totally unproven remedy for arthritis. No adequate scientific evidence is presented in the book to support the claims made therein."

Dr. John L. Decker, Chief of the Arthritis and Rheumatism Section of the National Institutes of Health, said of a British study which supposedly endorsed the use of the mussel:

The report of the study must be regarded as totally inadequate . . . in no way justifying recommendation of the substance as a food or drug for either rheumatoid arthritis or osteoarthritis.

Interestingly, armies of "doorbell doctors" sold this "cure" door to door. At the same time it was part of a telephone solicitation sales promotion. Arthritis sufferers were solicited over the telephone to pay \$89.95 for starter kits and \$69.95 thereafter for the green-lipped mussel tablets, an alcohol and aspirin rub and a bottle of coated aspirin.

Nightshades (avoiding potatoes and tomatoes).—According to some people, certain foods are the definite cause of arthritis. These foods include the tomato, the white potato, peppers, eggplant and tobacco. This theory was first presented by a New Jersey horticulturist. By extension, the theory holds, the elimination of these foods will "cure" arthritis.

The theory first surfaced in a book and has been advertised, at a cost of \$20, in tabloids. Comments the Arthritis Foundation: "There isn't a shred of acceptable evidence for the effectiveness of the no nightshades diet."

Food allergies.—There are many proponents including some reputable physicians who assert that allergy is the cause of arthritis. Their research is directed not only at foods but at drugs, chemicals, inhalants and other products of the environment such as fluorescent lights and the gases generated by a new carpet.

One course of treatment in certain clinics is highly controversial. It involves taking the patient off of all foods and drugs for a period of 7-10 days. After this time foods are slowly reintroduced until an allergic reaction is discovered. The patient is then told to avoid that food. Of course, a cure can take months and the cost of treatment can run anywhere up to \$5,000.

Nightshades are indicted by one practitioner. Another says the problem is food additives. Still another says flour and flour products including spaghetti and pasta are the problem. Another says processed sugar is the culprit. Coffee, tea, wine, beer and soft-drinks are also on the suspect list.

The Arthritis Foundation says of this allergy theory and the clinic's treatment of it: "It is not quackery but falls into the category of unproven methods in the treatment of arthritis. (We are) not aware of any clinical tests demonstrating that allergic food elimination diets are effective in arthritis."

Ru-Ex—The lemon juice cure.—Ru-Ex was the name of a product touted as the "Lemon Juice Cure" for arthritis. When the sufferer sent in his money, he received a small package of powder. This compound was to be mixed into a quart of water along with the juice of four lemons. The Federal Trade Commission ordered the company to cease and desist from disseminating any advertisement

which touted the medicinal qualities of the product or that it was safe and harmless. The FTC found that the product contained "the drug potassium iodine in a quantity sufficient to cause, in some instances, injury to health if used under conditions prescribed in the advertisement or under customary or usual conditions."

Additional examples from the files of Federal investigators follow.

Vis Vitae Powder or V.V.P. was a product developed by a retired man from Connecticut who allegedly cured himself by taking it. He correctly told the public what it was made of: steer liver, steer muscle and natural herbs in a vehicle of soybean meal. Unfortunately, there was misrepresentation in the statement that the product was useful in alleviating the underlying cause of arthritis. Said the Arthritis Foundation to one unsatisfied customer:

Thorough investigation has shown that no food can either cause or cure arthritis; therefore, V.V.P. would not have any medical value for an arthritis sufferer. I am sorry, but we know of no way that we can get a refund for you.

"*Irrational Drivel*" is the way that scientists characterized typewritten advice on diet—what to eat and what not to eat to "cure" arthritis. In this scam, typewritten copy came in response to an ad and cost \$5. The ad said: "Here is thrilling news about a doctor's proven home remedy for arthritis". Yes this doctor flatly states that you will be cured of this previously incurable disease right in your own home at no expense. "It does not matter if you are old or young. It does not matter in what part of your body you have this dreadful disease. This is not a gimmick. I had arthritis." Dr. Vincent Cardaro who evaluated the "product" for the U.S. Postal Service called this the "latest example of ignorant shysterism."

Honey Al-Fa Tea was developed in the 1960s by a mortgage banker from Texas. "My arthritis was cured by using the ingredients as contained in Honey Al-Fa Tea, and many, many persons have reported relief," said the promoter in his flyer. The ad said further that the AMA approved of the product and:

You can avoid illness, keep your urine on the acid side, live to a ripe old age and treat such common complaints as arthritis, hay fever, migraine headaches, muscle cramps, sinusitis, alcoholism and bed wetting. Best of all, you will be able to produce healthy, bouncing babies who will be whiz-kids by the time they reach school age. Not only is it an excellent source of potassium he says, but it contains all the vitamins necessary to health. Honey will put you to sleep, supply energy, act as a gentle laxative and relieve a long list of ills.

The AMA was rather vocal in requesting that its endorsement be removed from the ads saying: "(N)either alfalfa nor honey, nor apple cider vinegar, either singly or in combination, is known to have any effect on the diseases which affect bodily joints and muscles, known variously as arthritis or rheumatism.

Honey and vinegar by itself and sometimes mixed with alfalfa and other products continues to be offered as an arthritis cure despite overwhelming evidence that they are not helpful.

Honegar. A national best seller called "*Folk Medicine: A Vermont Doctor's Guide to Good Health*," advocated honey and vinegar as a cure. Sale was prohibited because it was determined that false representations were being made as to the medicinal value of the product.

Dessicated Liver Tablets were what a Reseda, California promoter recommended to those people who sent \$2 in response to her ad. The ad said that she had cured her arthritis and that she would share the idea if people would write and include their checks. What sufferers received was on a typewritten page. Medical experts evaluated the letter and called it a misrepresentation. They said scientific studies had not shown any evidence of a connection between any kind of food (dessicated liver included) which had been established to either cause or cure arthritis. The scheme was stopped by postal authorities.

In some cases the sufferer responds to an ad promising a cure and has no idea what he will receive, but the product turns out to be a diet.

Devitaminized foods.—In one such case which attracted the attention of the U.S. Postal Service, a promoter in Chicago promised a cure for a mere \$5.25. In response, the purchaser received a 5-page typewritten diet liberally mixed with the medical philosophy of the seller. "Congratulations," said the seller, "You have just begun your first step in becoming your own physician." The promoter contended that arthritis was caused by eating concentrated carbohydrates in excess. He recommended eliminating "all devitaminized foods" from the diet and taking a daily enema.

It was suggested that one buy a hydraulic pressure machine as a "prerequisite if you want to realize the best possible results in the shortest length of time." The next best machine was a Stainless Steel Juicer. The promoter said he would be more than happy to sell you one for \$167.95.

Vincent F. Cordaro, M.D. examined the product for the Postal Service saying:

There is no scientific evidence that arthritis (except for gout) can be relieved by dietary measures. Even gout can be controlled by recently formulated drugs (Allopurinol) with minimal dietary restrictions.

The dietary advice is irrational and has no basis in scientific fact. Research over many years has failed to incriminate diet in arthritis.

The enema regime is certain to cause great distress and alter the physiology and mechanical processes of the lower bowel. Enemas are recommended by physicians usually in cases of fecal impaction.

The promoter signed an agreement not to market the product further using these questionable claims.

The Arthritis Cookbook.—In 1981, Dr. Collin Dong of San Francisco published "*The Arthritic's Cookbook*." In this book, the doctor reveals how he conquered his own arthritis by eliminating fat and chemical additives from his diet. Under his diet certain foods are prohibited including meat, fruit, tomatoes, dairy products, egg

yolks, vinegar, pepper, hot spices, chocolate, dry roasted nuts, alcohol—especially wine—soft drinks and all food additives.

The Arthritis Foundation reports that research done on this diet was presented to the Pan American Congress on Arthritis in June, 1982. According to the Foundation:

In a double-blind study, Dr. Dong's diet—and a more usual one—were given to patients in highly controlled and constantly monitored protocols. Both groups of patients with arthritis showed no changes in their diseases regardless of which diet they were on.

PLANTS AND HERBS

There are literally millions of plant varieties in existence at the present time. Sometimes it seems as if all of them must have positive therapeutic value. Promoters more and more are offering one or another of these herbs or spices as a "cure" for arthritis. To be sure, there are many plants that do have medicinal value. At one time, all drugs came from natural origin. A significant number of the prescription drugs sold contain active ingredients extracted from plants.

Among these are digitalis, a heart medicine obtained from the foxglove plant; resperine, a tranquilizer and blood pressure-lowering agent which comes from the snakeroot plant; quinine, an anti-malarial drug from the bark of the cinchona shrub; atropine, which is obtained from the deadly belladonna plant; and ephedrine, a nasal decongestant and central nervous system stimulant obtained from the ephedra shrub.

At the present time medical science has shown increased interest in Chinese herbal medicine. Chinese and American doctors are working together to learn whether these ancient remedies have any real value in the treatment of disease. Results so far are mixed.

While it is true that common substances found in plants do have medicinal effect, the effect is not always predictable. Herbal compounds taken innocently can result in serious injury or even death. Great care, therefore, has to be used in the selection of "herbal teas" some of which will counter the effects of drugs taken by the elderly and sometimes interact with them to produce toxic side effects.

The list of herbs and plants which are said to have curative powers in arthritis is long and includes: alfalfa, allspice, aloe vera, basil leaves, bitterroot, burdock, caraway seed, cayenne pepper, dill, ginseng, licorice, nutmeg, pine bark, poke root, ragweed, rose hips, sassafras, wintergreen, wormwood and yucca. This list is merely illustrative; it could extend for pages.

The simple fact is that no plant, herb or spice is a cure for arthritis either by itself or in combination with other ingredients. Many of these concoctions, either in the form of tea, pills, or ointments, are harmless. They sometimes have positive medical applications in certain problems. They can also have serious side effects. The following are a few examples of products which were falsely billed as cures.

Foxglove is a plant which has worldwide distribution. It was learned a long time ago that the dried leaves of the plant served as a powerful heart stimulant and diuretic. There are numerous reports in the literature of digitalis poisoning. For example, the *American Journal of Medicine* in July, 1980, reported on the case of an 85-year old retired steelworker who brewed himself a tea made from an unfamiliar plant. Within an hour he was in the hospital emergency room. An EKG test revealed a wildly and erratically beating heart. He was in the intensive care unit for six days until his heart returned to a normal rhythm.

According to a 1978 report in the *Chicago Tribune*, an elderly couple from Chehalis, Washington were not so lucky. They drank a tea as had the Ohio steelworker but by the time the ambulance arrived the wife was dead and the man's heart rhythm was so unstable that hospital treatment could not save him.

Gotu Kola is said to be a plant native to Africa which has "remarkable rejuvenating properties." Promoters advocate eating the leaves as a brain food and claim that these leaves are helpful in "curing or preventing rheumatism." The plant is touted as being helpful in curing a whole host of disorders from mental problems to leprosy. The U.S. Postal Service was instrumental in removing this product from sale through the U.S. mails because of false representations made as to the above-described properties. Those who took the preparation in fact were found to develop nervous conditions. Medical analysis showed that the substance consists of ground kola nuts which contain massive doses of caffeine.

Poke Root is another plant for which curative powers have been claimed. Its scientific name is *Phytolacca*. Said medical experts, "Poke root is chiefly an 'emetic and alternative'. . . (it) has been used with no evidence of effectiveness for rheumatism. The claim for cure is without foundation. Modern medicine has been able to relieve the symptoms of arthritis, but has not cured it. On December 17, 1979, the AMA warned that poke root tea "is poisonous and should be withdrawn from sale," quoting case histories of poisonings.

Aloe Vera is a plant that belongs to the lily family but it looks more like a cactus with long spiny leaves. When the leaves are broken they yield a gel which is used as a home remedy even though it is 99.5 percent water. The remaining .5 percent includes some 20 amino acids and carbohydrates, none of which have any therapeutic benefit in arthritis. The juice of the plant acts as a laxative which, when taken in large doses, causes severe cramps. Promoters have touted this plant (both in gel and in drink form) as an arthritis cure. One ad reads as follows:

Amazing rejuvenation Plant melts away painful arthritis at little or no cost . . . thousands report spectacular results.

The Arthritis Foundation takes the position that aloe vera is an unproven remedy and that claims that it is a cure are false and misleading. The States of California, Florida and Texas have taken action to stop misleading ads and improper claims made in connection with the sale of this plant and its derivatives.

Indian Squaw Tea has been advertised frequently by promoters as a cure for arthritis. A Desert Hot Springs, California firm

wanted only \$4.95 for a six-month supply. Analysis showed that the leaves that were received in the test purchase were from a plant generically known as "skunk bush". Indians used the stiff stems of the plant for basket weaving. The leaves were ground up and used as a lotion to treat smallpox (ineffectively, of course). This same product was sold through the mails for years as "Squaw Vine Compound" exclusively for the ailments of women. Said one medical expert, Dr. Vincent Cordaro, "if it had any efficacy, it was probably due to the alcohol content (12%)." He added, "The instant tea relies on obsolete 'medicine man' claims and in view of the above must be regarded as not being safe or effective in the treatment of rheumatism and arthritis."

Yucca, an herbal extract from the cactus plant, has been used by the Indians of the Southwest for many years to treat sore joints. As a clear liquid it was either rubbed on or sometimes taken by mouth. In more recent times, a clinic in Southern California has popularized yucca saponin tablets saying the concoction relieves arthritis pain. It is claimed that yucca saponin is a steroid of hormonal material which passes through the human digestive tract without being absorbed. It supposedly acts on the bacteria living in the human intestine, improving digestion and eliminating undigested waste and toxins. The consensus of informed opinion is that yucca has no effect on the underlying cause of arthritis.

Toneka is a product made from eucalyptus oil, menthol, pepperment oil, thymol and camphor. Promoters suggest the product either be inhaled or rubbed on the sore joints as a cure to arthritis. Medical experts agree the product is ineffective, noting that if one used it "folks will smell you a long time before they see you."

Alfalfa Seed Cures have been advertised for years. Alfalfa is commonly known as clover. Its seeds have been used to make a tea to which all manner of curative powers have been assigned. "Unfortunately (the tea) not only does no good against arthritis, but it may even bring on some skin troubles," wrote Dr. William H. Kaufman. "There is no evidence that would lend support to the view that alfalfa in any form possessed therapeutic value."

Wolf Herb ("*Gordolobos*") is a plant from which is made a tea which has been a popular remedy among some Indian tribes. A September, 1977, story in the *Journal of the American Medical Association* reports that the tea contains the toxic substance pyrrolizidine, an unusual class of alkaloid. The article reports that some deaths have been traced to the use of this folk remedy. A 2-month-old baby given tea from the wolf herb plant became unconscious and could not be revived. Another 6-month-old youngster was admitted to the hospital after being given the tea for some time. The child had an enlarged liver showing cirrhosis. The child had been examined only two weeks before and pronounced normal. Her pediatrician asked if the child had been given anything unusual to account for the fact she had an enlarged liver and was in such a sick state. The tea was identified as the culprit.

Ginseng, according to the herbal pundits, is the best of all herbal medicines. "There is no other herbal which energizes the body and clears one's perception to the extent of ginseng. Its power is of long duration and its effect is quite permanent," said one brochure. Ginseng comes from the root of the panax schlinseng mayer plant.

Ginseng is often brewed as a tea or taken by mouth in capsule form. There apparently is no limit to what promoters will claim for this tuberous root sometimes described as an aphrodisiac. As far as medical science is concerned, these claims are false. The FDA in March, 1978, advised consumers that the only acceptable use for ginseng is as a tea.

Rattlebox is the common name for the seeds of the *crotalaria* plant. British scientists presenting a paper at the University of Chicago in 1968 revealed that rattlebox contains a toxic chemical capable of causing a sudden rise in the blood pressure of the lungs. The scientists noted that the plant has long been known to cause problems in animals who have developed inflammation of the lung arteries due to the sudden rise in blood pressure. Scientists warned that eating rattlebox or the seeds, or brewing a tea made with the plant could be potentially lethal.

Yelsrap ("parsley" spelled backwards) was a product advertised as an arthritis cure. It contained the green flakes of the *petroselinium sativium* plant and the chemical sodium benzoate. The principal use of the product, said the material, was cleaning out the kidney tracts of filth and waste. Medical opinion is that "All claims are a gross misrepresentation." Postal authorities blocked the product's sale through the U.S. mails in connection with the representations.

Chaparral Tea has been touted as a cure for both cancer and arthritis. The U.S. Postal Service investigators sent away for the product and received a small bag of leaves. The leaves were examined and competent authorities were consulted. Scientists were in agreement—the product was neither a cancer nor an arthritis cure. The promotion of the product through the mails accordingly was halted by authorities.

Chuifong Toukwan is an herbal medication which originated in Hong Kong. The product was advertised as being highly effective in the cure of arthritis and rheumatism. The FDA, in December of 1980, warned the public against taking this product, which they said was potentially very dangerous. The Arthritis Foundation called the product the most dangerous supposed remedy for arthritis to come on the market in many years.

The product was a spherical pill which supposedly was made of 23 herbal ingredients but the active and dangerous ingredients were not listed at all. The Foundation said, "Promotion of this remedy is the worst kind of quackery. It is so dangerous that its side effects could result in death."

The ingredients in the product have changed from time to time and have included corticosteroid drugs, indomethacin, acetaminophen and aminopyrine. The latter has been banned even from legal prescription in the U.S. because of the sometimes fatal blood disorders that it can cause.

The product has been implicated in cases of agranulocytosis, an acute blood disorder sometimes causing death. The FDA noted that the product may have triggered the death of a 70-year-old Atlanta Georgia woman. There are also reports of addiction to the product characterized by withdrawal symptoms once patients stop taking it.

The following are additional cases investigated by postal authorities:

A sample of the "*arthritis pain relief herb*" was obtained from its Arizona manufacturer after an initial request for free information produced a brochure for the quack remedy and a price list. A test purchase was made by Postal Inspectors cooperating with the Committee. Twenty-five dollars produced 20 pills and a re-order form. A year's supply cost \$828. The distributor guaranteed these pills would produce relief from arthritis, osteoarthritis, sore knees, back pain, shoulder pain, rheumatism and related pains by reducing joint and muscle inflammation. It was said the drug accomplished this purpose by increasing the body's natural resistance to bacteria and promoting better circulation of the blood.

Dr. Sorell Schwartz, Professor of Pharmacology, Georgetown University School of Medicine, analyzed the product and determined:

Of the 22 "herbs" 7 have been reported to have been used in rheumatic or other inflammatory conditions, 1 has reported antibacterial activity, 4 were not found in medical botany texts, and the remainder were reported to have diuretic, emetic, diaphoretic, or other miscellaneous uses. Several of the reports of use in arthritic conditions were not scientific reports but were anecdotal reports of the use of these herbs by some groups. The documentation of use is not to be confused with the documentation of usefulness or efficacy. None of the herbs individually, nor the combination of herbs used in this preparation, have been demonstrated by accepted scientific and clinical evaluation techniques to be of value in relieving pain. The antibacterial as well as the circulatory effectiveness of this preparation, similarly, has not been demonstrated. The advertisement for the product is clearly false and misleading based on current experimental and clinical evidence.

—In June of 1981, Committee investigators responded to an ad placed by Norkon of Scarsdale, NY. The ad had promised free information on "a wonderful new medicine" for temporary relief of pains and aches of arthritis and rheumatism." They received several pages of testimonials called "A Wonderful Page of Promises" in reply (see next page) and a solicitation from Norkon Pharmacal for the wonder drug. A sample ordered by postal authorities was reviewed by Dr. Sorell L. Schwartz. Dr. Schwartz's analysis revealed:

The product contains 324 mg of aspirin and 130 mg of calcium gluconate. The product is enclosed with further advertising material extolling the virtues of the product. This information indicates that the product results in the formation of calcium acetylsalicylate in the stomach which is alleged to be better than aspirin alone.

There is no question that aspirin is useful in the temporary treatment of arthritis but this product does not represent an advantage over any other aspirin product. The price of \$6.90 for 150 tablets represents a 3 to 9-fold increase over various brands of aspirin which can be purchased in a pharmacy.

A WONDERFUL PAGE OF PROMISE

"I PRAISE THE DAY when I sent for Norkon Tablets for they have done me more good than anything I have ever taken. May the Lord bless you for telling me and others about your wonderful Norkon Tablets."

Mrs. A. W., North Carolina

"I find your medicine very good...it is the best I have had for years and I can say I am sure happy I found Norkon Tablets through you."

J. N., Indiana

"I THANK GOD every day for your medicine."

Mrs. A. H., Tennessee

"Norkon has done me so much good that I don't dare be without it. Will you please order of 2 bottles of Norkon Tablets."

E. G., Arizona

Norkon not only promises but guarantees temporary relief from the minor aches and pains of arthritis and rheumatism.

"It was a godsend to me when I got my Norkon Tablets and am sending for more and am also sending the name of a friend for you to write to."

Mrs. H. N., Florida



THESE HEARTFELT WORDS of praise for Norkon are taken from a few of the many letters that I have received; and from them have experienced the deepest joy of my life.

Paul McCoy

"I CANNOT SAY TOO MUCH for your medicine. For years I have tried many other preparations without satisfaction. Thank God I found Norkon. I saw your message in my Church paper and am telling the good news to others."

L. T., Maryland

"Well, I have got a lot of relief and I... take my Norkon Tablets only when I need them and I feel so much better and thank you. You can use my name and write to the people whose names and addresses I am enclosing." (Mrs. J.L.B. sent me the names of 19 friends: Paul McCoy)

Mrs. J.L.B., California

"May I tell you at this time that your Norkon Tablets are proving WONDERFUL for me. Please find enclosed payment for more."

Mrs. M. H., Connecticut

"I take Norkon at bedtime and it helps a lot. Please send me another order for which money is enclosed."

Mrs. R. K., Kansas

"Norkon Tablets have DONE ME MORE GOOD than anything I've ever taken, so I am sending for more, this time for the double large order. I've told some of my friends about Norkon, so I'll be looking for mine real soon."

E.L.M., Arkansas

"Norkon Tablets are the only thing that REALLY help me."

Mrs. N.K., California

"I THOUGHT... 'JUST ANOTHER PILL.' That's what I thought when my husband sent for Norkon a few weeks ago. But I tried them and so far I found them very good. I am telling my friends about Norkon Tablets and am sending for a double large order."

Mrs. R. T., Arkansas

"I received my Norkon okay and in less than two weeks I was more than grateful. I sure do thank you so very much for such relief, and I am ordering more Norkon."

Mrs. J. W. H., Alabama

TO: NORKON PHARMACAL, INC.,

Please send me the following order as checked.

Large-Size Norkon, 75 Tablets, \$3.95
 SAVE ONE DOLLAR | DOUBLE-Large Size, 150 Tablets
 \$7.90 value. I pay only \$6.90.

It is understood that my money will be refunded without question if in ten days I am not satisfied with what Norkon does for me.

NAME _____

ADDRESS _____

CITY _____

STATE _____ ZIP CODE _____

NOTE: Please check and add the following shipping and postal charges to your payment for the type delivery you wish.

	\$3.95 size	\$6.90 size
FIRST CLASS (Fast Delivery)	\$.75 ()	\$1.00 ()
THIRD CLASS (Slow Delivery)	\$.60 ()	\$.75 ()

I enclose \$ _____ | Check | Money Order.

Make check or money order payable to
 NORKON PHARMACAL, INC.

—An advertisement asking “Can you be saved from painful nagging arthritis, rheumatism, and bursitis?” appeared in several publications reviewed by the Committee in 1981. The promotion answered the rhetorical question by stating “critical medical tests now say, yes. Science is revealing how certain natural organic herbs gain immense curative powers by storing minerals and nutrients.” These rich and powerful herbs were said to be available for trial for \$7.95.

Dr. Schwartz analyzed this product. He concluded:

While it is true that certain herbs are rich in particular minerals and/or nutrients, there is no evidence that the quality is of any value in the relief of arthritis. Supplying large amounts of nutrients is curative only when a depletion of those particular nutrients exists. Arthritis, rheumatism and bursitis are not due to nor associated with a deficit of any mineral or nutrient.

The advertisement claims that X-Arthritis Herbs stop pain by causing a change in body cell metabolism.

In summary, the product contains nothing which has been demonstrated to be of therapeutic value for the arthritic individual and the advertisement for the product is clearly false and misleading.

—Committee staff found advertisements in half a dozen papers and magazine indicating that the Estes Company of Georgia had found a cure for arthritis. The company said recent medical tests had found certain herbs had immense curative powers and could channel body metabolism and heal arthritis. A test purchase of the product by postal inspectors produced capsules containing “burdock root.” The medical expert evaluating this product, Dr. Schwartz, found:

The advertisement for Burdock Root states simply “Burdock Root—Used as Arthritis Aid . . .” In the literal sense, the statement is true. Burdock Root is used to treat rheumatism in Appalachia. However, Burdock Root is not recognized therapy for arthritis by the medical community and there is no evidence that it is an effective antiarthritis agent. Aspirin is still the drug of choice for use in most arthritic conditions. Of greater importance is the fact that the ingestion of Burdock Root tea has resulted in reported toxicity. Ingestion of only one-half cup of tea from Burdock Root resulted in blurred vision, dilated pupils, dry mouth, inability to void, and bizarre behavior and speech, including hallucinations (*J. Am. Med. Assoc.* 239:2157, 1978). The implication of the advertisement is clearly that Burdock Root is effective and as such the advertisement is misleading. The directions call for swallowing “one or more capsules with water or dissolve contents in hot or cold liquid as a beverage.” Thus the potential for a toxic response does exist in the population which utilizes this product.

—A Texas firm promoting Aloe Vera as a cureall placed an ad in the senior publication “*Let’s Live*.” Literature received by investigators state Aloe Vera combined with Comfrey increases “disease fighting white blood cells.” This treatment is said to be effective in

preventing and curing diseases as diverse as cancer, arthritis, hemorrhoids, asthma and epilepsy.

The medical opinion provided by Dr. Schwartz indicated there is no information available to support the claims of the distributor. He concluded, "The claims made for this product are unequivocally false and misleading."

C. OTHER QUESTIONABLE CURES FOR ARTHRITIS

WATER AS A CUREALL

One of the most prominent themes in the mythology is that water is a cure for arthritis and/or other diseases. This applies to water which is consumed by mouth, taken by injection, sprayed with a nozzle on parts of the body or in which the joints are to be immersed. There is virtually no limit to the permutations. It can be hot water, lukewarm water, cold water, ice cold water or solid water in the form of ice and can be salt water, mineral water, distilled water, spring water—the list is endless.

The U.S. Postal Service has taken action in a wide number of cases which advertised water as a cureall. In one case, as a cure, small ampules of distilled water were being sold for \$25 apiece.

In another instance the Service took action against half a dozen different kinds of bottled ocean water after a medical columnist wrote a testimonial about the benefits experienced by his 96-year-old father. In one case, a few ounces of sea water, salt brine, sold for \$3 plus postage.

In one of the more interesting examples the Postal Service blocked an ad that was supposedly for "*Miraculous Water from Lourdes*" as a cure for arthritis and "even cancer." (See ad reprinted below.) The water of course was anything but miraculous and was from a spring in California, not from Lourdes.



Miraculous Water From Lourdes Heals Thousands!

*Arthritis, Paralysis, Even Cancer
Washed Away by Holy Water
Blessed by the Virgin Mary*

Anoint yourself with this miracle water and the cures will be as limitless as your faith. Believe in its power and the cures shall be yours . . . Countless discarded crutches and braces are silent testimonials to the miraculous cures at Lourdes, France. Now this amazing water is brought to you from the divine springs where Bernardette saw the Blessed Virgin. Authenticity of the Water is documented and a concise history is included.

Testimonials from our Ills:

"The miracle water is wonderful. We are so much better. I would not want to do without it" . . . Mrs. A.R., Florence, KY

"The last bottle that I bought helped me and my wife with severe chest pains. Afterwards we were very much improved" . . . Mr. J.C., Baltimore, MD

**Only \$2.98 ea. plus 50¢ postage/handling
money refunded if not satisfied**

In 1969, the Postal Service took action against a book, *Healing with Water*, in which water was put forth as the cure to virtually every major health problem. The remedy in the case of arthritis and rheumatism was to spray the affected areas with the coldest possible water.

In analyzing the book, Vincent Cordaro, M.D., FDA Expert and Chief Medical Officer with the Postal Service, said:

It is impossible in a short report to list the false and misleading statements in the circular and book.

In medical practice about the only value of cold water is to reduce temperature and prevent swelling in very fresh injuries.

This literature is replete with advice, which, if followed by the uninitiated, could result in serious illness, by preventing or avoiding competent medical advice and care.

In 1981, the same remedy, cold water, again came into vogue, this time as "*cryotherapy*." It was claimed that cold water was an effective pain killer in rheumatoid arthritis. The Arthritis Foundation experts analyzed the data and concluded that "investigators do not feel that the role of cryotherapy in rheumatoid arthritis has been fully established and do not feel that there is any evidence to date that cryotherapy affects the basic disease process."

The Foundation viewed with equal skepticism the claims of one Japanese study which advocated exercise in the freezer at a temperature of -29 degrees Fahrenheit. The Foundation noted that the benefits of such therapy, if any, are still to be proved and at the

present time "no study has demonstrated any anti-inflammatory effects on joint improvement (or regeneration) from cold therapy."

In July 1980, the ranking Republican Member of the Subcommittee on Health and Long-Term Care held a hearing in his home district in South Dakota to learn about *Catalyst Altered Water* (CAW). This is also known as Willard Water after its originator, a well regarded professor emeritus of the South Dakota School of Mines.

Willard Water was developed as a cleaning agent in the 1930s. The basic formula has been reworked over the years to the point where it is claimed to be useful in a whole host of applications, not the least of which is a cure to human ailments such as arthritis.

CBS "Sixty Minutes" featured this product as part of their November 23, 1980 broadcast. The broadcast featured a number of testimonials from people in the South Dakota area who claimed that CAW had been helpful to them. It also elicited evidence that it caused no great harm and that the FDA and other authorities had tried to block its sale twice only to be disregarded by those who believe in the product.

The FDA analyzed the product and found it contained rock salt, lignite, sodium metasilicate, sulfated castor oil, calcium chloride and magnesium sulfate. In short, it is basically water spiced by castor oil and three kinds of salt.

Under pressure from the FDA the manufacturer disavowed any medicinal claims for the product. It is sold now with the disclaimer that it has not been approved as a "drug" by the FDA and that there is no claim that CAW is "effective in the cure, mitigation, treatment or prevention of any disease in man or animals."

Some time ago the FDA pulled off the market a unique product called the *Vivicosmic Disc*. It was round and about the size of a silver dollar. It was perhaps half an inch thick and made of porous material not unlike pumice stone.

This cure-all could be used in several ways. For example, the promoter wrote:

My wife nibbled on a disc during her last pregnancy—she found a teensy bite to be as satisfying as the proverbial green apple, and she also noted that a teensy bite also stopped an *ache from a bothersome tooth*. Her last pregnancy was the most pleasant ever, and the resultant baby is a doll. Since using *Vivicosmic Water*, *my niece's complexion improved*, and she also suffers less discomfort from certain pains.

In more traditional use the disc was to be dropped into a glass of water and left for some time, "changing the water" into something special "instead of ordinary water which is merely wet." If fruits and vegetables are soaked for ½ hour in the resulting *Vivicosmic Water*, they can be freed from pesticide or radiation contaminations claimed the promoter.

The product allegedly cured abscesses and the flu and improved nerves as well as the pain of arthritis. The promoter continued his pitch claiming:

"I used some of this water in my back yard, and a nest of ants soon migrated elsewhere. I also found it useful as an applicant *to prevent galling of the armpits*, and found it to also be a *deodorant*. I

once spilled some on the floor, and noticed that the *spot was cleaner* than any part of my floor had ever been."

The brochure also included a disclaimer of sorts. Having said all the above the promoter added:

I promise nothing as a result of use of this Vivicosmic Disc. I will promptly refund your money if the Disc does not fulfill your most optimistic expectations. I do know that it will be useless to zombies, thieves, cheats, atheists, professional liars, and exploiters.

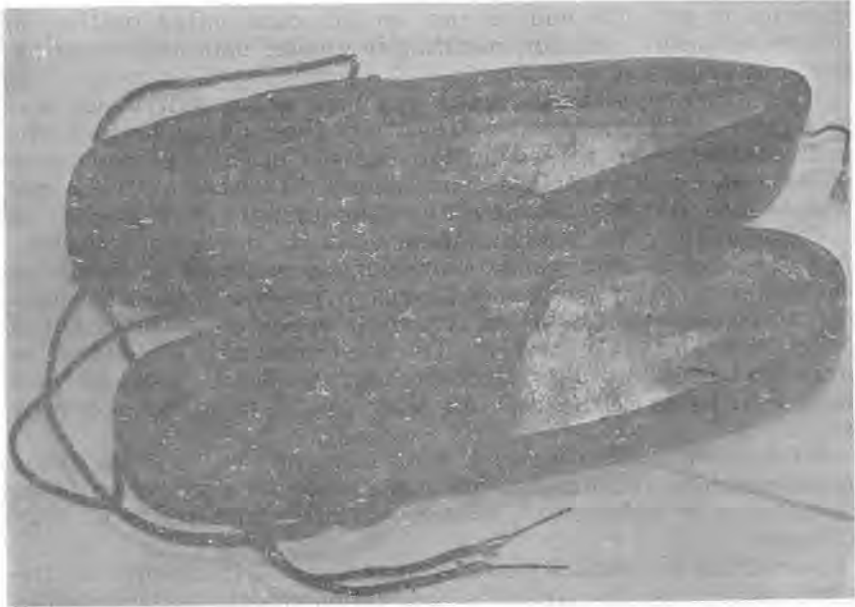
In summary, there is no evidence that water in any of its forms or applications has been found by established medical authorities to be a cure for arthritis.

RADIATION CURES

Radiation, such as x-rays, is used as therapy in some kinds of arthritis such as ankylosing spondylitis. However, relatively large doses must be given to be effective and great care must be used to protect the body against dangerous side effects. Unfortunately, there is no end of con artists who seize on something which has legitimate therapeutic value and warp it to their own nefarious ends.

For example, promoters offered a product called the *Rado Pad* for sale claiming its effectiveness as a cure for arthritis and rheumatism. It purportedly contained a significant amount of healing uranium which emitted radioactive particles which speed the healing process. An example of a Rado Pad was presented to the Committee on Aging in its October, 1980, hearings. It was priced at \$30 and contained worthless pea gravel with not even a trace of radioactive uranium ore. In another example, the pad contained a tiny amount of radioactivity approximately equal to that found in the luminous dial of a watch.

There are several variations on this same theme. For example, there are *health slippers* (See photo on next page) and *health mittens* which operate on the same principle as the Rado Pad. Both are said to be full of radioactive uranium ore and to emit healing radioactive waves. Usually, there are no emissions whatsoever. In a few cases where there is trace radioactivity, it is so small that it is barely measurable and has no curative effects whatsoever.



One of the longest running myths which continues to the present day is that *sitting in a uranium mine* will somehow cure or improve a sufferer's arthritis. The controversy started with a 1955 book which began with a startling announcement: **A CAUSE OF ARTHRITIS IS KNOWN AND NATURE HAS A CURE FOR ARTHRITIS**. The solution was the absorption of radon gas—this is the gas released when radioactive material such as uranium breaks down.

It took 20 years but the Federal Trade Commission in 1975 finally obtained a consent agreement against the mine operators in Montana barring them from claiming:

1. That radon gas or sitting in a uranium mine has any curative effect.
2. That there is a single cause for arthritis or that the cause or causes of arthritis is known.
3. That arthritis is caused by stress, or hormone deficiency including underproduction by the adrenal gland.
4. That radon gas represents a scientific breakthrough or stimulates the production of cortisone from the adrenal gland.
5. That any improvements in arthritis or other conditions (if such were reported following visits to the mine) were a result of the visits.

In short, the FTC concluded neither radon gas itself nor a visit to a uranium mine 85 feet below ground had any positive medical or psychological effect on any disease or body condition. "Any improvements reported by visitors are purely coincidental cyclic re-

missions in arthritis and reliance on this cure" often resulted in failure to consult a doctor, resulting in greater pain and/or permanent disability.

This was a long battle which included a law suit which was brought against the *Readers Digest* by the mine operators who claimed they were libeled by the Digest's listing the mine as a quack remedy in an article about phony arthritis cures. The suit was decided in favor of *Readers Digest* on January 28, 1974.

Unfortunately, the Montana mine is not the only such operation. A man in Wisconsin opened a uranium tunnel and offered to let the suffering sit in the 16-foot tunnel supposedly lined with radioactive uranium ore for a fee. A similar operation operated out of Mesa, Arizona. In Commanche, Texas sufferers paid a fee to sit on uranium-bearing soil. In another part of Texas, patients paid money to be buried (except for their heads) in uranium-bearing earth.

While most of these supposed cures came into vogue in the 1950s, promoters have continued to use radon gas and various other forms of radiation or radioactivity as supposed cures for arthritis or other diseases.

Despite all the publicity attendant to the FTC crackdown on uranium mine cures, the Arthritis Foundation reports that, pushed by pain, some arthritis sufferers are still paying money to sit in damp mines and some promoters continue to take money for allowing them to do so.

In short, exposure to uranium ore or to radon gas has been found by the FTC and other medical experts contacted by the Committee to be therapeutically worthless in arthritis. The amount of radioactivity present in such mines or in such items as Rado Pads is frequently no greater than the amount of gamma rays omitted by the luminous dial of an ordinary wristwatch. It is suggested that if this is so then the universal "cure" to arthritis would be to require everyone to wear a watch with a luminous dial. The experts have contended further that if the mines or other radioactive products hypothetically contained a sufficient amount of uranium to have an effect on arthritis, then it would have a deleterious effect on the body as a whole.

VITAMINS AND MINERALS

Vitamins are organic molecules which for the most part are not made by the human body but are required to sustain normal metabolism. Minerals such as iron, zinc, copper and aluminum play a similar role.

Human beings obtain vitamins and minerals through what they eat. Therefore, there is no need for vitamin and mineral supplements if an individual is eating a well-balanced diet.

Medical science has a fair idea what happens when the human body is deficient in a vitamin. It is known, for example, that a severe shortage of vitamin C produces the disease, scurvy. It is still an open question but the growing consensus among scientists is that vitamins in excessive amounts can have toxic effects on the human body.

By and large, the American diet is fairly balanced and most people get the recommended daily allowances of vitamins and minerals. There are exceptions, of course, notably those with low incomes and some groups of teenagers.

Obviously, there is a great deal that is still not understood about the role of vitamins and minerals. As a result, it is "open season" for the promoters who claim that arthritis is the result of a vitamin deficiency and, of course, the solution is at hand in the form of ingestion of massive doses of the chemicals they peddle.

In the literature of the questionable practitioners, a shortage of vitamin A, Vitamin B3 (niacin), Vitamin B12, Vitamin B6 (pyridoxine), Vitamin C, Vitamin E and sometimes a combination of all of the above (or several of them) constitute the cause of arthritis.

Similarly, the ads of promoters insist a shortage of copper, zinc, iron, lead, nickel, tin, manganese, molybdenum, manganese or cesium is the cause of arthritis.

There is no medical evidence to suggest that the absence of any of these or other vitamins and minerals is the cause of arthritis and consequently that the ingestion of these compounds is the cure. Following are some examples of questionable practices on the part of some promoters:

—In 1978, the U.S. Postal Service through legal action removed a product called *Arthron* from the market. The ads alleged that Americans eat poorly, and that the absence of vitamin D in effect caused arthritis and resulted in pain. Said the literature: "Patients who have taken this product for only a short period of time have been extremely aware of the decreased pain associated with various forms of arthritis as well as other pain caused by a deficiency of calcium and Vitamin D."

FDA medical experts countered that nutritional deficiency of calcium is rare and not amenable to self-diagnosis and treatment. They pointed out that additional intake of calcium may result in the formation of kidney stones and that "all claims for calcium to relieve arthritic pain are false." Added the officials, "The reader of the ad may be led to believe that all pain is due to errors of nutrition. This is a false claim . . ."

—In another case, the FDA seized an arthritis cure that was a mixture of vitamin *B complex and vitamin E*. The FDA medical officer concluded that: "It would appear that this product does not have a value as a specific for the relief of pain caused by arthritis."

—In 1979, the Postal Service through judicial action removed a product marketed as an arthritis cure called "*anti-stress tablets*," which was a combination of 30 vitamins and minerals. The promoters alleged: "We have customers who will sign affidavits that all pain and other symptoms of arthritis have been completely wiped out in less than one year." The claims for the product were refuted by competent medical authority.

—Another example of a questionable and unproven remedy is first the claim that a deficiency of pantothenic acid (one of the members of the vitamin B family) is the cause for arthritis and second, the suggestion that ingestion of supplements in-

cluding this compound will help control it. One rich source of this acid is *royal jelly* (a product of bees), hence the proposition that the taking of royal jelly will cure arthritis. This proposition was first suggested in 1964 in a British medical journal and surfaced again in 1974 in another article by the same author. To date there has been no scientific study to prove that it is effective. The Arthritis Foundation has refused to label this outright quackery but is highly skeptical of its utility.

—In one case worthy of note, Norman Cousins, the respected long-time editor of the *Saturday Review*, published an article in the December 23, 1976 issue of the *New England Journal of Medicine* in which he asserts that megadoses of vitamin C (25 grams a day) were instrumental in his cure from a form of arthritis. There are no scientific studies to support the use of vitamin C in this way and no evidence that it is effective among the many different kinds of arthritis. However, research is reported underway.

—The classic received by Committee investigators who responded to an ad claiming an arthritis cure in exchange for a \$5 check was three typewritten pages. It was entitled, "*How I Cured Myself and My Dog From Arthritis.*"

In the form letter, the author said that her dog developed arthritis for which the Vets only remedy was aspirin. The author claims that she gave the dog daily one capsule of Vitamin E, one of vitamin C and one tablet of pantothenic acid. After about eight weeks of this the author reports the dog's arthritis disappeared.

The author continued that sometime later she developed arthritis in her knee and employed the same remedy with the same beneficial effects.

—Finally, a powder offered as a mineral supplement has been touted as a wonderful treatment for arthritis. It was known as *Source 23*. In April, 1976, the U.S. Postal Service filed a complaint against the corporation alleging that the corporation was "engaged in conducting a scheme or device for obtaining money or property through the mails by false representations. . . ." etc. As a result, the corporation agreed to withdraw the product from the market.

COPPER AND MAGNETIC BRACELETS AS A CURE OR PREVENTATIVE FOR ARTHRITIS

The files of the U.S. Postal Service, the Federal Trade Commission, the Arthritis Foundation and the Better Business Bureau all contain bulging folders relating to copper and magnetic bracelets as a cure or preventative for arthritis. Clearly, they constitute one of the most popular and recurrent forms of arthritis ripoff.

Among the offensive ads with misleading information are the following:

Copper Does Relieve Arthritis . . . Tests conducted on animals show that copper mixed with aspirin and other drugs normally prescribed for arthritis normally results in reduced swelling and inflation. Externally worn bracelets could provide the same beneficial results.

This ad goes on to suggest that the green tint left on the skin indicates that copper is being absorbed into the skin.

The product was obtained by investigators and evaluated. The copper bracelet was not found to have any beneficial effect on any arthritic condition. Moreover, the representations in the ad above were judged false and misleading.

Another ad said:

Copper bracelets have been worn by millions of people for hundreds of years to help relieve the pain of arthritis. We have experimented for years to develop a more powerful copper bracelet which would bring faster relief and have longer lasting effect.

"Nonsense," said medical experts. "It is an attractive piece of costume jewelry and should only have been advertised as such," said one expert. The FDA physicians continued:

The copper bracelet cure has been refuted time and again by ethical scientists in court actions. This promotion is a gross misrepresentation. The loss of money (\$5.00) is not the least of the damage suffered by the purchaser. Delay in seeking competent, ethical medical advice could result in progression of symptoms and increased suffering in patients.

Another form of copper bracelet sold for \$100. The sufferer was supposed to buy two of them, wearing one on the left wrist and the other on the right ankle. It was supposed to set up an electromagnetic current. "More nonsense," said the experts.

Literally hundreds of cases such as these are identified every year. Of late, some ads have been warning arthritis sufferers that their copper bracelets are obsolete. The ads tout magnetic bracelets of steel instead for only \$14.95 plus postage and handling. One ad which brought the sufferer a metal magnetic bracelet reads as follows:

ARTHRITIS SUFFERERS

Stop wasting money on ointments, rubs & gimmicks for promises of temporary relief. Stop pain permanently with ALMANTE! Users report results worth hundreds of dollars in just 24 hours. This Oriental breakthrough is giving permanent relief to thousands—why not you? You would gladly pay more for permanent relief, however this amazing source of new life can be yours for only \$10.00. Stop suffering NOW! Order today from: ALMANTE

The promised permanent relief was not forthcoming. The experts who helped take this product off the market in cooperation with postal authorities said the following about this product and ad:

The health band is a very ordinary stretch bracelet appearing to be manufactured of stainless steel.

This gadget is equivalent to the "copper bracelet" and others of the same ilk.

The gibberish found in the accompanying description of the band is beyond understanding. Needless to say, it is a gross misrepresentation.

The Arthritis Foundation takes the position that there is nothing wrong with copper bracelets as jewelry. If, however, the patient expects them to cure arthritis or to act as a preventative, the Foun-

dation concludes the wearer will be disappointed. It warns not to look to the bracelet in place of seeking reputable medical attention. Says the Foundation:

Metallic copper is not absorbed through the skin and therefore can have no internal effect. Wearing a copper bracelet for the relief of arthritis is like wearing an amulet containing a foul-smelling concoction to ward off the evil spirits.

The National Better Business Bureau concluded: "Medical opinion holds that copper has no curative powers especially in this form." It has called the copper bracelet "one of the oldest medical swindles."

As if more evidence was needed, the premise upon which the copper bracelet is touted is that arthritics are deficient in copper, which the bracelet somehow provides. Ironically, scientific studies indicate higher rates of copper (often 3 times as high) in arthritics as in non-arthritic patients. (See *Today's Health*, June 1970, "Copper Bracelets are a Put-On" by Mike Michaelson.)

In summary, the consensus among experts is that copper bracelets and their magnetic cousins made of stainless steel are improperly sold as arthritis remedies.

VACCINES

Most Americans are familiar with flu and pneumonia vaccines. There is no doubt but that they have great value. Senior citizens and those with respiratory problems are generally advised to get their flu shots. The inoculation helps the body build up its natural antibodies so that it can fight off an attack by harmful bacteria.

Vaccines are made by introducing a small amount of dead bacteria into chicken eggs and thereafter producing a serum. When the human body is injected with the dead bacteria it produces antibodies nonetheless. These antibodies remain in place to fight any live bacteria which may be introduced into the bloodstream later on.

However valuable in protecting against intestinal and respiratory infections, such vaccines, either individually or in combination, are not commonly accepted as a cure for arthritis.

Those who promote vaccines hypothesize that arthritis is caused by an infectious bacteria or virus and this has been tested for some time. Various vaccines were widely tried but did not prove to be effective so both the vaccine treatment method and the theory were abandoned, according to the Arthritis Foundation.

However, there remain a number of promoters including some reputable physicians who advocate inoculation with a mixture of respiratory and influenza vaccines as an arthritis cure. The extent of the cure claimed varies from total to temporary, however some of the literature asserts that at least one out of three patients gets some permanent relief.

The Arthritis Foundation and other experts consulted by the Committee have unanimously concluded that there is no evidence to suggest vaccine treatment either alone or in combination with other treatments is effective in the treatment of arthritis. The Foundation again emphasizes that arthritis is not a single disease

but a group of about 100 diseases, very few of which have been shown to be caused by infection. This being true, there is no basis whatsoever for using this method with many types of arthritis such as osteoarthritis which it is well known is a degenerative joint disease and not tied in any way to infection.

LIGHT AS AN ARTHRITIS CURE

There are sporadic reports in the folklore about the healing powers of light in arthritis. For example, one of the most impressive of all quackery devices seized by the Food and Drug Administration in the 1950's was the *spectrochrome*. (See photo on following page.)

The spectrochrome was nothing more than a metal box on a stand with a 1,000-watt light bulb in its center. This light passed through different colored filters which the practitioner could select. The selection of the red filter produced red light. The red light allegedly was a cure for arthritis. By setting a different colored filter the machine would yield colored light which was said to be a cure for cancer and other diseases.

The device was taken off the market by the FDA because of a determination that light, whether plain or filtered to make it colored, has no curative effect.

The spectrochrome sounds all the more ridiculous when one learns that in order for it to work the patient had to be nude and facing north and the moon had to be full. Absent that, the cure was not effected.

A spectrochrome was produced before the Committee in its October 1, 1980 hearing. Some use of these questionable machines was reported to the Committee at that time.

Ironically, 4 days after the Committee's hearing, the *Miami Herald* reported on a practitioner in Hollywood, Florida, who used colored light to "treat" major disease.

The practitioner claimed that arthritis or major diseases result when a person's energy is not leaving the body properly. The cure is brought about by the return of energy to its natural flow. This is a matter of choosing the right color.

For example, orange is the color for problems in the sex and reproductive area; yellow for problems of the stomach and digestive area; green for the heart and circulatory system. In other words patients with heart problems should stand under a green colored flood lamp for 15 minutes each day which is supposed to restore the heart to its natural flow and vibrations. Red is the color for arthritis and problems in the back.



The medical experts contacted by the Committee find no evidence that light, blue, yellow, filtered or otherwise, is effective as an arthritis cure.

MANURE AS AN ARTHRITIS CURE

It is hard to believe but some people have put forward manure, generally cow manure, as a cure for arthritis.

One of the chief benefactors was a farmer from Pennsylvania who claimed to have stumbled onto this cure. He reports having a sister with severe arthritis—so bad that she could not move her limbs. He noted that he had enjoyed great success in treating cattle and begged permission of his parents to treat his sister.

Permission was given only after physicians said there was nothing they could do to help. He reported:

"I simply buried the limbs of my sister in warm cow manure covering with an oilcloth to retain heat and changed the packs three times a day."

This treatment was continued for several weeks after which he reports joints became loose and allegedly she was able to walk again after five months. After a year of this the advocate reports, "She was back to normal in every way" standing in at 6 feet tall and weighing over 200 pounds.

The sponsor said that in his analysis he became convinced the exposure to cold and dampness are factors changing the viscosity of the blood. The application of safe heat produced by "a poultice worn continually, day and night heats up the blood" and keeps it flowing thus bringing relief from arthritis.

The medical experts consulted by the Committee dismiss the notion that cow manure can cure arthritis as outright quackery.

SEX AS AN ARTHRITIS CURE

Advertisements placed in prominent newspapers and magazines claim that sex (assuming proper techniques are employed) is an arthritis cure. The purveyors of this cure are only too ready to instruct in the proper techniques for a fee. When the person in pain writes enclosing his \$10 or more, he or she generally receives a pamphlet which describes standard lovemaking positions.

In the language of one of the brochures, "Sex Can Cure Arthritis. The Loving Act Of Sex Can Relieve The Pain Of Arthritis For Up To Six Hours."

The rationale employed is that during the sex act the brain sends pain-killing hormones or endorphins into the bloodstream. Cortisone, which counteracts pain, is also said to be released.

The ads are quick to say that the benefit may be purely psychological, but that it works. A regular program of sex sometimes several times daily is advocated as a permanent cure.

The medical experts consulted by the Committee do not believe that sex is a cure for arthritis.

MUD CURES

The U.S. Postal Service investigators over the past 10 years have often responded to ads claiming relief of arthritis. Having sent in a money order in order to make a test purchase, on occasion they have received either instructions on the use of mud packs or instructions together with a sample mud pack.

One ad began, "I have arthritis . . . my discomfort turned into incapacitating pain . . . that's when I really got to work formulating my own preparation for my own pain."

Investigators sent in \$9.95 plus \$1 postage and handling for 12 ounces of "Miracle Mud." The directions accompanying the product said: "Apply evenly over the affected area and, if possible, cover with Saran Wrap. Within minutes, the soothing, deep heating action of the application will begin to be felt."

Laboratory analysis by FDA experts working with the postal authorities showed that the mud contained mustard and methyl salicylate. In effect, customers were getting a messy and expensive form of muddy mustard plaster.

Experts concluded as follows:

This product is a variation on the ordinary poultice which, in the remote past, was used as a counter-irritant to relieve pain and swelling in accessible areas.

It is neither a miracle nor new, nor is it safe when used as directed. Pepper, mustard and methyl salicylate are blistering agents. Covering the application with saran wrap or any other material could result in severe burns.

The strength of these ingredients is not stated, adding to the inherent danger of severe reactions.

The sale of the product was found to be a deceptive scheme to defraud the public and the product was no longer allowed to be sold through the U.S. mails.

The experts consulted by the Committee do not know of any mud pack either made from earth alone or from earth saturated by other herbs, spices or chemicals which can properly be called an arthritis cure.

BATH WATER ADDITIVES

Another popular form of arthritis cure that is sometimes sent in the mail to sufferers sending money in response to ads are bath water additives.

In one case an arthritis patient received common bubble bath and was told by the accompanying brochure of its curative effects in rheumatism when added to a weekly bath of very hot water.

Another ad which was featured prominently in magazines in 1974 and 1975 and which was subsequently stopped promised "Drugless relief for arthritis and rheumatism." The ad featured a photograph of a young man who claimed to be a veteran of World War II who had arthritis because of a war injury. The young man told how nothing helped him until he went to South America where he found a spa with very special waters which gave miraculous temporary healing. He noted that quite by accident he came across a spa bath which helped at home and which he wanted to share with his fellow sufferers.

"Just add the product to your bath and immediately feel the fast acting penetration of sulfur colloids . . . Just soak the pain right down the drain."

PILLS

A previous section of this report dealt with the use of drugs in arthritis. The drugs mentioned in the report are sometimes administered by mouth and sometimes by injection. Generally, there is no evidence that the drugs described are effective in the treatment of arthritis. In some cases, the use of these drugs is downright dangerous (i.e., cocaine).

In times past, snake oil salesmen placed a great deal of emphasis on tonics and elixirs—that is to say, remedies that one could drink. Today there is a great public fascination with pills—capsules which can be taken by mouth which allegedly will provide the magic relief.

There are endless ads in the nation's magazines which promise, by means of a pill, relief of arthritis for the sufferer in exchange for his dollars. Sometimes these pills are harmless, so-called "sugar pills"—so named because their basic ingredient is sugar. Sometimes the pills contain herbs. In other cases the pills are a combination of chemicals. Sometimes they contain all of the above.

What all of these remedies have in common is that they are ineffective unproven arthritis cures. In some cases, they pose very real and direct dangers to the life and safety of those who take them.

Here is a litany of some of the pills received by Congressional and Federal investigators in response to advertisements:

—A company in Illinois ran an ad in newspapers promising relief from stiff painful joints. The product was called *Histidine* or *L-Histidine*. The capsule was said to contain pantothenic acid and amino acid substances. In court proceedings, medical experts agreed that the product does not provide relief for arthritis or stiff joints. The court concluded that the sellers were engaged in the conduct of an enterprise for purposes of obtaining money through the mails by means of false representations. In short, that this was a ripoff scheme. A court order barred the sale of the product through the mails in conjunction with the deceptive advertisement.

—A so-called "health center" in Michigan advertised "real help" for people who are suffering from arthritis. "I don't mean just temporary relief, from pain killers. I mean lasting relief, that will stop your pains gradually and completely in time," claimed the promoter. The pills received were analyzed in the laboratory by experts and revealed to be *milk powder* with wheat germ and bran. They also contained a little pyridine, a component of vitamin B. Said Vincent Cordaro, M.D., "It is less than worthless for the treatment of arthritis. The less said about the powder the better." This worthless product could, if depended upon for relief, cause untold suffering. It is not safe or effective therapy for any form of arthritis. The pills were barred from sale in the U.S. mails

—A company in Florida ran an ad in nationwide publications saying that "Temporary relief from arthritis and bursitis is great but *Ana Zyme* (their product) is better." Some 60 pills were received for \$13.95. The product was found to be a group of digestive enzymes along with zinc and thymus. Said expert Dr. Sorell L. Schwartz, "There is no theoretical, experimental or clinical evidence to support the claim that these ingredients have or would be expected to have any curative or palliative effect on arthritis or bursitis . . . On the basis of current scientific knowledge, the claims made for this product are false and misleading."

—In December, 1980, the Postal Service began an investigation of a product called *Mykon* made by a Cody, Wyoming firm. The product contained magnesium salicylate which is a derivative of salicylic acid (aspirin) and P-aminobenzoic acid. The latter does not have any antiinflammatory activity. The former works like aspirin but not as well. According to medical opinion, aspirin tends to produce more consistent blood levels of salicylate than do other salicylate derivatives. While the drug might help relieve pain to some extent there is a real danger said experts that people who cannot take aspirin might rely on this drug which would have the same serious results as aspirin itself.

MASSAGE CURES

The use of massage following heat is an integral part of the treatment of arthritis. But the massage must be given with great care by carefully trained therapists. Massage administered by the

uninformed can be dangerous to arthritics, exacerbating their problems and causing flare-up of the disease.

Unfortunately, there are those entrepreneurs who have looked at the concept of healing massage as something which can be perverted to their purpose, namely making money out of the pain of others.

One way that this is done is to take out an ad promising relief from arthritis and, when sufferers respond with their checks, send them a legitimate book on the techniques of massage.

Another variation is to send out plastic or wooden implements with the suggestion that through their use a "curative massage" can be accomplished. [See photo below.]

In its latest permutation, some promoters advertise that arthritis pain can be cured or relieved through reflexology and its beneficial effects on circulation.

According to the Arthritis Foundation reflexology is based on the theory that every part of the foot is connected to another part of the body through the nerves. Thus, a tender ball of the foot supposedly diagnoses heart disease, and massage of the appropriate area of the foot is said to relieve the pain caused by the malfunctioning heart, arthritis or other disorders.

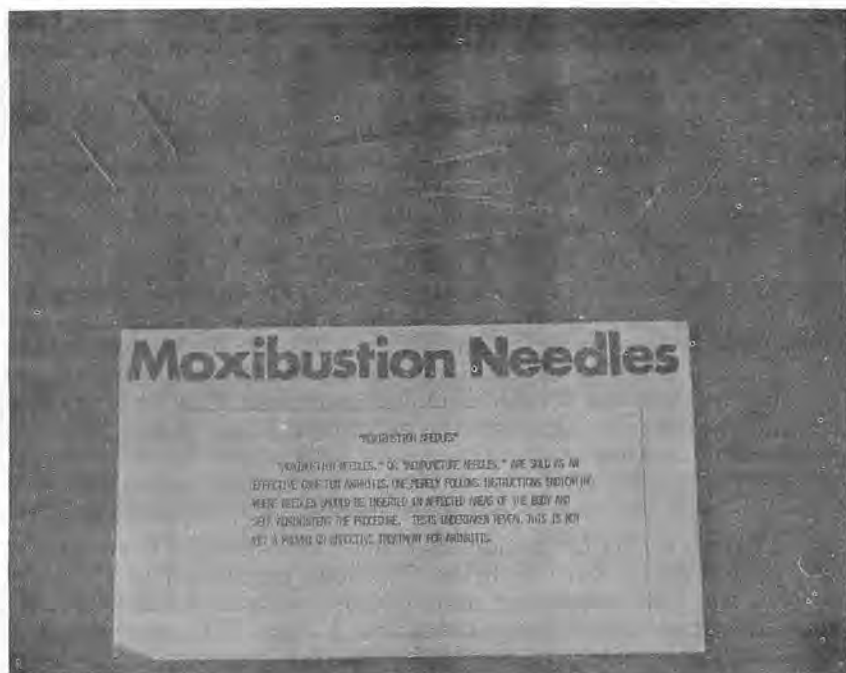
The Foundation is skeptical that reflexology, or massage of the feet, with or without special wooden rollers, is helpful in alleviating pain or the underlying arthritis.

The experts consulted by the Committee agree with the Foundation.



ACUPUNCTURE AND ACUPRESSURE

The Ancient Chinese remedy for arthritis was acupuncture. This involves the placement of needles, sometimes of gold or silver and sometimes of steel, under the skin at selected pressure points. In China, acupuncture is also used as an anesthetic, as a way of numbing persons so that surgery can be performed. (See photo below.)



There has been a great deal of skepticism in the United States among the traditional medical community as to the effectiveness of acupuncture. Western experts have traveled to China to study the ancient art. For a while, acupuncture seemed to be finding support within the medical community, but the results of carefully controlled tests have turned the experts away from it. For more than a dozen years the Arthritis Foundation did not take a position on acupuncture. Its position now is as follows:

We now have enough data from solid scientific work to express a view about acupuncture. Three studies—one on chronic shoulder pain, one on osteoarthritis and one on rheumatoid arthritis—have demonstrated that the beneficial effects of acupuncture are: (1) only on the symptoms of arthritis and not on the disease process itself; (2) due entirely to a placebo effect; and (3) are short lasting. In each of these studies acupuncture was carried out by qualified acupuncturists using needles imported from China which were placed at the traditional acupuncture points. In the control group the needles were placed

only lightly on the skin and, instead of being inserted in the traditional points, were positioned over other body areas. In all three studies the amount of pain relief in individuals receiving legitimate acupuncture (i.e.—the experimental group) was the same as that in individuals who *thought* they were getting acupuncture but actually were not (i.e.—the control group).

There is no good evidence that acupuncture is of any specific value in treating any form of arthritis.

As always, there are promoters who have sought to seize on the oriental mysticism of acupuncture. They have advertised acupressure as a cure or otherwise for the relief of arthritis. Fingers and thumbs are used to massage the 450 points and stimulate nerves, muscles and glands, claim the practitioners who assert its value for many things, including rejuvenating sex drive, in senior citizens.

Without passing judgment on either acupuncture or acupressure, the FDA has no hesitation at all at stopping the sale of a product called "ACU-DOT". The ad referred to it as "a marvelous oriental device now available in the United States". For \$5.95 the sufferer could obtain what was described as an "extraordinary analgesic 'bandage' (which) is guaranteed to help relieve occasional minor aches and pains of muscles and joints." The product was nothing more than a small round bandage with a small piece of plastic a little larger than the head of a pin in its center. This bandage was to be placed over the sore spot the ad implying that it was like continuous acupuncture.

BLOOD TREATMENTS

It has been a popular notion that blood transfusions from a pregnant woman could cure arthritis. The idea originated in Hungary where it was discovered that some patients with arthritis went into remission when they became pregnant. A July, 1948, report in the *AMA Journal* said this is "Unfortunately another example of faulty reasoning based on incomplete evidence."

The modern variation is called "blood washing" or apheresis. The therapy involves removing plasma, white cells or both. There has been one promising report in the medical literature; however, the remedy is still unproven. Later research has not been as positive as the first Los Angeles study. The Arthritis Foundation notes that "blood washing" can be quite dangerous and cautions against its use.

TONICS AND ELIXIRS

For hundreds of years, literally thousands of liquid preparations containing an infinite variety of chemicals and additives have been offered as "cures" for arthritis. A good example of this was a product called *ABC Preparations*. This was promoted as a cure-all but quickly was proved to be a quack remedy associated with a scheme to defraud the public. In response to a judicial "fraud" order obtained by the U.S. Postal Service, the product was barred from sale through the U.S. mails.

"ABC Nostrums" was supposed to cure literally everything—in particular it was supposed to "eradicate and cure all forms of rheu-

matism, sciatica and arthritis." The quack remedy was made of three parts. Preparation A was chiefly water with less than 1 percent hydrochloric and nitric acids; Preparation B was 36 percent alcohol with small amounts of dogwood; and Preparation C was primarily sulfur, senna and cream of tartar. Obviously, the product did not live up to the claims made for it.

In the early 1900's, *Coca-Cola* was offered as a tonic selling for 5 cents a bottle. An early ad for the predecessor of the modern soft-drink reads as follows:

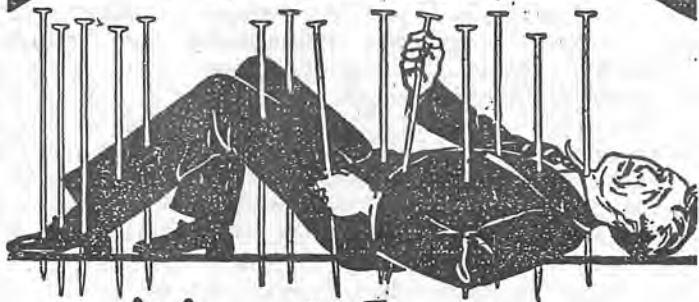
This will cure you if you feel generally miserable or suffer with a thousand and one indescribable bad feelings, both mental and physical, among them low spirits, nervousness, weariness, lifelessness, weakness, dizziness, feeling of fullness, like bloating after eating, or sense of goneness, or blurring of the eyesight, specks floating before the eyes, nervous irritability, gurgling or rumbling sensations in bowels, with heat and nipping pains occasionally, palpitation of heart, short breath on exertion, slow circulation of blood, cold feet, pain and oppression in chest and back, pain around the loins, aching and weariness of the lower limbs, drowsiness after meals, but nervous wakefulness at night, languor in the morning, and a constant feeling of dread, as if something awful was going to happen.

Obviously, no health claims are made by the Coca-Cola Company at present.

Another example of a questionable tonic sold as a cure was a product called "*Muscle-tone*," which claimed to give relief in 7 to 10 minutes. Said the ad: "Thousands of men and women—some of them unable to walk, hobbling about on crutches—some of them without hope of recovery—sufferers of rheumatism, lumbago, stiff joints—have testified as to the wonderful results secured from a single bottle!" A copy of one of the ads follows:

PAIN

PINS YOU DOWN



Muscle-tone

Your Muscles

GET RELIEF IN 7 TO 10 MINUTES

When you are dog-tired, drabby, "schy," :: when piercing pain pins you down, Muscle-tone your Muscles. In from 7 to 10 minutes you'll feel like a new person :: rested, refreshed :: *Pain-Free.*

Muscle-tone, the discovery of a famous physician, goes straight to the spot! Simply rub it on the place that "hurts" :: legs, arms, back, neck, face, shoulders, hands :: instantly it penetrates way down deep into the muscular fibers... soothes... stimulates blood flow :: relieves congestion and

by inunction neutralizes the accumulated toxins: Then gratifying relief comes in 7 to 10 minutes! No pill-taking. No dosing with nauseous drugs.



**LIBERAL
TRIAL
BOTTLE
25c
AT ALL
DRUG STORES**

No upsetting the stomach or deranging nervous system; Muscle-tone doesn't burn or blister. Has no objectionable odor; Dries instantly without discoloration.

Thousands of men and women :: some of them unable to walk, hobbling about on crutches... some of them *without hope of recovery*... sufferers from rheumatism, lumbago, sciatica, neuralgia... stiff joints :: lame muscles... have testified as to the wonderful results secured from Muscle-tone :: often from a single bottle!

Over two million bottles of Muscle-tone have been used. Get a bottle today from any drug store. Use half of it. If you are not *astounded* at its magic-like action, return the remaining portion to your druggist and he will refund purchase price... \$1.

Don't let pain pin you down, sap your energy, break your spirit and rob you of the pleasure of living. Muscle-tone your Muscles with Muscle-tone.

**Why Suffer With Piles
When NUANA GONES
Will Relieve You**

Send \$1.50 to Midwest
Drug Inc., Chicago, for box
with an absolute guarantee
or your money back.

Following are additional and more modern examples of tonics which were pulled off the market by the FDA or that were blocked from sale through the U.S. mails in connection with questionable advertising claims by the U.S. postal authorities:

—*Triwanda*, produced by a company in Mississippi, was falsely promoted as a treatment for arthritis and rheumatism. The product was basically water with traces of hydrochloric and nitric acids. The product was banned from interstate sales by order of a Federal District Court in the early 1960's.

—In July, 1979, the U.S. postal authorities took action against a product called *Formula X*, a so-called miracle tonic being marketed by a firm in Palm Beach, Florida. Said the ad: "Live to be 100; Take Formula X." The tonic was to be taken in half a glass of water before breakfast "to help regulate many of the body's processes, to relieve arthritis, rheumatism, lumbago, neuritis, neuralgia and bursitis."

—*Cod Liver Oil* and *Orange Juice*. The advocate of this remedy came up with the theory that arthritis was caused by poorly lubricated joints which resulted in inflammation. The idea is that by taking cod liver oil orally you can replace this lost lubrication. Medical experts testified that joints are lubricated by synovial fluid and not "oils" in foods. The product was considered ineffective and unproven. The Federal Trade Commission took action to stop false claims made through national advertisement in his book.

The author claimed that the Constitutional right to "freedom of speech" protected him from action by government authorities. This argument was rejected by the FTC which said, "Full enjoyment of the First Amendment right does not contemplate a license to engage in false and deceptive advertising."

The book jacket says that the author, Dan Dale Alexander, Ph.D., has been recognized by colleges and recently was awarded another honorary degree. The FTC found that the honorary degree was given to him by Stanley College of the Spoken Word after Mr. Alexander had contributed \$1000. The Ph.D "represented an outright purchase," said the FTC.

The author has continued to make public appearances advocating his remedy including a recent appearance on a panel with other advocates of unproven health remedies on "The Merv Griffin Show".

—A tonic known as *Kamee* was sold as "The Dawn of a New Day for Rheumatism and Arthritis Sufferers." It was a mixture of sodium salicylate and potassium bicarbonate with a trace of peppermint oil. The Postal Service proved the item was ineffective and the scheme of selling it through the mails was stopped.

—Another tonic in vogue in up to the 1960's was *Nue-ovo*, marketed by a Portland, Oregon firm. It was caffeine, caramel coloring, resin, saponin and some other plant derivatives. The product was found ineffective and removed from the market by the FDA after an almost 20-year battle.

LINIMENTS AND OTHER RUB-ON CURES

There are a host of products available on the market containing menthol, oil of wintergreen or camphor which give some relief to sore muscles when applied topically. There is nothing wrong with this kind of liniment or salve unless it is represented as a cure for arthritis.

The number of such products banned by the Postal Service is too lengthy to reproduce here. Usually, they contain the suffix "caine" which suggests they contain a pain reliever similar to cocaine or novocaine. Another suffix that is popular is "balm." Here are examples.

—One of the most popular of such phony cures marketed at the present time is WD-40. Ads routinely promise less pain and stiffness and some even tout this as an arthritis "cure." The Arthritis Foundation had this to say about the product in its July 22, 1983 advisory:

WD-40 is a maintenance product meant to stop squeaks, protect metal and loosen rusty parts. It is made from petroleum distillates and is extremely flammable. Overexposure to the product can be harmful. When put on the skin, WD-40 can cause dryness and irritation. Swallowing the product can cause nausea, vomiting and diarrhea. Breathing it into the lungs can cause chemical pneumonitis.

The manufacturer makes no medical claims for the product. According to the Technical Director for the WD-40 Company in San Diego:

We know of no reason why WD-40 should be effective for (arthritis). WD-40 is formulated to be a light lubricant, penetrating oil, and water displacing corrosion preventative. It contains petroleum distillates and should be handled with the same precautions used for this type material. We do not recommend the use of WD-40 for any medicinal purposes.

The Arthritis Foundation cautions people with arthritis against using WD-40 as a treatment for their disease. "WD-40 has no known therapeutic value. We especially warn people who are postponing or abandoning conventional medical treatment in favor of WD-40. These people risk permanent joint damage or crippling".

—Another example of a product alleged to alleviate arthritis banned from sale in the mails is something called "*Sacred Anointment Oil*."

"How many times have you had to work with arthritic pain stealing your energy and dulling your efforts?", asks the ad. "Too many", it answers. "Through faithful use of the Sacred Anointment Oils you relieve the pains, free tight joints, return to useful living." The product was said to penetrate the bone and lubricate the joints.

Medical experts concluded that "very little if any of these ingredients can be absorbed through the skin. In effect the claim that it penetrates bone and lubricates the joints is a misrepre-

sentation." The product was \$6, but sufferers were encouraged to send a "faith offering" of \$10 to \$1000.

—Yet another product featured promoted to seniors was "Pain Stop"—Four ounces of fast relief for arthritis nagging pain was said to be available for only \$9.95. The ad continued on to say that it is "far superior to the regular line of liniments sold in drug stores." The ad says it is colorless and almost odorless, gives a warm, soothing feeling and penetrates to the bone. It allegedly is so powerful that it ranks with those powerful drugs given by injection and yet, miraculously, it does not irritate the skin. The ad even claimed this was a new drug with FDA approval! "Nonsense", said the postal authorities, asking that it be removed from sale through the mail in connection with what they asserted were false representations.

According to medical experts advising the Committee, there is nothing that one can buy in the form of a liniment or other rub-on cream or salve which can appropriately be called an arthritis cure.

—A Pasadena, California firm advertised a product called *Mr. Arthur*, saying it was effective for arthritis. Postal authorities examined the contents of a plastic jar. It was found to be a cream made of oil of wintergreen, methyl salicylate, camphor, mineral oil, paraffin and methyl orange. The above ingredients are skin irritants for the most part and help make the blood flow. They might cause a possible warming sensation but the product hardly qualified as a "new discovery," said Dr. Sorell Schwartz adding: "On the basis of current scientific and medical knowledge, the claim of efficacy against arthritis which is made for *Mr. Arthur* is false and misleading."

—A Maryland firm calling itself *Eden* advertised a product it said would relieve pain associated with arthritis, menstrual cramps and sore muscles. It sold for \$6.95 plus shipping and handling charges of 75¢. After responding to this ad, investigators received an eight ounce bottle containing a pink liquid said to be "a cream for reducing swelling." The accompanying literature indicated the lotion was composed of an exclusive deep-heating combination of vitamin E, eucalyptus and "the legendary healing product aloe vera."

Analysis determined the active ingredient was methyl salicylate. Dr. W. J. Blechman, Clinical Professor of Medicine, University of Miami Medical School, stated "There is no reason to believe that this material when applied externally will reduce swelling or edema. In fact, the opposite is likely true."

—*The House of Wright*, which states it is a "supplier of unique merchandise," placed advertisements in several magazines promoting "*Rel-EEZE*", a wonder product for the relief of pain associated with arthritis, bursitis, rheumatism and muscular soreness. Postal investigators cooperating with the Committee responded to the ads placed in two magazines targeted at seniors, *Retirement Life* and *50 Plus*. For \$8.95, the inspectors received an eight ounce bottle of the product which was said to contain methyl salicylate, oil of lemon, aloe vera and oil of cassia.

This mixture was said to have been formulated over a long period of time by an individual with "pharmaceutical training." An analysis of the product revealed its only active ingredient was methyl salicylate or oil of wintergreen. Far from being a recent development, this ingredient has been known, and used, in liniments since the last century. Its effect is to increase circulation of the blood in the area applied. Since arthritis, bursitis and rheumatism are in no way related to limitations in circulation, the scientific reviewer of the product, Dr. Sorell L. Schwartz stated "it would not be expected to, nor is their clinical evidence for it to have an effect in arthritis or rheumatism." He concluded, "Based on current scientific and clinical knowledge, the advertisement for the product is false and misleading."

A second reviewer, Dr. W. J. Blechman, Clinical Professor of Medicine, University of Miami Medical School, added the same limited overall effect can be obtained at lesser cost. Two ounces of *pure* oil of wintergreen can be purchased at a local pharmacy for less than \$2.

COLONIC FLUSHING

Colonic therapy, that is, the flushing of the colon with enemas, continues to be advertised as a cure for arthritis. There is no evidence that this is helpful in arthritis and there is rather good evidence that it can be harmful.

LASER THERAPY

There have been reports in the tabloids that lasers have been used to effect an arthritis cure. Legitimate research has been reported underway at Atlanta's Emory University and elsewhere.

The Arthritis Foundation says, "Laser technology holds fascination for the public and reporters relish feeding that appetite. . . . It has been tried on relatively few patients. Its future potential is cloudy. . . . Therefore, publicity now about laser therapy for arthritis, especially optimistic publicity, is premature and misleading."

VOODOO AND PSYCHIC HEALING

Having tried virtually everything else, those in great pain will sometimes look to voodoo cures or turn to psychic healers. Both forms of help are available through ads placed in national newspapers and magazines.

In one offer, the sufferer can send away his money along with a description of his ailment and receive advice on what to do through the mail. In another instance, the ads invite the person in pain to call a certain number and talk directly with a healer. In still other examples, those in pain have traveled hundreds or thousands of miles to see a voodoo healer in Louisiana or Haiti, sometimes traveling all the way to the Philippines to see a psychic healer who specializes in psychic surgery. To be sure, there are plenty of practitioners of the psychic arts in the United States. Faith healers advertise prominently in the tabloids.

Modern medical science cannot and does not dispute the fact that faith healers have helped some people. The human mind has remarkable control over the human body. If a person believes that he or she is going to be helped and the person effecting the help believes that he or she is helping, then improvement sometimes results.

Science refers to this as the placebo effect, that is, mind over matter. There are dramatic studies which show that up to 50 percent of patients given sugar pills improved when they were told it was a new miracle cure.

For the most part, faith healers do no harm but there is no scientific evidence that they can help cure disease. If so, there would be little work for physicians in this society and that is hardly the case.

Some of the reported voodoo "cures" for arthritis, as expected, are a little exotic. One report suggests they combine tobacco, salt and kerosene and rub that concoction on the sore joint or joints. Another remedy is to wear a string or a cord around the neck, wrist or ankle with 12 knots tied in it. Wearing a dime on a string around each ankle is also practiced to ward off rheumatism. Yet another remedy is to split a frog, fry it in lard and rub it on the affected part. Finally, charms, copper bracelets and amulets are used.

The experts consulted by the Committee can find no scientific evidence which suggests either voodoo or psychic healing offers a cure for arthritis.

MOON DUST

It sold for \$100 for 3 ounces. It was supposedly from the moon and it supposedly cured all manner of things, including arthritis. It was really just plain sand and not from the moon either. In short, a ripoff.

In summary, the volume and the diversity of false and unproven medical remedies for arthritis is endless. The number of promoters who sell hope through deceit in order to make a profit out of pain is large and growing rapidly. The number of victims increases by geometric progression. Some studies indicate that nearly 90 percent of all arthritics try one quack remedy or another. Tragically, there is little in the way of Government efforts to police such profiteering at the expense of the vulnerable aged.

CHAPTER IV

CANCER AND QUACKERY

Cancer is the common name given a combination of over a hundred diseases characterized by uncontrolled growth of abnormal cells. It strikes at any age, killing more children 3 to 14 than any other disease, but strikes at increasing rates with advancing age. In 1983, an estimated 855,000 people were told they have cancer.

Over 66 million Americans now living—about 30 percent of our population—may develop cancer. Cancer kills about 1,205 people a day, one every 72 seconds. It accounts for one out of every five deaths in this country.

Many of these cancer deaths occur in later life. Persons over 54 years of age constitute 81 percent of all cancer deaths. People over 60 years of age account for 60 percent of all cancer deaths.

Testimony in hearings held last year by the Select Committee on Aging revealed that as rates of death from heart disease continue to decline, cancer is on the way to becoming the No. 1 cause of death among the elderly. Whereas a 25-year-old has 1 chance in 700 of developing cancer in the next 5 years, a 65-year-old faces a frightening 1 chance in 14.

While these numbers are sobering, there is reason for hope. In the 1930's, few cancer patients had any hope of long-term survival. In the 1930's less than one in five was alive at least five years after treatment. In the 1940's the ratio was one in four, and in the 1960's the ratio had improved to one in three.

Today, 3 out of every 8 patients who get cancer will be alive at least five years after the point of diagnosis. The relative survival rate, a factor taking into account normal life expectancy factors including death from other causes, increases the survival rate to 46 percent.

Since 1971 and the passage of the National Cancer Act, significant improvements have been made in our ability to treat specific manifestations of this disease. For example:

—The death rate for cancer of the cervix has been reduced by 70 percent.

—Years ago, the typical breast cancer in women was the size of a golf ball when first seen, and most already had spread to the axillary lymph nodes. A Halsted radical mastectomy was the standard surgical procedure because of the extent of the disease. Today, doctors see *in situ* breast cancer and other minimal breast cancers, which have cure rates approaching 100 percent.

—Mammography has become so valuable a technique in trained hands that it can find a breast cancer that is too small to be felt by the most experienced examiner.

—Choriocarcinoma, an uncommon cancer occurring in the uterus after childbirth, was uniformly fatal but is now highly curable by chemotherapy, even when the cancer has spread.

—Acute lymphocytic leukemia of childhood, once so terribly lethal, now has a 41 to 46 percent five-year survival rate.

—Hodgkin's disease is now more than 75 percent curable in its early stages.

—In 1950, Wilm's tumor of the kidney had less than 25 percent survival two years after treatment. In 1980, survival approached 85 percent.

—Thirty years ago, only five percent of children with osteogenic sarcoma were alive within two years of treatment, most often amputation. Now 70 percent are alive at the two-year mark, and some children are being cared for by new surgical limb-preservation techniques.

—Other childhood cancers showing considerable improvement in survival rates include non-Hodgkin's lymphoma, Ewing's sarcoma, rhabdomyosarcoma, neuroblastoma, and brain tumors.

—Today, with the advent of new treatment regimens that have doubled response rates, many testicular cancers are completely curable, even when the cancer has metastasized. Some urologic oncologists estimate a potential cure rate of 80 percent.

—Certain types of lung cancer, usually resistant to therapy, are showing dramatic responses to selected chemotherapy. Large clinical trials are underway to determine the best approaches to reducing deaths from lung cancer.

—Considerable progress has also been made against cigarette smoking, a direct cause of lung cancer, which is now the number one cancer of both sexes combined.

—Colorectal cancer, the second most prevalent cancer, may yield to advances like fecal occult blood testing and the flexible fiberoptic colonoscope, which can examine the entire colon and discover very early colon cancer.

—Over 50 percent of new cancer patients will survive at least 5 years.

Despite the enormous progress that has been made in the treatment of cancer, it is estimated that half of all cancer patients either seriously consider or actually try quack remedies or unproven cancer cures of some type. In 1975, the Food and Drug Administration estimated Americans spent \$2 billion annually on worthless cancer tests and treatment. Today, the total approximates \$4-5 billion.

The reliance of cancer victims on unproven remedies is generated by a combination of factors. No modern disease is as feared as cancer, nor, when diagnosed, inspires such desperation. There is only limited knowledge of the nature of cancer and the progress that has been made in cancer therapy. And, there is almost total ignorance of the dangers involved in relying on unproven methods. These dangers range from the expense of precious time, to the potential harm of untested and unsafe compounds, mixtures, nostrums and devices in the hands of untrained professionals.

Unproven cancer remedies, like unproven remedies for other diseases, may be remedies still undergoing laboratory tests associated with a clinical trial, outright hoaxes, fraudulent remedies and everything in between. The essence of the scientific criteria required to support any claim of therapeutic value is that the materials and methods have been made available for study by others. Only when the original assertions of the proponent of the methodology have been independently confirmed can the method be adopted with any confidence. Quack remedies which cannot be supported with science, are sold by testimonials.

A. HISTORICAL CANCER CURES OF QUESTIONABLE WORTH

Literally thousands of advertised remedies for cancer have been developed since the turn of the century. Many are so outlandish it seems incredible intelligent people could be duped into believing and relying on them. One of these early concoctions was promoted by Dr. William F. Koch in the 1940's. *Koch's treatment* consisted of distilled water to which, he claimed, he had added a small dose of a chemical called glyoxylide. There was no evidence that this additive in any concentration had a beneficial effect, let alone a dilution in the amount advertised—one part glyoxylide per one trillion parts of water. Nevertheless, over 3,000 health practitioners across the country paid \$25 per ampule for Koch's treatment and charged patients as much as \$300 for a single injection.

The biggest scheme of the 1950s was "*Hoxsey's treatment*" for internal cancer. Hoxsey sold two products: a "pink" medicine, composed of lactated pepsin and potassium iodide, and a "black" medicine composed of a laxative (cascara) in an extract of ash bark, buckthorn bark, red clover blossoms, barberry roots, burdock root, licorice root, pokeweed, and alfalfa. Hoxsey attributed the development of this formula to his great grandfather whose horse had been cured of leg cancer while grazing in a pasture where these plants were growing.

Hoxsey's clinic offered for sale a package, consisting of an examination, some routine blood and urine tests, and the prescription of the formula. The cost was \$400, but this included a lifetime supply of the two medicines. At one point, over 10,000 people were getting Hoxsey's medicines. The FDA estimated cancer patients paid over \$50 million for the useless drug in the 1950's.

A photo of the product and a public warning posted by the Food and Drug Administration is reproduced on the following page.

Public Beware!

WARNING AGAINST THE HOSSEY CANCER TREATMENT

Sufferers from cancer, their families, physicians, and all concerned with the care of cancer patients are hereby advised and warned that the Hossey treatment for internal cancer has been found worthless by two Federal courts.

The Hossey treatment costs \$400, plus \$60 in additional fees—expenses which will yield

nothing of value in the care of cancer. It consists essentially of simple drugs which are worthless for treating cancer.

The Food and Drug Administration conducted a thorough investigation of the Hossey treatment and the cases which were claimed to be cured. Not a single verified cure of internal cancer by this treatment has been found.

Those afflicted with cancer are warned not to be misled by the false promise that the Hossey cancer treatment will cure or alleviate their condition. Cancer can be cured only through surgery or radiation. Death from cancer is inevitable when cancer patients fail to obtain proper medical treatment because of the lure of a painless cure "without the use of surgery, x-ray, or radium" as claimed by Hossey.

Anyone planning to try this treatment should get the facts about it.

In Public Information, and by
U. S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Food and Drug Administration
Washington, D. C.

Public warning posters placed in 50,000 U.S. post offices and other public buildings saved thousands from being victimized by the Hossey treatment while litigation continued in the courts. Subsequently, in 1962, the law was changed to require the effectiveness of drugs to be determined before they are put on the market.

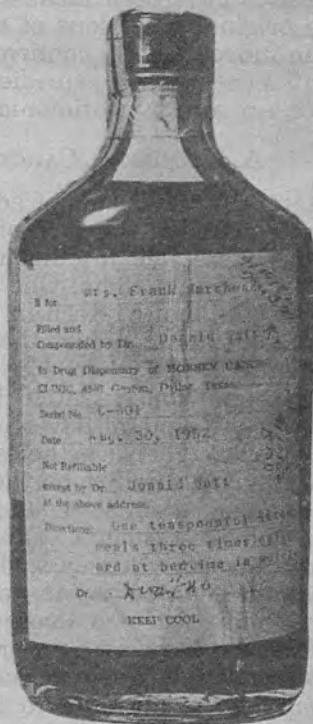
Official samples of the Koch cancer treatment were labeled as containing 1.32 parts of glyoxylic acid to one trillion parts of water, but analysts could find only water.

Glyoxylic Acid - 1.32 parts
Water - 1 trillion parts
(Equal to a solution of $O=C=C=O$
of dilution 10-12)

1/4/44

Jones

Unlike the cancer "cures" of bygone times, such medicines as the Hossey treatment, Krebiozen, or Laetrile have not been labeled for cancer. Instead, they carry a "prescription" type of label, which bears no claims. An official sample of the Hossey treatment is shown.



In the 1960s, Hoxsey's cure was supplanted by *Krebiozen*. Unlike Hoxsey's bucolic remedy, *Krebiozen* had an aura of scientific prestige. It was sponsored by Dr. Andrew C. Ivy of the University of Chicago. Dr. Ivy supported the claims of two Yugoslav immigrants, Stephan and Marko Durovic, who claimed to have discovered *Krebiozen* in Argentina.

Chemists analyzing the drug found it to be creatine monohydrate, an amino acid present in all animal tissue and without value in the treatment of cancer. These findings were supported by 24 leading cancer experts empaneled by the National Cancer Institute. After reviewing the 504 cases provided by Dr. Ivy, the panel unanimously agreed that *Krebiozen* was ineffective.

In the 1970s, the single most promising and popular unproven remedy was *laetrile*. *Laetrile*, also known as *amygdalin* and *vitamin B-17*, is derived from apricot kernels. It has been tested repeatedly in animals in controlled studies and never found to have any effect on cancer. The National Cancer Institute sponsored a study of this drug in cancer treatment of humans which was conducted by four major cancer centers. One hundred seventy eight cancer patients were treated with amygdalin (*laetrile*) plus a "metabolic therapy" program consisting of diet enzymes and vitamins. Pharmaceutical preparation of amygdalin as well as the dosage and schedule were representative of past and present *laetrile* practice. No substantive benefit was observed in terms of cure, objective response, improvement, or stabilization of cancer; improvement of symptoms related to cancer; or extension of life span. The hazards of amygdalin therapy were evidenced in several patients by symptoms of cyanide toxicity or by blood cyanide levels approaching lethal range. The studies concluded amygdalin (*laetrile*) is a toxic drug that is not effective as a cancer treatment.

Despite the vociferous disagreement on the part almost the entire medical and scientific community, many cancer patients and some practitioners swear by *laetrile*'s effectiveness. The use of *laetrile* has been legalized in some States and is readily available in clinics in Mexico.

B. QUESTIONABLE DRUGS AND SERUMS USED IN TREATMENT OF CANCER

There may be reasonable disagreements about the efficacy of some cancer cures, there are many where there can be little doubt. The Committee reviewed hundreds of drugs, diets, therapies and devices promising cancer relief. Most are outright frauds or are so patently implausible as to be absurd.

Some of these questionable cures are listed below.

Algamar.—This product was said to be a wonderful new discovery for the cure of cancer and any other complaint that may be treated via the bloodstream. Analysis of *Algamar* disclosed it contained a kelp compound, vitamin B-12 and two potentially lethal bacterial organisms. Over 5,000 unsolicited mailings were sent out for this product by its developer before the intervention of the U.S. Postal Service. During an 18-month period immediately before his arrest, the manufacturer had banked profits of approximately \$120,000.

Diamond Carbon Compound.—Developed by Dr. Antubhai Vaidya of India, this drug was purported to cure cancer by the administration of a formula composed of powdered crystals of pure diamonds. The drug is considered unproven and ineffective by the American Cancer Society. In addition, it is somewhat expensive.

Iscador.—Iscador is an extract of mistletoe developed by a Swiss physician, Dr. Rudolph Steiner. It was recommended for treatment of inoperable tumors. "In order to make an efficacious remedy," the developer cautions, "it is necessary to pay attention to the time of picking . . . since the plants not only react to the influences of the sun and moon, but also to those of the planets." The Food and Drug Administration considers the product unproven and ineffective in treatment of cancer in man.

Liliverum.—Liliverum and Liliverum Saline were two products made by an Oklahoma woman from Easter lilies for treatment of cancer. The FDA, after inspecting the production facility, said the products are "adulterated, misbranded and unapproved."

The Sanders Treatment.—The Sanders treatment was perfected by another Sooner. The product was made from ground horse's warts in a sour milk suspension. Its chief advantage was that it kept the developer's 70-unit motel operating at capacity day after day. It provided no benefit to the patient.

Jjoba Oil.—Jjoba oil was advertised as a cureall which could remove warts, eliminate skin imperfections and reduce the size of skin cancers. Mail order purchasers of the product received a small bottle containing something that looked like corn oil. Analysis found it was, in fact, a natural vegetable oil with no known pharmacological value. The reviewer, Dr. Sorell L. Schwartz, said, "Certainly, jjoba oil is going to do nothing for skin and cancer moles, based on current scientific information. However, the implication that jjoba oil might have such an effect may lead to the failure of the individual to seek early treatment of cancer or to have moles examined for possible malignancy." The particular harm of this product's empty promises is that most skin cancers are 100% curable if detected and treated in early stages.

Goat Serum.—The goat serum, developed by Dr. Liborio Bonifacio, was first used in 1951. Dr. Bonifacio, a veterinarian, produced the serum from the intestine of goats. The serum for tumors of the epithelium was drawn from male goats, while tumors of connective tissue were treated with serum drawn from female goats. An evaluation of Dr. Bonifacio's practice by the Italian Ministry of Health found that the 2,114 case histories he submitted as proof could not be considered valid for even preliminary determination of the product's efficacy. They were said to lack "any proven documentation whatsoever."

Ferguson Plant Products.—Occasionally, what appears to be an off-the-wall suggestion shows surprising promise. Ferguson's product, which is based on a South American head shrinking compound, had apparently been successful in controlling the growth of cancer in some animals. Unfortunately, early vari-

ations of the compound proved too toxic to use on human beings. Revised formulas are currently being evaluated.

Hett Cancer Serum.—The Hett Cancer Serum was developed by John Emil Hett, a Canadian physician. Dr. Hett has consistently refused to disclose the composition of his serum. On site analysis by an investigator determined it contained bacteria normally found in fecal matter. A second analysis by FDA investigators of a sample brought into this country resulted in the report, "Chemical examination of this material was extremely difficult and the chemist was only able to report that it was a putrid solution with an odor like decomposed animal tissue containing ammonium chloride." In 1964, the Canadian government recommended that Hett's clinic be closed following the death of a 27-year-old patient. The serum has subsequently been made available in this country by a Detroit physician who administers a series of 30 injections, costing \$7.50 each, over a period of ten to 30 weeks.

Antineol.—This drug is prepared from extract of the posterior lobe of the pituitary glands of cattle. It was first used by its developer, Henry K. Wachtel, M.D., in 1948. Since that time it has been the subject of review by four investigators. They unanimously agreed the drug has no detectable effect on cancer.

Bamfolin.—Bamfolin is an extract from the leaf of *Yakusasa*, a species of bamboo grass. Bamfolin was developed in 1959. In preparation, the grass is cooked with calcium lye and then extracted with alcohol. It is to be taken orally and is recommended for all cancers, irrespective of stages, types or the organs affected. The FDA, after the death of a cancer patient using Bamfolin in a test in this country, discontinued the test and declared the drug unproven and ineffective for treatment of cancer.

CH-23.—This drug, described by its developers as a secret remedy, is prepared from "toxins contained in plants." Its originators, two Bulgarian brothers, promised it would destroy cancerous cells without damaging healthy tissue. A review of the drug by the Bavarian Medical Society concluded, "The drug CH-23 is pure humbug." A similar opinion was voiced in a 1967 review in the *Journal of the American Medical Association*, which said "the drug was found to be absolutely without any value."

H.11.—This British remedy is prepared from normal human male urine concentrated under reduced pressure at 60° C. It was allowed to be imported into this country by physicians for investigational use. The FDA's records indicate the drug did not exert a favorable influence upon the outcome of any of the subjects who received it during a year-and-a-half test period. Studies conducted on animals confirmed these results.

Polonine.—Polonine is an antimetabolite compound of vitamins in the B-group. Its developer, a veterinarian, believed it was effective against breast cancer, liver cancer and highly malignant cancers and advertised the drug as being registered with the Food and Drug Administration. The FDA has stated that no such approval has been granted for use of the drug in

this country. In addition, an evaluation by the National Cancer Institute in 1965 concluded, "So far as scientists at NCI are concerned, Polonine has no demonstrable value to warrant further testing or evaluation. There is nothing at this point to indicate that it would be of use in treating cancer in man."

The Rand Treatment.—Developed by the son of the founder of the Remington-Rand Corporation, this vaccine was said to be drawn from the blood of rabbits which had been injected with material from human cancers. In 1968, Rand was indicted by the Federal grand jury for mail fraud and stock manipulation. As reported in the *Wall Street Journal* of December 13, 1968, "It was charged that Mr. Rand and the company, in exchange for loans on Rand development stock, knowingly made false statements about the vaccine's results in attacking cancer and saving terminal cancer patients."

C. QUESTIONABLE DIETARY CURES FOR CANCER

There is increasing evidence that a proper diet can reduce the risk of cancer. On Feb. 11, 1984, the American Cancer Society released dietary guidelines recommending a reduction in fat intake, alcohol, and smoked foods and increased dietary attention to high fiber food—fruits, vegetables and whole grains—as well as foods rich in vitamins A and C.

A copy of the American Cancer Society's guidelines is reprinted below:

AMERICAN CANCER SOCIETY'S DIET GUIDELINES

1. Avoid obesity.
2. Cut down on total fat intake.
3. Eat more high-fiber foods, such as fruits, vegetables and whole-grain cereals.
4. Include foods rich in vitamins A and C in the daily diet.
5. Include cruciferous vegetables such as cabbage, broccoli, brussels sprouts, kohlrabi and cauliflower.
6. Be moderate in consumption of alcoholic beverages.
7. Be moderate in consumption of salt-cured, smoked and nitrite-cured foods.

While there appears to be a connection between diet and cancer, no diet or supplement provides guaranteed protection against cancer. No diet cures cancer and some of the diet regimens said to do so by quacks and health food faddists are so nutritionally deficient or toxic that adherence to them has caused death or serious illness.

Many of the questionable dieting regimens reviewed by investigators are based on the appealing theory that cancer is the result of a natural imbalance in the human body. The theory is that diet can cure the imbalance and that therefore diet can cure the cancer. The *Gerson Diet* and the *Zen Macrobiotic Diets* discussed below are examples. These types of diets are often part of a detoxification therapy that includes internal cleansing through enemas. This "natural" approach often stresses the importance of avoiding un-

natural and harmful treatments such as surgery, chemotherapy, and radiation therapy.

Other diets are based upon oversimplified conclusions drawn from scientific data, misunderstandings of the relation between nutrition and health, confusion and, in at least some cases, conscious deceit. The following is a catalogue of commonly promoted questionable cancer-cure diets:

The Grape Diet.—One strange health food cure still widely promoted is the grape diet. Spawned in the late 1920's with the publication of Johanna Brandt's book, *The Grape Cure*, this diet, limited almost exclusively to grapes, is said to be effective treatment not only for cancer but for practically all other human diseases. It is still promoted as a cure for cancer.

Promoters of this diet tell adherents to have a grape meal, which can vary from two ounces to half a pound of grapes, seven times a day for two weeks. When a loathing for grapes develops, patients are advised merely to skip a few meals. Eventually the cancer patient is allowed the introduction of vegetables, fruits, and nuts. For the treatment of external cancers, grape poultices or grape juice compresses are recommended. Depending on the site of the cancer, grape juice gargles, enemas or douches may also be suggested.

According to the promoters of this diet, grapes eliminate cancer cells and build healthy new cells. The grape is said to be "highly antiseptic and a powerful solvent of nonorganic matter deposits, fatty degeneration, morbid and malignant growths."

These claims have repeatedly been reviewed and found false and misleading. Accordingly, the grape cure has been the subject of a series of Federal and state regulatory actions. After a full hearing, the Federal Trade Commission ordered in 1940 that the following misrepresentations be discontinued:

- that Johanna Brandt had cured herself of cancer through the use of the system of treatment described therein, which is based on the use of grapes;
- that this treatment would cure cancer;
- that most diseases originate in the intestine and are caused by poisons due to uneliminated waste;
- that grapes dissolve mucus;
- that those who develop malignant growths have in most cases been suffering from constipation;
- that salt, inorganic drugs and "patent medicines" cause cancer; and
- that the system or method of treatment outlined in the book will restore one's health.

Subsequent actions were taken by the U.S. Postal Service in 1948 and the California Cancer Advisory Council in 1962. Both agencies concluded the grape diet was an ineffective cancer cure. Despite these actions, the Committee's investigators found the diet is still being promoted as a remedy for cancer today.

The Gerson Diet.—The Gerson Diet, a severe dietary regimen, drew a significant number of adherents in the 1940's and 1950's. Though it has failed to withstand scientific scrutiny, it still attracts adherents today.

At the 1980 Health Quackery hearing before the Full Committee, Dr. Jane Henney of the National Cancer Institute explained that Dr. Gerson's method never cured cancer—but did make money. Dr. Henney testified:

In addition to the spartan-like diet which allowed for only minimal intake of protein, Gerson's patients were told to take a variety of medications including niacin, brewer's yeast, defatted bile in capsules, liver and iron capsules, dicalcium phosphate and viosterol, intramuscular injections of crude liver extract, Lugol's solution, thyroid extract and coffee enemas. Despite many patients' rigorous attention to this diet, and persistent promotion by Gerson and his followers, reviews of small series of cases failed to provide evidence that the method could reduce tumor burden.

The Gerson method of treatment for cancer has changed only slightly over the years. It is described in detail in two issues of the *Journal of the American Medical Association* (*J.A.M.A.* 132:645-65, 1946 and *J.A.M.A.* 139:93-98, 1949) which concluded that his method of treatment for cancer was of no value.

In 1947, the National Cancer Institute reviewed 10 cases selected by Dr. Gerson. The Institute concluded that the report was not convincing.

In the same year a panel appointed by the Committee on Cancer of the New York County Medical Society reviewed records of 86 patients and examined 10 patients; it failed to find any scientific evidence of any value in this method for the treatment of cancer.

The Madison Foundation for Biochemical Research, sponsored an evaluation made during 1948-49 of findings observed in cases of cancer treated with the Gerson cancer therapy. In April, 1950, the Foundation reported that insufficient evidence had been presented to warrant any claims that the Gerson method of treatment was a cure for cancer.

Dr. Gerson died in 1959, but his work is carried on in clinics in Mexico. The operating philosophy of these clinics is the belief that "by healing the body you can heal cancer and almost any chronic disease and it doesn't matter what the cause." All chronic diseases are said to be "deficiency diseases."

The Aging Committee ordered a copy of Dr. Gerson's book, *Cancer Therapy: Results of Fifty Cases*, from the Gerson Institute. Dr. Henney reviewed the book for the Committee and reported, "there was little content which had been subjected to scientific scrutiny. The case histories supplied to support the book's theories are incomplete, making it impossible to confirm allegations of the diet's effectiveness."

Macrobiotic diets.—The original macrobiotic diet was introduced in the United States in 1960 by George Ohsawa. The word "macrobiotic" is derived from the Greek "macros" meaning great, along with "bios," meaning "life." Ohsawa stated that individuals who followed his diet would have longevity and vigor.

A 1971 report by the Council of Food and Nutrition of the American Medical Association described the macrobiotic diet as an extreme example of a general trend toward natural and organic foods. According to Ohsawa, "There is no disease that cannot be

cured by 'proper' therapy," which consists of natural food, no medicine, no surgery and no inactivity". Ohsawa stated that there were ten ways of eating and drinking through which an individual can establish a healthy and happy life.

The Council on Food and Nutrition believed that the rigid dietary restrictions recommended by Ohsawa posed a serious threat to health. Since that report and similar investigations, the proposed macrobiotic diet has changed substantially. The current standard macrobiotic diet now consists of 40-60 percent whole grains, 30 percent vegetables, an average of two cups or bowls of soup per day, almost daily consumption of beans and bean products, (5-10 percent) fish and seafood as an occasional supplement to the diet, (average twice a week). There is also occasional consumption of fruit, and nuts.

The current macrobiotic diet is essentially an almost pure vegetarian diet as compared to the predominantly lacto-ovo-vegetarian diet primarily practiced by Seventh Day Adventists. This macrobiotic diet appears to be nutritionally adequate if the mix of foods proposed in the dietary recommendations are followed carefully. There is no apparent evidence of any nutritional deficiencies among current macrobiotic practices.

Any potential health values from a macrobiotic diet may be due to the low fat content of the diet. Studies of macrobiotic participants have demonstrated low serum cholesterol levels (See page 64) and blood pressures, and relatively low body weight. The diet would also be consistent with the recently released dietary guidelines of the National Academy of Sciences and the American Cancer Society in regard to possible reduction of cancer risks.

A continuing concern however, has been the claims of the value of the macrobiotic diet to "treat" or "cure" existing cancer patients, especially as a substitute for conventional surgery, radiation or chemotherapy. The national office of the American Cancer Society reported that, after careful study of the literature, it found no evidence that "treatment with the macrobiotic diet resulted in objective benefit in the treatment of cancer in human beings." Much of the "evidence" for the efficiency of cancer treatment was based on testimonials. The American Cancer Society has "strongly urged individuals afflicted with cancer not to participate in treatment with a macrobiotic diet." On January 5, 1983, the American Cancer Society asked the Kushi Foundation, a leading macrobiotic group, to document evidence for the efficacy of macrobiotic theory in the treatment of cancer. They received no response.

Staff of the House Select Committee on Aging Subcommittee on Health and Long-Term Care met with officials of the Kushi Foundation and subsequently submitted a list of questions related to the macrobiotic diet. In response to the question of whether the macrobiotic diet is useful in treating cancer, the Committee was informed, "We believe that is the case, but are aware of the fact that sufficient scientific study has not yet been undertaken to satisfy the medical profession. The documentation that we have regarding cancer and the effectiveness of the macrobiotic diet is anecdotal."

With regard to the use of drugs, surgery or radiation therapy, the Subcommittee was informed, "Our approach is based on a philosophy of life. Within that philosophy we believe that artificial in-

trusions which affect the body's natural functioning should be used only in moderation. We believe that the type of treatment a person receives should be left to his or her choice, which should be made only after personal research and consultation with medical professionals. It is not the practice of the macrobiotic counselors to discourage conventional medical therapy."

The guidelines for macrobiotic counselors were also reviewed by the Committee staff. They include language stating, "All counselors are advised that they should not make any claims or guarantee that their recommendations can cure any specific ailment."

The information provided by the Kushi Foundation is at variance however with Michio Kushi's recent book on cancer and heart disease, *The Macrobiotic Approach to Degenerative Disease*. On page 28 it reads, "Of prime importance in dealing with cancer is not to disturb this natural mechanism by taking out or destroying the cancer itself. Once we cease our efforts to remove the cancer we are in a position to ask the all-important question, 'What has caused this toxic condition?' By positively influencing the physiological quality of our blood cells, lymph and other body fluids through proper nutrition, we can reverse that toxic quality and the localization represented by the cancer condition becomes unnecessary. Practically speaking, potential cancers may be avoided and existing cancer reversed with the correct change in daily food."

Clearly the information provided to the Committee and in the lay press are at variance. Certainly patients who have cancer and read Michio Kushi's book may be encouraged to avoid conventional cancer therapy including early diagnosis and curative procedures in favor of macrobiotic recommendations. As the response from the Kushi Foundation to the Subcommittee states, "There is no scientific evidence for the efficacy of therapy." Some of the information provided in Michio Kushi's book remains a major concern.

How to Cure Cancer in Two Months. In the mid-70's Donald Fairweather promoted a cancer diet in his book, *How to Cure Cancer in Two Months or Less*. The \$11.00, 86-page book claimed that cancer can be cured within a few weeks by following a strict regimen of daily exercise, proper chewing of food, and a special diet. The book also claimed that smoking in some cases can immunize against cancer, and said that leukemia can be cured within a week through proper diet. The book claimed that the use of a "nonprescriptive enzyme" could correct cancer, but the enzyme was not identified in the book. Readers were told its name would be sent to them if they joined a BioSearch "organization" for a \$20 fee.

One medical expert who reviewed the book at the request of a New Jersey consumer agency said that it was a product of a sick mind fixed on one idea:

There are so many erroneous pseudo-scientific statements that to list them all would require another book for counter argument. He (Dr. Fairweather) uses erroneous unscientific premises and comes to erroneously unscientific conclusions which are valueless and, if followed, potentially harmful to a cancer patient.

Another medical expert who reviewed the book for the American Cancer Society was amazed that anyone would dare publish such a book:

I have reviewed the material on "How to Cure Cancer in Two Months or Less," and I am amazed that anyone would dare to publish such a book.

Obviously there is no reason to assume that the suggested dietary modifications would have any kind of effect. To suggest that it will cure cancer in two months or less is sheer hypocrisy.

As you know, our studies have suggested that diets high in fat and cholesterol may be causally related to a number of cancers. Also, a reduction of these dietary factors has to my knowledge never been demonstrated to lead to a reduction in cancer once it is clinically apparent.

Both federal and state officials took action against the distribution of the book. The Postal Service obtained a Federal court order to retain all mail sent to the firm, Biosearch Industries, and Mr. Fairweather. Mr. Fairweather signed an agreement with the Postal Service in which he promised to discontinue the distribution of the book.

The Chase Dietary Method.—The Chase Dietary Method is based upon the premise that retained waste caused tumors. Its chief proponent, Dr. Alice Chase, maintains that raw fruits and vegetables soak up unexcreted wastes like a sponge. "Chronic accumulation of unexcreted wastes," she states, "can best be treated by conscientious efforts to remove such wastes by adequately managed fasting and food buffer dieting, and bedrest. Food buffers are raw fruits and raw salads. Sponge-like, they tend to soak out unexcreted wastes."

Dr. Chase also advocates a daily enema:

The same solutions as the patient drinks may be used in the rectum and colon, either lemon juice and water, or grapefruit juice and water . . . If the lemon juice and water enema seems to cause retention, it is necessary to follow it with an enema of instant coffee, a tablespoon to a cup of warm water. The coffee enema by rectum is a stimulant, by mouth it is a poisonous beverage.

No diet regimen has been proven to inhibit tumor growth. Daily enemas can be hazardous. Coffee enemas were determined to be the cause of death of two women in Oregon a few years back. This regimen is worse than ineffective. It is potentially hazardous to good health.

Mercene.—A clam extract promoted as a cure for cancer, Mercene, received nationwide publicity in 1973. Even when the research studies were only in the first phase of experimental work with animals, and before the substance was found safe for humans, promoters touted the extract as a proven cure. To date, the American Cancer Society has found no evidence that Mercene is effective in the treatment or prevention of cancer.

To produce the extract, a blender is used to grind the clams into a liquid form called Mercene extract which is then treated to

remove impurities and freeze-dried. It is estimated the cost of refining one teaspoon of extract to be \$3,000.

As of 1973, the Food and Drug Administration banned this substance for testing or use in human beings since no Investigational New Drug Application was ever submitted for approval.

Mucchoricin.—Mucchoricin, extracted from moldy, decayed wheat, was made and sold by a former tire salesman, and an ex-cafeteria worker, who opened a "clinic" at Detroit. Promoted as an "antibiotic," it had a bacteria population which made it a dangerous drug as well as an ineffective one. It was available to practitioners for "general practice" at doctor's price of \$6.75 per bottle, a week's supply, and was administered orally only in conjunction with a diet.

In examined specimens, varieties of fungi and some yeast, in addition to mites, debris, scales of unidentified insects, bacteria, acetic acid and water were reported to be present. The FDA went to court claiming that Mucchoricin was a drug and then it sought to restrain its manufacture and distribution until properly authorized. The government submitted proof that Mucchoricin was manufactured under non-sterile conditions by nonqualified personnel and by a process that had no control system, all of which does not conform to good manufacturing practice.

In addition, the Government charged that the drug has never been registered and is misbranded in that it purports to be an antibiotic; that it is distributed and prescribed by healers who are not licensed to prescribe drugs and that Mucchoricin is not recognized among qualified scientific experts as an effective treatment for disease. The judge ruled that Mucchoricin could cause "irreparable injury to the public" by inducing patients to delay competent medical treatment until they are beyond help, and issued an order prohibiting the defendants from manufacturing and selling the product in the future.

Chaparral Tea.—Chaparral tea is an old Indian remedy made by steeping the leaves and stems of a desert shrub, the creosote bush, in hot water. In 1970, the American Cancer Society studied the literature and other information available to it and concluded that it did not have evidence that treatment with chaparral tea results in objective benefit in the treatment of cancer in human beings. Some clinical investigations determined nordihydeoguaiaretic acid (NDGA), a component of chaparral tea, actually stimulates cancer growth. One investigator, Dr. Charles R. Smart, Assistant Professor, University of Utah, reported:

We have 34 patients who have been treated with the drug for varying periods of time. It would appear that a great many malignancies, in fact the majority, are indeed stimulated by this chemical while some of them go on to regress. We presently are carrying out further studies. . . .

In conclusion, he stated that "while we have seen no toxic side effects to the tea, if it does stimulate tumors, it is not harmless. . . . It is not innocuous and does require a great deal more research before anyone would be advised to use it."

Millrue.—An herbal extract, Millrue, was prescribed and dispensed by an Illinois healer named Roy Paxton. Paxton's specialty

was diagnosing diseases by feeling the patient's feet. His product was reviewed by the Food and Drug Administration and found to be worthless. Paxton was indicted and convicted of violating the Federal Food, Drug and Cosmetic Act and served three years in jail. He subsequently served as a Director of the National Health Federation, a lobbying organization that defends and promotes many unproven health remedies.

"Vitamin B-15" (Dimethylglycine Hydrochloride (DMG)).—At the "Health Quakery" hearing on October 1, 1980, Dr. Jane Henney, Assistant for Cancer Treatment, National Cancer Institute, warned that "Vitamin B-15" may potentially cause cancer, not cure it as its proponents have claimed. She stated:

Another supplement that has recently been advertised to be useful in the treatment and prevention of cancer, but is neither, is "Vitamin B-15." There is no scientific evidence to date that would support the contention that this substance is a vitamin, for it fails to meet the criteria for a vitamin. Further, analysis of the product currently being marketed in many health food stores indicates that it is primarily lactose (milk sugar), plus varying amounts of dimethylglycine hydrochloride, DMG. Recently, scientists reported that when DMG is mixed with a substance similar to saliva, sodium nitrate, and then incubated, the resulting product is positive in a standard test for mutagens, which is one possible measure of carcinogenicity. A hazardous situation is thus created, since persons who consume the substance are led to believe the drug is a cancer preventative but are not informed of its potential to cause cancer.

Almond.—An example of the chutzpah of some diet promoters is provided by an advertisement placed in a national news magazine. The ad read:

Cancer—Information on one simple food to eat. Satisfaction guaranteed. \$5. Box 66, Manzanita, OR 97130

For the \$5 fee, Committee investigators and other purchasers received this advice: "Eat three almonds a day."

Cranberry juice.—A similar approach was taken by promoters who advertised an "amazing discovery—cancer cured" in *Moneysworth*. The "amazing discovery" was the promoters claim that cranberry juice could cure cancer. Needless to say, the medical expert who reviewed this claim, Dr. Vincent Cordaro, found no evidence in the scientific literature to support the assertion that cranberry juice could cure cancer.

In summary, there are as many alleged cancer cures as there are arthritis "cures." They range from the comical grape cure to the deadly seaweed serum laced with live bacteria. What they have in common is that none will cure cancer. The potential for harm is even greater than in the case of arthritis "remedies." First, the phony cancer cures may seduce the sufferer away from the use of proven remedies. Second, the patient is often subject to toxic or impure concoctions. Third, some of these remedies may actually have the effect of accelerating cancer.

CHAPTER V

ANTI-AGING CURES AND QUACKERY

Through most of recorded history, man has feared and tried to avoid conditions associated with age—chronic disease, loss of strength, limited physical capacity, diminished sexuality and health. Man has always, it seems, hoped to find the fountain of youth, the magic potion or secret substance that will forestall aging and maintain the vigor associated with youth.

These historical concerns have been magnified by the youth-oriented values of American society. One result of this overemphasis on youthfulness is the development of a fertile field for modern quacks to farm.

During the course of its investigation, the Committee reviewed hundreds of products promising to arrest or reverse aging and alleviate conditions commonly associated with the aging process. None of the products reviewed or tested proved of value, beyond the marginal value of some cosmetic products and these products were no more—and generally less effective—than other products commonly available at a lower price.

Some of the products reviewed were outright dangerous, promising the impossible and promoting unproven remedies, the use of which postponed therapy that might otherwise be effective in treating chronic diseases. Most of the products were simply deceptive, overstated, fraudulent or demeaning.

Some of the phony “anti-aging” products reviewed by the Committee are listed below:

—A Connecticut firm advertised an amazing product, “*Young Again*” which “makes wrinkles, lines, crowsfeet disappear.” It was said the miraculous lotion could “make you look 10-15 years younger and in just 60 seconds.” (See advertisement on following page.) Instructions with a sample obtained by the Committee were also promising, if a little less optimistic, stating “You can look years younger in just 3 minutes.” A few drops of the lotion was said to smooth away wrinkles and keep the face firm, taut and younger looking for up to 8 hours. An analysis of the product by Dr. Roger B. Hickler, Director, Division of Geriatric Medicine, University of Massachusetts Medical Center, and Assistant Professor of Dermatology, Harvard Medical School, found the product contained water, sodium silicate, magnesium aluminum silicate, iron oxides and methylparaben. These are essentially the ingredients found at the beach—sand, water and some oxides thrown in for coloring. Dr. Hickler found the lotion “failed to smooth away fine lines and wrinkles.” In addition, some of the substances were said to be skin irritants known to cause allergic reactions in susceptible individuals.

THIS IS THE MOST DRAMATIC UNRETOUCHED PHOTOGRAPH YOU WILL EVER SEE!

**Amazing Facial Firm-up
MAKES YOUR FACE
GROW YOUNGER
IN 60 SECONDS!**

Makes wrinkles, lines, crow's feet disappear . . .
Eliminates puffiness under the eyes!

Incredible "Firm-Up" tightens facial tissues on contact . . . reverses years of aging appearance in just 60 seconds . . . **now you can look 10-15 years younger** . . . get rid of that puffiness under your eyes, eliminate lines, wrinkles, crow's feet for up to 8 hours with each application (two applications give you that youthful look all day long).

Think of it! No matter how old you are, no matter how wrinkled or puffy your face is . . . you can look younger, prettier, more desirable in just 60 seconds! And with daily applications you can remain more radiant . . . more beautiful each and every day for the rest of your life!

Not a make-up, not a cover-up
It's a facial firm-up to make skin
grow firmer, smoother instantly!

Only plastic surgery can give you a permanent lift of lines and wrinkles . . . But now without permanent surgery you can obtain amazing results for 8 hours at a time and with continuing application maintain a lifetime look of youth and never have to go under the surgeon's knife!

Try it Entirely At Our Risk!

We invite you to experience the thrill of watching lines, wrinkles, crow's feet and puffiness disappear from sight, right before your very eyes . . . Simply apply our facial firm-up to any area of your face that shouts your age to the world! If within 60 seconds you don't feel the instant firm-up action, see all those problem areas clear-up then just return the unused portion for a full refund (postage and handling excluded).

Remember . . . thanks to this incredible scientific development no woman or man need ever look his/her age again . . . so order today!



**NOW YOU CAN GO
FROM THIS — — — TO THIS
IN JUST 60 SECONDS!**

MAIL-NO-RISK COUPON TODAY

Facial Firm-up, Dept. FF-5
375 Fairfield Ave., Stamford, CT. 06902

Yes, I want to look 10-15 years younger. Please send me your FABULOUS FACIAL FIRM-UP as indicated below. I will try it on any facial problem area of my choosing and if I am not totally thrilled by the results, I will return it for a full refund of my purchase price (postage and handling excluded).

- 30 day Facial Firm-Up only \$5.95 plus .50c postage & handling.
- 60 day Facial Firm-Up only \$18.95 plus \$1.00 postage & handling.
- 90 day Facial Firm-Up only \$28.95 plus \$1.00 postage & handling.

Total amount enclosed \$_____ CT residents
add sales tax
Check or money order. No C.O.D.'s please.

Print Name _____
Address _____
City _____ State _____ Zip _____

© 1960, Shorwood Marketing, Inc.

—Readers of *"Hairdo"* were encouraged to purchase the *"No Aging" Skin Beauty Plan*, marketed by a Pompano Beach, Florida firm. The ad (See ad on following page) explained their product—*"Beauty From Within"*—contained RNA and other essential vitamins and minerals that your skin so desperately needs to combat age: "You simply take one tablet and start to look young again."

Dr. Sorell L. Schwartz, the reviewer of this product, reported:

"RNA is a nucleic acid. The exogenous administration of RNA does not result in the incorporation of the nucleic acid into the cell and could provide no basis for rejuvenation. Furthermore, RNA taken orally will be digested in the gastrointestinal tract and would not be available to the cell even if it were effective . . . The claims made for this product are misleading and substantially false."

"No Ageing" Skin Beauty Plan

It Really Works

Helps in the treatment of dry skin, problem skin and wrinkles



For radiant, vibrant skin

Make Your Skin Look Younger, Feel Softer, More Supple

Because "Beauty From Within" contains RNA and other essential vitamins and minerals that your skin so desperately needs to combat age. It's a fact of life that all the cover-ups in the world won't help hide a drab, dull complexion. But now, thanks to modern science, you can simply take one tablet in the morning to start looking young again. No messy creams! Not a cheap cover-up! All the cosmetics and vitamins you need are altogether in one tablet. What a great idea! So begin this safe, easy beauty program and discover a softer, younger looking you. You can, you know!

PAMPER YOUR SKIN

Yes! Like magic this natural organic once-a-day

skin beauty tablet helps to improve skin conditions, leaving you with a flawless complexion. You can actually see visible results in just 30 days. Because "Beauty From Within" revitalizes and nourishes your skin, helping to alleviate dry skin, wrinkles, acne and other irritations from the inside. Where it really counts!

MONEY BACK GUARANTEE

Generous 1 month supply only \$5.95; Special 2 month supply only \$11.95. Add 55¢ shipping & handling. Sorry, no C.O.D. THAT SPECIAL LOOK, INC., DEPT.

—Another fountain of youth product was promoted by a New York firm which advertised its product, "*Natural Super Oxide Dismutase*" tablets as "Anti-Aging in a bottle". The manufacturer said taking this product "might be the easiest way to fight back at the debilitating effects of free radicals."

Dr. Schwartz, the expert reviewing this product, commented:

The body does produce an enzyme called superoxide dismutase (SOD). There is no evidence that exogenously administered superoxide dismutase will reduce free radicals in the recipient's system. That point notwithstanding, even if such activity were possible the advertised preparation would be ineffective. Superoxide dismutase is a protein which is destroyed by enzymes in the gastrointestinal tract. . . . Such a breakdown inactivates whatever properties the protein might have had. It is for this reason that diabetics cannot take insulin, a protein, by oral administration and must inject it daily. For all the reasons cited, there is little question, based on current scientific knowledge and standards, that the advertisement for the test purchase are blatant misrepresentations of the product and of current scientific and medical knowledge.

—In 1981, Nature Life Products advertised its "No Aging Plan." (See advertisement on following page.) The distributor said its product *RNA + 13*, would improve memory and alertness, combat skin disorders, increase energy, improve heart function, and smooth out wrinkles, making the purchaser look younger. And, in some cases, it would actually reverse tissue degeneration.

You've Heard About It...
You've Read About It
In Magazines!

THE FABULOUS
"STAY YOUNG" DIET...
WITHOUT THE DIET!

GOOD NEWS!

THE FAMOUS

"NO AGING" DIET

NOW AVAILABLE IN HANDY TABLET FORM...

JUST ONE TABLET A DAY

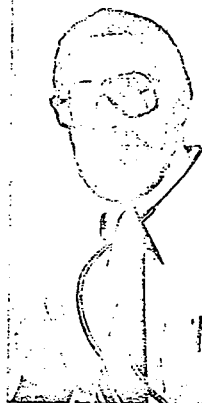
NEW **RNA+13**

REVOLUTIONARY "DE-AGING"
PLAN...BASED ON ONE OF
THE MOST SIGNIFICANT
SCIENTIFIC BREAKTHROUGHS
OF OUR TIME...SHOWS AMAZING
RESULTS IN JUST WEEKS...

AND NOW IT'S EASY!

All across the country . . . people are trying the "No Aging" Diet . . . and if they stick to it, the results are simply fantastic. Unfortunately, that's the problem. The foods on the plan are so unappetizing, that most folks just plain give up! The idea is good, but the way you had to go about it was just too tough . . . UNTIL NOW!

RNA + 13 changes all that! You take safe RNA + 13 as directed . . . and eat what you want! Because new RNA + 13 contains RNA, the key to the "No Aging" Diet . . . YOU GET ALL THE BENEFITS OF THE "NO AGING" DIET WITHOUT THE BOTHER.



New RNA + 13 is based on the biggest scientific discovery of the century . . . the Double Helix. You've read about how certain substances in your genes instruct your body cells how to reproduce themselves. RNA is the substance that tells each cell exactly what to do. Many members of the scientific community believe that as we grow older, RNA "forgets" and the new cells we grow are not quite as good as when we were younger. And as we grow older, the RNA content of our body actually decreases! Doctors feel that RNA is connected with the aging process . . . and they have learned that this vital nucleic acid can be synthesized from nourishment. In other words . . . you can help replace the RNA your body has lost! RNA + 13 contains RNA (ribonucleic acid) plus THE FULL U.S. GOVERNMENT RECOMMENDED DAILY ALLOWANCE OF 12 IMPORTANT NUTRIENTS!

Dr. Sorell L. Schwartz reviewed this product for the Committee. He reported:

RNA + 13 is a multivitamin preparation containing iron and ribonucleic acid (RNA). It is similar in formulation to other products for which similar claims have been made. The claims made in the circular for RNA + 13 are massive and more outrageously false and misleading than any I have seen for similar products. The claims are made that this product will, among other things, "reduce breathlessness and fatigue," "improve heart function," "increase resistance to viral diseases", "make some people appear 10 to 15 years younger."

The advertisement says that "these are claims that have actually appeared in print" and that "many startling discoveries about RNA's effects on aging and disease have been reported in respected scientific journals." The fact of the matter is, of course, that a great deal of work has been done on the participation of nucleic acids in the aging process. However, this work also shows that, to date, orally administered RNA is not utilized by the cell as a nucleic acid. Consequently, the proposition that the administration of exogenous RNA will alter the aging process is baseless. The advertisement refers to "accounts of nucleic acid therapy successfully used by doctors to treat . . . degenerative diseases associated with aging." It is the hope that one day such intervention will be possible, but at the present time the only effect on aging by the administration of RNA and multiple vitamins is that found in the imagination of the advertisers.

—An Atlanta mail order firm promoted a similar product—"RNA RNA RNA," in both tablet and cream. The cream was said to prolong youthful appearance by "moistening and smoothing your face," diminishing crow's feet and wrinkles. The tablets were said to be a nutritional supplement to "slow down the destructive effects of the aging process." Except for a few selective foods, the manufacturer said, "it is almost impossible to receive enough RNA through the average diet . . . RNA creme and tablets are scientifically formulated to fight the enemies of yours—wrinkles."

Dr. Vincent F. Cordaro responded, "RNA is a constituent of living cells and is synthesized in the cell by the cell, from nutrients provided by food. RNA contained in tablets, is digested and broken down into its constituents by protein digestion and metabolism, as is any other protein. It does not go to the cells as RNA. A cell deficient in RNA is a dead cell."

The cream, Dr. Cordaro reported, would cause plumping of the skin by retaining moisture. But, he added, any moisturizer will do the same. He concluded all the manufacturer's claims were false. RNA absorbed by the skin would have no effect on aging or add any nutrients to the skin.

—A third RNA variation said to retard the aging process was promoted by a firm called California Medical Research. This product, containing, in addition to RNA, *Selenium Plus 2*, was said to produce "a glowing, firmer skin, healthier hair, stronger nails, increased energy and vigor and so much more."

After reviewing this product, Dr. Schwartz said:

The manufacturer of this product claims 'the collective effect of the five primary antioxidants selenium and vitamins A, C, D and E in its product slow down or reverse the body's aging process' and that 'RNA is helping to improve muscle strength, vitality and cellular reproduction.' Selenium is an essential element, i.e. is required in the diet. There is also some evidence that selenium is an anti-oxidant and some experiments in animals have indicated that there is a possibility of it reducing certain types of carcinomas. However, selenium has a significant degree of toxicity, a toxicity which has been seen in livestock which have fed on certain plants which have accumulated selenium probably as a result of its use in fungicides and insecticides. Consequently, clinical studies with selenium are required not only to determine efficacy but to determine safe dose.

There is certainly no evidence either clinical or in experimental animals which demonstrates that selenium is capable of retarding, much less reversing the aging process. This is also true for the vitamins A, C, D, and E. The statements which imply that exogenous RNA can be provided to cells for purposes of rejuvenating and slowing down the aging process are absurd on the basis of our current knowledge of cell biology. Exogenously administered RNA and DNA to an intact animal does not gain entrance into the cell. It is clear that the advertisement for these two products to be used in combination for retardation of the aging process have taken current science and extrapolated it to science fiction as such that the resulting advertisement is false and misleading.

—An Atlanta firm advertised "*Gotu Kola*," an herb to delay aging. With the sample, purchased for \$5.24, came the guarantee "No fillers, lubricants or additives are used. Herbs and spices are 100% pure." Dr. Frederick T. Sherman, Chief, Division of Geriatric Medicine, Mount Sinai Medical Center, was asked to evaluate the greyish-green powder contained in the capsules received. Dr. Sherman reported:

The only oral agents that help 'senility' or 'dementia' are drugs that treat specific causes of dementia, e.g., thyroid hormone for the treatment of hypothyroidism. None of the oral pharmacological agents used in the treatment of reversible causes of dementia, however, are manufactured from vegetable materials. I do not know of any agent that can be taken by mouth or injected that is 'good for aging' or is 'effective for slowing aging' in humans. In summary, I find the advertising claims to be clearly misleading and the claims that *Gotu Kola* slows aging or is good for senility to be without theoretical, experimental, or clinical support. These claims must be taken as false and misleading.

—An *anti-aging, anti-stress*, multi-vitamin supplement was advertised by a Florida company, which said the supplement "provided effective nutrition through proper combinations of 47 natural nutrients in forms most readily assimilated by the body." 120 tablets were available at \$12.95.

Dr. Alvin Segelman analyzed the product and accompanying literature for the Subcommittee and filed this report:

People who read the accompanying brochure are falsely led to believe that the product provides effective nutrition—it *does not*. The brochure claims that this product was “designed with the vegetarian in mind.” The facts are, however, that vegetarians can easily derive proper nutrition on a typical vegetarian diet except for adequate amount of B₁₂ which they can obtain by taking vitamin B₁₂ supplements which are considerably *less expensive* than taking Spectrum Multi Tablets for its B₁₂ content. The brochure uses such “catch phrases” as “cleansing agents and synergistic herbs,” and “anti-aging” and “anti-stress”—none of these terms relate to Spectrum Multi—they are meaningless terms with no scientific basis in fact.

The suggested dose on the label of the product (i.e., 120 tablets cost \$12.95) is *two tablets twice daily* which provides the vitamins and the minerals normally found in *one tablet* of several, popular “therapeutic-type” vitamin-mineral products, the latter which are given usually on a once-a-day basis. In other words, the cost to the patient using Spectrum Multi Tablets is about \$0.45 per day while the cost using one of the more popular “equivalent” products is about \$0.10 per day and sometimes much less (i.e., \$0.05/day). Spectrum Multi Tablets are therefore 5–10 times more expensive.

Further, Dr. Segelman noted, the herbs present were irrational and useless to any vitamin-mineral product and the essential vitamin D was absent from the compound. In addition, at least one of the herbs present was said to be a cancer-producing product.

Dr. Segelman concluded the product represents an over-priced multi-vitamin. “The statement in the advertising that the product provides truly effective nutrition is without scientific merit, is medically unfounded, and is clearly false and misleading.

—Readers of *Retirement Life* were encouraged to purchase “*natural products*” to restore hair and increase energy. Dr. Segelman, the medical officer asked to review these products, concluded both were ineffective for their intended purpose, needlessly expensive and potentially harmful to users.

The hair-restorative, he found, contained 13 vitamins and minerals and nonessential substances such as Para-aminobenzoic acid. “There is no valid scientific or clinical evidence to show that the combined ingredients of this product are useful for hair care,” Dr. Segelman wrote. He added:

Also it is very important to point out that the use of Para-aminobenzoic acid either alone or in vitamin combinations such as Vitamins for Hair Care can conceivably be *dangerous* since *Para-aminobenzoic acid* is *not* a requirement in the diet of humans but *is* a requirement in the diet of many microorganisms (i.e., bacteria, some of which cause infectious diseases in humans). In this connection, *Para-aminobenzoic acid* can be dangerous in certain individuals with bacterial infections because not only will it aid in the growth of bacterial infections, but it will also *reverse the beneficial effects of antibacterial*

"*sulfa drugs*" which are often administered to people suffering from bacterial infections in order to clear-up these infections. It should be noted that there is no warning on the label cautioning people who are taking this product to refrain from its use if they are taking sulfa-drugs. Thus, the absence of valid clinical and other scientific evidence to support the implied claim of this product being useful for "hair care," as well as the lack of labeling to show the consumer the potential danger in taking Para-aminobenzoic acid while suffering from infections or while taking sulfa-drugs, leads one to believe that the use of this particular product for hair care is unjustified and indeed could be dangerous in persons suffering from known or *unknown* infections."

—A pep pill advertised by the same company was found to contain seeds of a plant called *Paullinia cupana* and enormous amounts of caffeine. One half a teaspoon of this product was found to have the stimulating effect of 2-3 cups of coffee. "Therefore," Dr. Segelman said:

If a user of this product "*Lift*" were to follow the instructions on the label and take up to ". . . 4 tablets . . . before meals," the user would be consuming the equivalent of about 3-5 cups of strong coffee each time he (she) took 4 tablets! *Since the label of this product does not contain any information concerning caffeine*, the use of this product by individuals who should *not* be consuming caffeine, especially large amounts (heart patients, for example), *could lead to medical and health problems*. Therefore, in my opinion, the lack, of labeling information on caffeine presents a serious problem here. Moreover, the label of this product states that *no starch* is present. This is a *misstatement!* I have taken the trouble to analyze "*Lift*" tablets and I have found large amounts of starch to be present on the basis of histochemical analysis. Finally, if we assume that some users will be taking four tablets three times a day before meals, this means that a bottle of *Lift* will last the user for approximately one week. At the listed price of \$8.95 for a bottle of 90 tablets (i.e., about 1 week's supply), it seems to me that this is a very expensive way for the consumer to pay for what is essentially the equivalent of cups of coffee. Finally, one would wonder what would happen in individuals who will be consuming, let's say, up to 12 tablets of *Lift* daily together with several cups of coffee or tea which contain additional quantities of caffeine!

—A Florida man placed ads in several national newspapers announcing "Wonderful News For Every Woman Who Worries About Wrinkles." The ad promises a new preparation called Rejuvenation would force wrinkles to fade away, making its user appear 5-10 years younger—all for less than \$10.00.

An analysis of the product by Dr. Roger B. Hickler, Director, Division of Geriatric Medicine, University of Massachusetts Medical Center, produced the following reaction:

On my request "Rejuvenation Cream" was reviewed by two experts in dermatology: Rita Berman, M.D., Director, Division

of Dermatology, University of Massachusetts Medical Center, and Barbara Gilchrist, M.D., Director, Dermatology Research Laboratory (Beth Israel Hospital, Boston) and Assistant Professor of Dermatology, Harvard Medical School. The following opinions were generated:

Rejuvenation Cream contains some twenty ingredients, of which at least four (propylene glycol, quaternum 22, propyl paraben, and fragrance) are known to cause allergic skin reactions in susceptible individuals. Claims in the brochure which are unproven or false are as follows:

A. "—penetrates deep into the sub-cells where wrinkles are born." The experts *don't know* where "wrinkles are born" (see Kligman: Perspectives and Problems in Cutaneous Gerontology. *J. Investigat. Derm.* 73:39, 1979).

B. "—helps dried out collapsed cells to drink moisture," allowing them "to expand." The skin of the elderly actually contains as much if not *more* moisture than that of the young (same reference as cited above). Any agent that would cause "cells to drink moisture" and "expand" would in all probability have to be of a *toxic* nature.

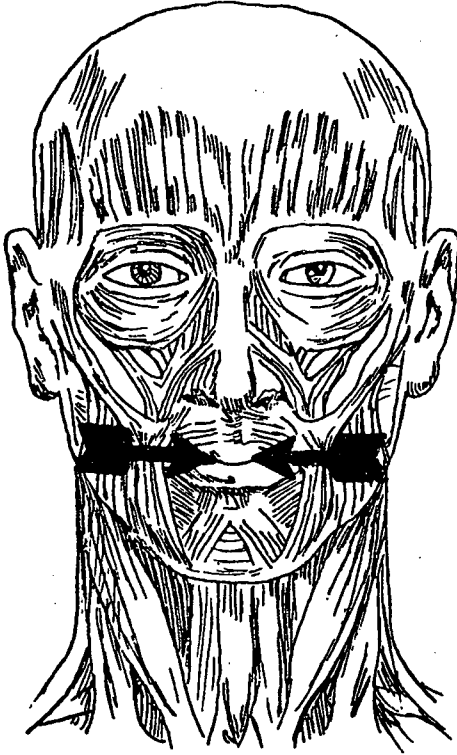
C. There is no histological evidence that wrinkles are in any way related to skin cells being "dried-out" or "collapsed." In fact, experts have been unable to distinguish microscopically between wrinkled and non-wrinkled skin (same reference).

—The "*Ageless Woman*" was advertised as a book of health and beauty secrets. For \$4.00, respondents received a 25 page mimeographed pamphlet containing exercises and herbal remedies for some 20 human diseases and disorders. Among the suggestions made by the publisher of the pamphlet was that the herb Gotu-Kola would cure senility. Reviewers of the book at the National Institute of Aging found it lacked "any scientific rationale."

—A Massachusetts company advertised a product which would "*give your face a lift in the privacy of your own home.*" In just a matter of days, it was said, the customer could obtain a lovelier, more radiant, youthful complexion. For \$19.95 and \$2.00 postage, investigators received a 1 oz. jar of cream containing a range of ingredients. Analysis of the product by Dr. Jack Fisher, Assistant Professor, Division of Plastic Surgery, Mayo Clinic, found that the product contained a number of moisturizing ingredients similar to that found in most facial creams. None of these ingredients, however, were found capable of providing the dramatic results commonly associated with the surgical procedure known as a facelift.

—Readers of the *Saturday Evening Post* were invited to send \$5.00 for a simple *remedy for hot flashes*. Investigators making a test purchase were advised to take vitamin E, vitamin C and Dolomite 8 in varying dosages for four weeks. The reviewer of the prescription, Dr. Reynolds, concluded: "Large doses of vitamin E, vitamin C or Dolomite, either alone or in combination, have no known scientific or nutritional basis for either controlling release of or affecting estrogen receptors in target tissues. Therefore, the recommended regimen is without scientific basis and is totally non-effective in controlling hot flashes."

—“*Get a face lift without surgery*” was promised in an advertisement in “50 plus” classifieds. (See Advertisement on page 85.) For a \$10 fee investigators received a brochure diagramming 21 facial isometric exercises, and a cassette tape with instructions. A review of this material by Dr. Jack Fisher, Assistant Professor on Division of Plastic Surgery, Mayo Clinic ended in his conclusion that the benefits promised “have no medical or anatomical basis and the description of the advertisement ‘face lift without surgery’ does not have any scientific basis.” Fisher found “there are several statements such as looking ten to twenty years younger and also being able to change the shape of the cheek bones and shape of the jaw through these exercises which appear to be misleading. All of the exercises described,” he said, (indeed any form of exercise) “may increase muscle tone and have a certain limited beneficial result, but to expect dramatic changes in facial contour or appearance does not appear to be logical.”



This gives fullness to the mouth and makes it look more vital. Pucker the lips into a rosebud and hold for three seconds. Do this three times each day and hold each time for three seconds.

—A Texas promoter advertised a “*Face Lifting Treatment*” for \$1.00. Investigators responding to this ad received a mimeographed sheet stating that castor oil works wonders under eyes and on throat, cotton balls soaked in milk will relieve puffy eyes, fresh fish will erase dark circles and castor oil and vitamin E will remove brown spots. Dr. Fisher, Assistant Professor, Division of Plastic Surgery, Mayo Clinic was asked to review this material.

The medical opinion he filed with the Committee states:

The advertisement . . . states various oils and other food products will reportedly correct a double chin, remove brown spots, and also remove wrinkles of the forehead and other areas of the face. Although these different oils may lubricate the skin, they certainly cannot correct the process of aging. The double chin is the result of changes in muscle, subcutaneous tissue, skin and fat that occurs with aging and there is no evidence that any type of lubricant on the skin can correct this.

—An advertisement in a leading women’s magazine announced a breakthrough in the treatment of *cellulite*. A Cambridge, Ma., firm was said to have developed a new cream which, when stroked into the problem areas, began “to help smooth and soften the problem areas” within a matter of days.

Dr. Sorell L. Schwartz, Professor of Pharmacology, Georgetown University, analyzed the product for the Committee. “There is in fact,” Dr. Schwartz said, “no material which can be identified as cellulite. What is commonly referred to as cellulite is a result of anatomical positioning of fat cells and fat tissue with the skin. It results, in part, from a relationship between an increase in fat cell size and a decrease in elasticity of skin, primarily due to aging.

“The only way to get rid of the skin deformities is by weight reduction and exercise. Consequently, the claims in the advertisement that the product can be applied to the surface of the skin to effect a smoothing of the deformed skin is without scientific basis in etiology or therapy.”

—An Arizona company advertised *jojoba shampoo*, a super shampoo which, it said, would prevent baldness and even restore hair to a bald head. “I started losing my hair at age 20,” read one testimonial cited by the firm. “My father lost his hair so I thought it was hereditary and I had no choice . . . (A)fter 6 months of faithful use I noticed new growth on the top of my head.” Dr. Alvin B. Segelman, Associate Professor and Chairman Department of Pharmacognosy, Rutgers University, responded. “There is no well-founded, scientific evidence that jojoba—containing shampoos or the oil itself will relieve excessive hair loss or promote regrowth of hair. Such claims are misleading and false, being based on unproven anecdotal stories offered by overenthusiastic users known as ‘Jojoba witnesses.’

—In 1981, Nature’s Harvest, a New York firm, advertised *Bio-Gro Hair Renewal Gel*, stating “Why be bald? Now . . . At last . . . Actually Grow Hair!” Naturally, the product was heralded as a “Fabulous Scientific Breakthrough” containing a “Doctor-Proven formula” that was safe, natural, effective and approved by the German government. The active ingredient in the product was said

to be Biotrin, which reduces "excess male hormone buildup—the cause of most baldness".

Dr. Schwartz, the expert reviewing this product, found the claims for Biotrin "are unsubstantiated by the available scientific literature . . . There are no reports in scientific literature which provided data supporting the efficacy of the formulation in the treatment of baldness. The advertised approval of the German Government was also found to be false.

—A New York firm sold an herbal tea, advertising "It is possible to repair and rebuild the *prostate*. To renew potency and vitality. And to do it in just 4 to 8 weeks—naturally—without surgery!"

Dr. Cordaro, who reviewed this product for the Postal Service, concluded, "all claims for *ZN Mega Mineral Tea* may be considered false, since they are not based on scientifically controlled studies, do not state the type of zinc used, or the amount in the product. Especially false is the claim of avoiding surgery. This should be a decision of a competent physician, not a promoter of a tea of doubtful value."

—"Heal Prostate at Home for Pennies" read an ad in the *Globe* answered by postal inspectors detailed to the Committee. The remedy, contained in a xeroxed sheet of instructions mailed to investigators by its Minnesota promoter, was an adaptation of a therapy said to have successfully relieved the prostate problem of the promoter's uncle. The promoter described his uncle's therapy as follows: "So my uncle cut a slot from front to rear and about three inches wide in the seat of an old kitchen chair. Under it he fastened a wire cradle to hold an electric light bulb. He adjusted this to the maximum degree of heat he could comfortably stand." Within a few days, the promoter said, his uncle was cured.

After review of this therapy by Dr. Peter L. Gross, Assistant Professor, Department of Urology, George Washington University Medical Center, said:

The conclusion that the subscriber can have a "normally functioning prostate . . . if you follow this advice faithfully . . ." is without any scientific validity. While local heat is a useful adjunct in some cases of prostatitis (inflammation of the prostate) it is useless in preventing or treating other prostate conditions where symptoms could mimic prostatitis. Benign prostatic enlargement and prostate cancer are two such entities and are far more commonly found in elderly males (at whom the material seems aimed) than is prostatitis. Delay in treatment of these former conditions could be dangerous.

The disclaimer advising the reader to see his physician "at once" if his trouble is ". . . of a more serious nature . . ." is meaningless in light of the unlikely ability of laymen to diagnose their own medical conditions. As noted above, symptoms of prostate inflammation may mimic those "of a more serious nature." In addition one who has just received the brochure is unlikely to see his physician at once when in the paragraph above he is urged to ". . . follow this advice faithfully for the required length of time."

—An advertisement in *Hair Do.* promised a "new energy pill" which "peps you up while turning your energy level on." The pill,

it was said, "would make you come alive, make you feel better and improve your relations with the opposite sex."

An analysis of the pills received (60 days supply for \$9.95) determined they contained 9 vitamins plus iron, all in levels generally provided by persons eating a balanced meal. Dr. Robert D. Reynolds, the medical expert reviewing this product stated:

In fact, four of the vitamins contained in the "New Energy Pill" are below the RDA and the iron is less than the RDA for 11-50 year-old females. The claims that intake of the "New Energy Pill" will permit the user to "Now come alive—have more confidence in yourself. Be an outgoing person. Acquire new friends." etc., are all without scientific basis for the intake of the nutrients provided unless the user is severely malnourished. This degree of malnourishment is much more severe than that obtained by ". . . eating too many junk foods." Such a person would probably be under a physician's care in this country. In sum, the "New Energy Pill" is a very high priced, low potency, incomplete combination of vitamins with a moderate level of iron.

—A Florida firm advertised "*Coca Pollen*," a product said to be derived from an ancient Inca secret. "You now have the opportunity to enjoy an exotic stimulant once reserved only for the Inca royalty" the ad read. "This once closely guarded secret of utilizing swarms of worker bees to collect the coca plant's most energizing substance, its reproductive pollen, has been recently rediscovered by scientists studying the coca plantations of the Tingo Maria region of Peru." Readers were invited to rush check or money order to receive "an exhilarating consciousness once only known to the Inca kings." [See advertisement on following page.]



Ancient Inca Secret Revealed!

From the mystical coca plant of Peru comes a powerful derivative legally available to the American public.

You now have the opportunity to enjoy an exotic stimulant once reserved only for the Inca royalty.

This once closely guarded secret of utilizing swarms of worker bees to collect the coca plant's most energizing substance, its reproductive pollen, has been recently rediscovered by scientists studying the coca plantations of the Tingo Maria region of Peru.

The use of this powerful granulated substance is still completely legal in the United States, and actually enhances the strength and health of the user.

To experience an exhilarating consciousness once only known to Inca kings, rush check or money order to:



Coca Pollen

Enclosed in my money order for 50 Capsules \$ 4.95
 100 Capsules \$ 7.95

Name _____

Address _____

City _____ State _____ Zip _____



Literature received with the product extended the promise of exhilaration, stating the plant from which the product was drawn is the source of cocaine, "society's increasingly popular potent illicit stimulant."

An analysis of the product by Dr. Ara Der Marderosian, Professor of Pharmacognosy, Philadelphia College of Pharmacy and Science, found the capsules submitted contained bee pollen and related substances. There was no pollen from the coca plant. "The majority of the product," Dr. Marderosian said, "was probably not from any physio-psychoactive plant and containing no cocaine." He found the product coca pollen does not appear in scientific literature and "no experimental or clinical data would be found to support the claim that it has ability to increase 'stamina and endurance' in humans."

—A less elaborate *potency cure* sold for \$2.00 consisted of a typewritten herbal formula. An analysis of the formula and its probable effect by Dr. Alvin B. Segelman, Chairman, Department of Pharmacognosy, Rutgers University, found:

The newspaper advertisement states "improve potency" (presumably sexual potency). The typewritten herb formula received indicates that 1 oz. each of Ginseng, Kola Nut, Gotu Kola Leaves, Sarsaparilla Root, Damiana Leaves and Saw Palmetto Berries should be combined and powdered, after which the mixture may be used to prepare capsules or an alcoholic elixir using brandy. A list of suppliers of the required individual herbs as well as grinders and weighing scales is also provided.

There is no valid scientific or medical evidence to support the claim that any of the herbal ingredients listed will "increase potency" nor "has any chemical or drug substance been

isolated from any of the herbs which could account for increased potency." The claims made for this particular herb formula are clearly false and misleading.

—Investigators responding to an ad stating *impotence* could be corrected and virility increased, received a form letter stating the author, overweight, sickly and with the sex drive of a man of 70, had stumbled on the secret to sexual rejuvenation. After a brief period the author claimed to have lost 30 pounds and regained sexual interest to the point where "my wife asked me to find a girlfriend and refers to me as a sex maniac." The author offered to share his remedy for \$30 cash or money order.

The remedy obtained by postal authorities extended the not uncommon belief that sexual success is related to the amount of gold accumulated by the pursuer. In fact, the promoter suggested impotence results from an absence of gold in the system. Gold was said to be "a natural mineral needed by all glands of the body to function properly." Gold was said to "excite" or "stimulate" all the glands of the body and was particularly important for the male sex glands "which contain a very large percentage of the body's gold." Concerned customers were encouraged to drink gold particles dissolved in distilled water.

In reviewing this product, Dr. Robert D. Reynolds, Vitamin and Mineral Nutrition Laboratory, Beltsville Human Nutrition Research Center, found there was an absence of any scientific or clinical evidence to support the claims of gold curing male impotence and labeled the statements "totally false".

There is no known requirement for gold in any metabolic or nutritional process occurring in any animal or plant system, Dr. Reynolds wrote. "The statement that gold excites or stimulates all glands of the body, forcing them into producing more of their various hormones is totally without scientific basis and is, therefore, false."

—A California firm advertised a device to control premature ejaculation in a number of men's magazines in 1981 and 1982. In addition, the ads, promised the product, *Dimension Plus*, would also make the penis 2 to 3 inches longer.

A test purchase by postal investigators produced a condom with a two to three inch rigid prosthesis attached at its end. The Postal Service alleged and the court subsequently agreed this constituted a misrepresentation of the product. While the thickness of the prosthesis would probably control premature ejaculation, it would also block natural stimulation sufficiently to prevent any ejaculation.

—An Idaho businessman advertised free information concerning the *prevention of prostate problems*. Those replying to this ad were informed that prostate problems were serious—"surgery is not a satisfactory answer." As an alternative, the respondent was encouraged to try a "clinically proven natural remedy which offers quick relief." This remedy was said to be cheaper and better since, "you are never as good as new after surgery—in almost all cases your sex life is adversely affected." Information on the natural remedy, it was said, could be purchased for \$10.

The medical expert who reviewed this material, Dr. Peter Gross, Assistant Professor, Department of Urology, George Washington University, reported:

There are too many innuendos, falsehoods and illogical conclusions to specifically note herein, however, one particularly dangerous nostrum should be mentioned. "If you have an inflammatory condition of the prostate . . ." (p. 27) the author recommends ". . . a good three series enema to get the colon cleaned out." Insertion of an enema device into the rectum in the face of an inflammatory condition such as acute bacterial prostatitis can, because of proximity of the prostate to the rectum, cause bacteria and their products to be released into the bloodstream resulting in septic shock and death in a matter of hours.

In summary, while often cleverly worded and although loosely based on purported sound nutrition, exercise, life style, attitude, etc. the remedies promulgated for relief of prostate problems are scientifically unfounded, could delay treatment by reputable medical practitioners and might result in permanent emotional or physical harm to unwary subscribers.

—Silver Fox Pharmacal of New York advertised an amazing discovery for men which would allow them to "Enjoy Sexual Relations With Anyone You Desire As Often As You Wish!" The product, *Bio-Gene 81*, it was promised, would save men from "Sexual Senility" and revitalize your sex life in just a few days—even if you were already 100 years old.

In 1980, a Miami Beach constituent of Chairman Pepper wrote concerning this product: "I have a problem which although it is not earthshaking is quite disturbing and that is the material enclosed which I received in the mail on October 30, 1980. Basically I feel that the product Bio-Gene 81 is a fraud on the public, particularly senior citizens who can least afford the product. I find the material offensive." [See advertisement on following page.]

Vital Discovery For Men—Women 40, 50, 60 And Beyond—

Enjoy Sexual Relations ^{IV-1} With Anyone You Desire, As Often As You Wish!

Because, through research, a program has been developed to save men and women from “sexual senility”—an amazing program that can revitalize your sex life in just days—even if you are already 100 years old... even if you haven't had sexual intercourse for 20 years or more! Yes, what has been discovered is that men and women 75, 85, 95 and older can enjoy normal, healthy, satisfying sexual activity *regularly!* Read about these truly amazing discoveries and a program that could revitalize *your* ability to make love!



**Amazing Sexual
Potency At Any Age**

Investigation by the Committee and the Postal Service confirmed the fraudulent nature of the product. In 1980 Fletcher F. Acord, Assistant Chief Postal Inspector, testified about 36,000 people had been victimized by this promoter. For \$10 respondents received a vitamin? Mineral combination similar to products that could be purchased at any drug store for one tenth the cost.

There are many theories of aging. Most of the research is limited to animal experimental studies. Studies in humans have been, as noted, primarily descriptions of the changes in normal physiological function with aging and studies of specific disease pathology. Only two factors appear to be consistently related to longevity in many populations: (1) women live longer than men and have lower death rates even among the old-old; (2) even among those over 65, higher income and other measures of socioeconomic status such as education appear to be related to lower mortality.

Popular aging therapies are based primarily on animal experimental studies and on testimonials and human studies of limited scientific validity. In the Second Conference on the Epidemiology of Aging, Adelman stated that, "Clouding the interpretation of even the reliable information is the inability thus far to ascertain the relative importance of the contribution to the phenomenology of aging by genetic and environmental factors. One feature which probably characterizes all aging populations is the progressive modified ability to adapt to changes in the surrounding environment. One biochemical feature of this manifestation is the altered capacity for the production of key enzymes in response to some type of environmental challenge."

Many proponents of anti-aging have either attempted to prevent these "adaptive changes" or to treat them with vitamins, hormones, trace minerals and a variety of other nostrums.

In a May 15, 1983 *Washington Post* article, James Lardner reviewed some of the current "hot topics" in aging prevention. Roy L. Walford, a U.C.L.A. gerontologist, has written a book, "*Maximum Life Span*," which proposes a near starvation diet for longevity based on the observation that underfed laboratory rats live longer. Researchers at the National Institute of Aging have questioned whether the normal rat diet in the laboratory is too high in calories, and that the "underfed rats" are really eating a "normal diet" for rats in the wild. They point out that the life span of rats in the wild living in an environment in which food is not always freely available as in the laboratory is unknown, especially after excluding trauma and other non-natural risks.

Herbert M. Sheldon has written a book for the Natural Hygiene Press, "*Fasting Can Save Your Life*." "The popular mistaken concept is that we cannot gain strength and build resistance unless we eat. So long as this illusion persists we will go to premature graves." Sheldon states in his book that "fasting can bring about a virtual rebirth, and revitalization, of the organism." As the fast progresses, all of the cells of the body undergo refinement and there is a removal from the protoplasm of the cells of stored foreign substances, so that the cells become more youthful and function more efficiently. Sheldon is decried as a graduate of the leading natural healing colleges of his day and as a publisher of hygiene reviews. His books are published by Natural Hygiene Press,

the book publishing division of ANS, a non-profit, non-sectarian, tax-exempt organization.

Except for the obvious weight loss, fasting alone will not remove toxic chemicals from the cells. There are risks associated with long-term fasting, especially in terms of loss of protein and minerals. Fasting was once a popular method of weight loss for obese people. Physical danger to the patients was the main reason for the abandonment of this therapy. By 1970 at least five deaths related to fasting had been reported. Other nonfatal complications of fasting included arthritis, abdominal cramps and orthostatic hypotension.

Some years ago very low caloric diets with small amounts of protein were popular for weight loss. These diets were recently reviewed by Dr. Philip Felig of Yale University. To achieve more rapid and sustained weight loss and avoid the risks of total fasting, a number of very low calorie diets (less than 500 calories per day) were introduced in the late 1960's and 70's. In 1976 a popular best-seller, "*The Last Chance Diet Book*," became a bestseller and led to widespread use of liquid protein diets. By the end of 1977 over 100,000 patients had used these regimes for one month or more and 60 deaths among persons on these diets had been reported to the Center for Disease Control. A cardiac arrhythmia was thought to be the basic underlying cause of death. Very low calorie diets containing high quality protein and mineral supplements, and carbohydrates, are now being sold in the United States. There is still some debate about the safety of such diets, even in young, healthy individuals. Felig states, "There is evidence to suggest that all very low calorie diets are inherently dangerous."

Another approach is detailed in a best-selling book, "*Life Extension—A Practical Scientific Approach*" by Durk Pearson and Sandy Shaw emphasizes a wide ranging mixture of chemicals to promote longevity including anti-oxidants, vitamin E and vitamin C, selenium, cysteine, the food preservative BHT, drugs such as hydergine, L-dopa and sex hormones. The book is dedicated to Dr. Denham Harman, originator of the Free Radical Theory of Aging, and Dr. Albert Hofman, a "visionary pharmaceutical chemist who invented hydergine." The two authors of the current book have undergraduate degrees in physical science. The basic hypothesis is that damage to DNA is the major cause of aging. Free radicals are said to be the most dangerous substances and the most important source of free radicals comes from the abnormal oxidation and breakdown of fats in the body. The authors state uncontrolled free radicals can damage proteins, fats and nucleic acids, DNA and RNA. They propose that it is possible to prevent much of the damage by taking supplements of nutrients that protect against free radicals. Dr. Harman first formulated this free radical theory of aging in the 1950's. He now heads the American Aging Association, a scientific group dedicated to aging research.

There have been several excellent reviews of the role of free radicals in health and disease. A recent article published by Dormandy, "An Approach to Free Radicals," concludes, "But the most powerful tools for manipulating free-radical mechanisms for the benefit of patients are probably still to be discovered. The more technically advanced and biologically complex an organism and the more varied its environment, the more difficult it becomes to pinpoint,

let alone influence, the rate limiting factor which determines the survival of a large enough population.”

Dr. Edward Schneider of the National Institute of Aging remarks, “All evidence points to aging being caused by many factors, so to think that a single magic bullet or a single antioxidant can cure aging is extraordinary naive.”

Most experts believe this book represents a misinterpretation of sound aging research including the use of vitamins, minerals and specific drugs. Isolated unsubstantiated reports are used to validate their hypotheses. Drugs are recommended at doses far in excess of normally recommended amounts, and claims for the value of the specific drugs are not scientifically valid. Interestingly a meeting of the American Aging Association in 1983 included many papers that questioned the validity of the Pearson-Shaw approach.

The authors have attacked the FDA standard for approving new drugs. To get around the FDA restrictions, the Life Extension Foundation is assembling a network of sympathetic physicians who will supply Life Extension prescription medicines. Many of the proposed drugs are produced by the Sandoz Pharmaceutical Company. That company completely disapproves of the book and the use of the two major drugs, hydergine and Diapid.

A further review of the book and therapeutic implications was published in an article in the April 25, 1983 *Journal of the American Medical Association*, written by Frederick Stare and Virginia Aronsen of the Harvard School of Public Health. “Some of the health advice in this book would be humorous if it were not so dangerous. The actual nutrients recommended have to be considered as drugs when taken as self-prescribed supplements and in excessive doses. In combination with their prescription drugs and non-nutritive supplements the authors Pearson and Shaw suggest a total of 33 items daily, plus a diet rich in eggs, whole milk, beef, butter, and sweets and antacids.”

Stare concludes, “Potential readers of this ridiculous book would be wiser to take only antacids, as we felt the urge to do after the realization that we had spent \$22.50 on an unscientific, impractical and potentially dangerous health fraud that literally made us ill.”

The sale of so-called “youth cures” was found to be the fastest growing segment of current medical quackery. It appears to be the most profitable. America is increasingly a “youth-oriented” society. The public seems to be willing to spend millions and millions without question on the hope that some product or cream will restore lost vitality, or youthful appearance. Most of these products do not work. They are a ripoff, pure and simple.

CHAPTER VI

WITCHCRAFT AND SPIRITUAL HEALING

The tradition of healing which combines elements of religion, magic and medicine has probably always existed in various parts of the world. In modern times, these techniques range from the practices of medical mountebanks and "alternative" health professionals, to witches, faith healers, nutritional faddists and spiritual healers.

All of these techniques rely to a considerable extent on the faith and belief of the patient in the practitioner—as does modern medicine. Faith healing includes those healing efforts for which there is no scientific evidence to support the purported "cures." These treatment methods range from religious faith healing to spiritual healing of the occult, and include prayer cloths, contact healing, mind healing, and ceremonies of the occult.

Often a confirmed clergyman and religious leader may exercise tremendous influence upon the public. The clergyman healer usually carries out healing crusades across the country or across states, moving from town to town. He employs prayer cloths, and usually contact healing (healing by physical contact with one who is gifted).

The phony faith healer is that individual who adopts the religious healing image and commercializes. The religious healer usually identifies himself or herself as "brother" or "sister." This religious mountebank advertises extensively and generally has no true religious qualifications. Methods of healing include contact healing, holy oil, prayer cloths, and nutritional treatments.

The practices and philosophies of the many occult healers vary greatly. The occult healer may claim healing power generated by Satanism, witchcraft, and other less well-known cults. Healing modes include mainly ceremonies, such as the Black Mass of Satanism, but also rituals of chanting, dancing, spell casting, bathing in salts, and various cures. Many small cults have sprung up through the years. These schools of belief practice a wide range of spiritual healing, some of which are mere profit-making ventures.

Some of the specific claims of nutritional faddists and medical mountebanks have been discussed in preceding chapters. Their general practices will be further detailed in Chapter X.

The effectiveness of spiritual healing can be difficult to assess. Often such judgments are colored by critical value, professional and perceptual differences. The scientific community, including the medical profession, tends to dismiss all such healing as quackery, often for no better reason than the absence of an explanation. To adherents and true-believers the explanation is simple—it's a miracle.

A complete examination of these practices would be beyond the scope of this report. There are, however, some clear abuses and fraudulent practitioners that have come to the Committee's attention in course of this review. These examples illustrate the obvious. Those intent on picking a pocket will not scruple to play upon fundamental beliefs any more than they are slowed by the desperation of the afflicted.

Intrigued by a handbill placed on his car in a Michigan shopping mall, a sociologist, Ludell Snow, initiated an interesting experiment. The handbill contained the name and address of Sister Ruby, a healer and advisor, who promised relief from spells, bad luck and evil influences. Mr. Snow pursued the author of the handbill and satisfied himself that the self-styled healer and "sister" was phony.

To test the prevalence of these activities, he reviewed the Saturday edition of a local paper, *The Defender*, for a three-month period. He found 50 separate entries—45 for individuals, two for churches and three advertising services such as E.S.P. or astrological forecasts.

Titles of the individuals included Sister, Madame, Reverend, Doctor, Father, Prophet, Madame Queen, Reverend Mother, and Reverend Sister. Thirty-nine promised to help for all or a range of problems. Six promised same day help. One promised help within three days and one in nine. Half of the ads mentioned there was some source of power for the individual. These were overwhelmingly religious in nature with about half stating they were gifted by God or were using God's power.

Mr. Snow responded to the ads presenting himself as a patient. He wrote each of the advertisers stating he had problems and wanted help.

All of the advertisers responding to his letter requested sums of money to be paid in advance for services for the most part unspecified. Only four of the respondents indicated the treatment to be performed. The others only promised the condition—again unspecified—would be removed after the money was sent.

"Prophet Jacobs," for example, had advertised same-day help for problems of love, money, and happiness. His reply to the request for assistance was: "The spiritual devils are trying to take over your body and mind. I can help you. But my fees for removing a condition like yours is \$300.00—\$75 now and you can pay the rest by sending me \$25.00 a week."

Dr. Lewis promised "to take care of everything." "Write me right back" he said. "Send snapshot, birthdate, phone number and \$50."

Sister Maria wrote twice. The first time she requested a phone call. When that was not forthcoming, a second letter arrived sounding a warning that if a quick response were not forthcoming it might be too late.

"In order for me to take your case," she wrote, "I must burn 9 candles for you to find out just what it is I must do to get rid of this UNNATURAL PROBLEM and remove this EVIL! And each candle costs \$10. each. It would come up to \$90. to help and if you do not either bring it to Chicago or send it within a week and a half I cannot accept your case because you might get too bad off and then no one will be able to help you."

Mr. Snow concluded it would be difficult to see these people as other than exploiters of the poor and gullible.

As indicated, the Committee did not attempt an in-depth analysis of spiritual healing. Incidental evidence accumulated in the process of the investigation, however, seems to confirm Mr. Snow's conclusion that many of its practitioners are charlatans.

Sister Jessie advertised in "*The Star*"—"Guaranteed results within 24 hours of all problems of life." A five dollar donation produced a 4 x 6 mimeographed sheet promising "Your Heart's Greatest Wish Can Be Realized by Consulting This Gifted Medium at Once!" The printed copy advised the reader the Sister had received their letter and continued: "I have analyzed your writing and found out you have a lot of worries and troubles. You have an unnatural condition. I have something very important to explain to you. I can not explain in a letter, so telephone me immediately. You have a lot of people against you. In God's name, call me at once!" (See advertisement on following page.)

A phone call to Sister Jessie produced a request for another donation.

DON'T KEEP YOUR BAD LUCK FOREVER



No Problem Too Great for This Master Mind, the World's Best Reader; Your Heart's Greatest Wish Can Be Realized By Consulting This Gifted Medium AT ONCE!

Dear Friend,

I received your letter. I have analyzed your writing and found out you have a lot of worries and troubles. You have an unnatural condition. I have something very important to explain to you. I can not explain in a letter, so telephone me immediately.

You have a lot of people against you. In God's name, call me at once!

★ SISTER JESSIE ★

I Guarantee To Help You!

Antonio Agpaoa, a 28-year-old grade school dropout and self-styled "psychic surgeon" in the Philippines, claimed he was able to do abdominal, heart and even brain surgery with his bare hands for treatment of cancer and other critical ailments.

He stated he had performed at least 50 operations a day for more than 20 years. At one point pilgrimages to his hometown were regularly organized in the United States. Hundreds of ill and crippled people sought his assistance at a charge of \$1,000 a person.

Investigation determined Agpaoa was a sleight-of-hand artist. He would manipulate the afflicted area until his maneuvering produced clots of blood and tissue. Clinical examination of these specimens indicated they were nonhuman in origin, coming from a range of animals—cows, pigs, sheep, deer, dogs, cats, and chickens.

Further investigation, after many of those said to be "healed" died—including one man who died of cancer four days after returning and receiving 14 healing sessions with Agpaoa—resulted in a Philippine investigation. Among other things, they found that when Agpaoa's son was ill he was taken to the local hospital for treatment by recognized medical practitioners.

Subsequently, Agpaoa was indicted in San Francisco and charged with fraud. He jumped bail and returned to Manila.

CHAPTER VII

CUREALLS AND OTHER CURIOUS CURES

In the course of its investigations, the Committee encountered advertisements promising cures for nearly every ailment known to man. Some promised to cure a host of ailments. Some promised to cure the incurable—herpes and Alzheimer's disease—and restore the unrestorable—like normal sight to the near-sighted or hair to the bald man. Others were less ambitious and simply promised specific cures for specific ailments. There was only one common denominator for these products—they didn't work.

What follows is a sample of the hundreds of curious cures reviewed by the Subcommittee that promise relief for all human ailments.

—In 1981 the Postal Service received a number of complaints concerning a product called "*Intelletab 250*". The California promoter of this product advertised "At Last! A pill that makes you smarter." The pill, which was said to have been developed by a former astronaut, was promoted as "an easy way to improve your mental ability." "Obviously," the manufacturer, wrote, "no product can turn anyone into a genius overnight. Nor does it help everybody; just most people." Purchasers were invited to "enhance your analytical abilities and perception" at a cost of "just pennies a day".

"Don't Cheat Yourself, you have nothing to lose," the brochure concluded. "You may be tempted to reason like this 'If I don't bother with this, I'll save myself twenty dollars and I won't have to take the chance of this being some sort of rip-off.' But what if '*Intelletab 250*' works for you as I've described? It could change your life!"

Investigators concluded, after examining the product, there was no need for consumers to worry about cheating themselves when this promoter was around to do it for them. Dr. Schwartz' analysis determined the product was essentially a multivitamin. "There is no clinical evidence to support the claims made for these products," he said. "There are numerous reports to show that these substances are without effect both in laboratory animals and controlled clinical trials."

—A test purchase of an advertisement for "*natural birth control methods*" produced some of the most bizarre suggestions received by the Committee. One was to insert a 250 mg Vitamin C tablet into the vagina before sex. A second extended that principle, suggesting the pulp of a lemon be inserted high into the vagina before sex. In addition, the product was accompanied by literature advertising other products available through the distributor. Prominent among these was the book, "*When Herbal Birth Control Fails.*"

Dr. Schwartz' analysis of this solicitation reinforced the probability that those who rely on the birth control remedy may have a need for the book. He concluded, "The use of the vitamin C tablet is not likely to accomplish much . . . The pulp of the lemon could serve as a mechanical blockage to sperm, especially if the pulp were pushed against the cervical opening. There is no evidence to support the effectiveness of the recommended remedies and techniques, and there is every reason to question safety."

—"Gall stones eliminated naturally," read the ad in *Mother Earth News*. "No surgery. Complete instructions." The instructions purchased by those who responded to the ad suggested gallstones can be eliminated by using coffee enemas, a "gall bladder flush; and Dr. Stare's liver flush".

Dr. Schwartz's analysis of this therapy generated this report to the Committee:

The brochure promotes the use of the coffee enema because "Coffee retained in the colon stimulates the liver to increase the secretion of bile products and the formation of bile products somewhere close to ten times its normal rate." There is no physiologic or pharmacologic basis for this statement. In addition, it is stated that coffee will relax the gall bladder sphincter, which is why it relieves the pain in the gall bladder attack, and that it stimulates the flow of bile out of the gall bladder at a very rapid rate. Caffeine does have a stimulating effect on muscle such as that found in the gall bladder sphincter. However, it is a stimulating effect and will actually cause the sphincter to contract rather than to relax. Thus, this information is misleading and may actually result in the opposite effect intended.

The current treatment for gallstones is primarily through surgical removal. There have been a number of drug treatments intended for dissolving the stones, but generally this type of treatment is more time consuming. Since most patients present themselves to the physician in considerable amount of discomfort, the medical approach to dissolving the stones has been usually of limited use. However, a number of solvents have been reported to achieve the "gall bladder flush," none of which are mentioned in the instructions. The ingredients of the flush mentioned will provide an effective combination as a cathartic agent but the effect of this type of treatment on gall stones has yet to be demonstrated. The "liver flush" has no known effect on the liver, which is fortunate. In summary, the treatment plan described by the product is without a theoretical, experimental, or clinical basis. The advertisement for these instructions, is, therefore, false and misleading.

—"Detoxifying Herb-Roots" were advertised by an California entrepreneur interested in covering his bets for "man or animal." "Today man and animal alike are victims of modern day food trends," the advertiser stated. "Don't deprive yourself or your pet of these essential natural herb cleaners." The product received was a brochure describing certain "natural" cleaners and a booklet—"Death Begins in the Colon".

This material was reviewed by Dr. James Duke, Chief, Economic Botany laboratory, USDA. Dr. Duke reported:

"Death Begins in the Colon", is again an overplay, not very well done, on the fact that sluggish digestion is correlated with many maladies. Rather than repeat all the untruths, I have selected the one blatant untruth. "When it (the colon) is clean and normal, we are well and happy. . . . FALSE.

The whole thesis of this quack package of brochures is that a sluggish colon is at the root of many, if not all, diseases. Thus the brochure, sold at \$1.00, refundable with first purchase, is little more than an advertisement for herbal laxatives. I suspect that the rhubarb root is one of the more active laxatives. Nu-tri-one is sold at \$6.50 per 1400 grains, according to the advertisement. I suspect it is a laxative, and it may be more or less effective than a more popular herbal laxative, known as Metamucil. There are many herbal laxatives on sale, all promising regularity. All probably contain some toxins in small doses. Toxins found in various plant genera are listed in the enclosed "Phytotoxin Tables".

I find this a very erroneous, fallacious and obnoxious batch of quackery.

—A promoter in Michigan advertised a \$5.00 *cure for herpes*. Investigators responding to the ad received a mimeographed sheet describing a diet which it was said would control herpes. The diet consisted of restricting consumption of some products, particularly grain products, and supplementation with amino acids, lysine, and argine.

An evaluation of the diet by Dr. Joseph T. Judd, Chief, Lipid Nutrition Laboratory, Beltsville Human Nutrition Research Center, USDA, found there is no clinical evidence to support the effectiveness of this diet:

The Herpes Control Method may lead people suffering from recurrent herpes infections to attempt self treatment. Failure to seek medical help can deprive sufferers of the benefits of standard treatment procedures as well as new medical discoveries in a rapidly expanding area (virus control). Of greater import, failure to seek medical treatment may result in potentially disastrous secondary infections remaining undiagnosed and untreated.

—An advertisement for holistic health cure all answered by investigators produced a \$10 "*Herb Dial*" and a solicitation to start a franchise of the mail order business. "Dear Friend," the solicitation began, "mail order is a very lucrative business. Many millionaires are mail order entrepreneurs. You will now be presented with an opportunity that promises to make you financially secure for the rest of your life."

The offer encouraged readers to enroll as distributors for the firm which marketed cures for "over 70 ailments from anemia and arthritis through sinus and ulcers." The diagnostic tool, "the Herb Dial," consisted of two circular pieces of cardboard, one of which listed human ailments from acne to worms around its perimeter. The second, smaller piece featured a cutout which revealed the

proper prescription for the ailment. For a cure for aging, a rotation of the dial reveals a prescription of ginseng, gotu kola, and sarsparilla. Diabetes, according to the dial, can be treated with golden seal, dandelion and chickweed. Heart conditions are said to respond to mistletoe, wood betony, and capsicum.

The prescriptions suggested were reviewed by Dr. Sorell Schwartz who found they "represent old home remedies of no clinically proven value." Current standards call for proof of safety and efficacy by controlled clinical trials." Dr. Schwartz concluded, "no such data is available in the herbs presented."

—In 1982, investigators responded to an ad in *Bestways* magazine promoting "The world's only perfect food." They received brochures describing "French Riviera Bee Pollen," said to be the finest bee pollen in the world. According to the Arizona distributor's brochure, "pollen, being the perfect food, tends to bring everything into balance and correct the various unbalanced conditions of the body." It is recommended the purchaser eat a minimum of 4 ounces of pollen and 2 ounces of honey each day, working up to about 8 ounces of pollen and 4 ounces of honey a day (said to be the ideal proportion for a 160-pound man, and approximately the mix "the bees themselves consume.")

The manufacture cautions, "remember honeybee pollen is a food not a drug. Honeybee pollen cures nothing. Pollen may correct your body chemistry and body balance to enable your body to rid itself of any unhealthy conditions it may have. Pollen may be the missing link to achieving that Fountain of Youth or regeneration and rejuvenation that everybody seems to be seeking."

Joseph T. Judd, Ph. D., Chief, Lipid Nutrition Laboratory, Beltsville Human Nutrition Research Center, USDA, reviewed this material. The evaluation he submitted to the Committee stated:

Bee pollen has no proven special dietary or metabolic effect to support the exaggerated claims presented in the pamphlet. Any beneficial effect of bee pollen is shared by other foods or supplements containing the same nutrients and, for the most part, at a much more reasonable cost. (The dosage suggested by the distributor would cost about \$14.00 a day.) Honeybee pollen does not work to "correct any chemical imbalance in the body metabolism which may be involved in either abnormal weight gain or abnormal weight loss." It is not "the very best protection against common poisons . . . in food, water, air, and in the environment," including "carbon monoxide, ozone and nitrogen dioxide, lead, mercury, DDT, strontium-90, cadmium, radioactive iodine 131" and others. Such claims are unsupported by scientific data, and appear designed to mislead the uninformed and to sell bee pollen by making false representations.

—A Florida firm advertised a "no surgical approach to breast enlargement." The product, *ENZ3*, was guaranteed effective because "it works to increase the size and number of adipose cells which make up the major portion of the breast tissue." Expert review of the product verified the manufacturers' claims. Dr. Schwartz reported it is true the breast is composed of a good deal of adipose tissue and ingestion of this product, a protein-base calorie supple-

ment, would probably increase breast size. Unfortunately, since adipose tissue essentially represents body fat, the increase would be accompanied by a corresponding increase in weight, waist size, hip size and all other areas. The same result, if desired, could be accomplished by ingestion of any other dietary supplement or simply overeating.

—A California firm marketed a device through the mails said to produce “*acupressure*” to relieve headache, shoulder ache, insomnia, and tension. A review of the product revealed it was a simple attempt to cash in on the considerable attention given acupuncture by the press in this country. Dr. Schwartz, the reviewer, stated any benefit derived from the device bore no relation to the Chinese techniques mentioned as precedents for its therapeutic use. In fact, he said: “the use of this device could actually exacerbate rather than help the conditions this product was advertised to cure.”

—In 1980, a New Jersey company advertised a device to “*Clean the Entire Colon. Expels toxins . . . also relieves hay fever, constipation, and epilepsy. Purifies the blood.*” A response to the ad produced a brochure describing a portable home colonic, available for just \$40. This material was provided to Dr. Sorell L. Schwartz for review. He concluded these claims arise out of old medicine and pre-20th Century therapeutic regimes. “Current medical knowledge does not support the idea that frequent bowel irrigation will relieve hay fever or epilepsy. . . . Furthermore, the repeated irrigation of the bowel with water can result in detrimental effects on the salt balance in the body. It is generally believed that frequent and unsupervised bowel irrigation may have an element of hazard attached to it.”

—“*Block Pain Without Pills,*” read the advertisement of a Pennsylvania promoter. “New development uses sound waves that heat, relax, relieve tension.” A request for information resulted in a brochure describing “Astral Sounds,” a cassette recording producing “A Natural High!” “The tones relax the body, while causing mild hallucinations . . .”

So powerful is the effect of the tape that it is, at this very moment, being tested by our Government in Washington and behind the Iron Curtain. When a person listens to these sounds they almost always project outside their body. Even when they do not, there is always an experience of colorful visions and pleasurable bodily vibrations. This 1½ ounce tape cassette is being praised by hundreds of thousands of people world-wide. They report that it removes physical pain . . . cures insomnia . . . reduces stress and anxiety . . . provides instant and deep relaxation . . . provides freedom from worry . . . makes them happy and naturally high . . . creates magnificent visual imagery. And it does it all without drugs! Hospitals use Astral Sounds to tranquilize their patients instead of giving them sleeping medication. Astral Sounds can be used instead of a sleeping pill. Hospitals and Pain Centers use Astral Sounds to reduce or stop pain rather than use potentially dangerous pain-killing drugs. People from all walks of life are discovering that Astral Sounds can carry them into a state of blissful deep meditative rest where the body seems to float in a warm fluid.

Worries disappear, pain vanishes, problems solve themselves as stress and anxiety are reduced to next to nothing.

Dr. Vincent F. Cordaro filed this response: "A playing of the Astral Sounds tape elicited nothing in this office except a high of amusement and awe at the audacity of the promoter. . . . It is impossible to believe the medical claims made under who uses Astral Sounds. This is merely noise and while it could create distraction, I find it extremely difficult to believe that it would lessen or relieve pain or tranquilize."

—A California firm advertised "*Drugless Sinus Relief*" in a publication for seniors. The brochure received by investigators touted a \$40 nasal irrigation device accompanied by a dozen tips for its use sold for \$10 each or \$60 a dozen. The brochure promised the device was being used by doctors worldwide.

The doctor who reviewed this material for the committee, Dr. Eugene B. Kern, Professor, Otorhinolaryngology, Mayo Clinic, concluded:

The advertising material concerning this product is filled with half-truths, misconceptions and misleading information. It is suggested that this irrigation device is useful for chronic purulent rhinitis-sinusitis, enlarged adenoids secondary to chronic purulent sinusitis, and other disorders. The term, sinusitis, is not defined specifically. Treatment for acute sinusitis (bacterial infection of the sinuses) is antibiotics, while treatment for chronic sinusitis (chronic purulent discharge from the sinus) is primarily surgical.

The individual is told that this irrigation restores natural flow and breathing clogged by stuffiness. This is not necessarily true and may be totally misleading. "Breathing clogged by stuffiness" depends upon the underlying cause. We are told that more than 20 medical studies are cited although after reviewing "*How to be Free of Sinus Disease*," these medical studies are not referenced.

I think that the nasal irrigation device does have application for atrophic rhinitis and other crusting or postsurgical states of nasal dryness; however, it will not make an individual "free of sinus disease" nor does it state anywhere in the advertisement that if the patient does not get well that a physician should be consulted! I view the advertised benefits stated in this material as nonspecific and misleading. Although the device does have application in dry noses for which it can be extremely useful, the illusion that is presented is that this device is a drugless method of treatment of sinus and nasal congestion and that it is effective in "98% of those using the Nasal Irrigation Device" is clearly unequivocally false, misleading, and irresponsible.

The only way that this device should be sold, in my opinion, is primarily for nasal crusting or drying. It also can have application for cleansing of the nose in certain postsurgical situations. It definitely is not "the cure-all of sinus disease."

—An advertisement in the *National Enquirer* promised to make "*Ugly Warts* disappear without scars within weeks." The cure received by investigators consisted of a sheet of instructions which

suggested the afflicted stand outside alone during the half moon. Then "keep your eyes concentrated on the moon and your warts exposed to the moonlight". After 3-5 minutes of this, the remedy instructed, "start gently rubbing your warts with your fingertips and speak in a gentle tone of voice: 'Was Ich Sehe Nehme Zu, Was Ich Streiche Nehme Ab.'" This German incantation was to be followed by its English translation: "What I See, Take On; What I Stroke, Take Off." Finally, the purchaser was instructed not to tell anybody about the remedy until the warts are gone. [See advertisement on following page.]

A review of this material by Dr. Stephen I. Katz, Chief, Dermatology Branch, National Cancer Institute, concluded the advertiser was relying on the fact that certain virally-induced warts will disappear on their own without any form of therapy. "The statement that 'When it comes to wart removal, the right part of the moon is the most important factor is, however, clearly misleading," Dr. Katz said. "There is no basis at all for this statement."

Dear Friend,

Thank you for responding to my ad and I hope you are pleased with the simplicity of this age old remedy. Surely you have heard old myths like burying an old dish rag somewhere in your garden or rubbing a little dirt on your warts at full moon, and so on... Yes, it sounds ridiculous at first, especially since we are accustomed to technology and modern medicine, but there are many things in Mother Nature which nobody understands and some of these old remedies really work when done and applied properly. When it comes to wart removal, the right phase of the moon is the **MOST IMPORTANT FACTOR**. To be effective the moon has to be between its first quarter and full moon, which means the moon is in a growing stage, as shown in the following drawing:



The best time for this wart remedy is at half moon. The principle of the remedy is that the moon is growing and your warts are shrinking. To remind you again... don't do it when the moon resembles the alphabetical letter C - Nothing will happen, you just keep your warts. What you need to do is basically very simple but you must take care to follow instructions correctly and choose the right moon phase.

First make sure you are alone and not disturbed. Go outside and look at the half moon, being certain it is in the correct phase. It doesn't matter whether you stand, sit or lie down. The important thing is that you keep your eyes concentrated on the moon and your warts exposed to the moonlight. Be comfortable and warm and try to relax. Keep looking at the moon, for 3-5 minutes, until you feel completely relaxed and peaceful within yourself. Very soon you will feel the moon's tranquility. Keeping your eyes on the moon, start gently rubbing your warts with your fingertips and speak in a gentle tone of voice, the following words in the German language: "WAS ICH SEHE NEHME ZU, WAS ICH STREICHE NEHME AB". Don't worry if you cannot pronounce it right, just go ahead and say it. After you have said it, repeat in English: "WHAT I SEE, TAKE ON; WHAT I STROKE, TAKE OFF".

After you have said this in both languages you have completed your part of the remedy. Don't tell anybody about it before or after. Usually, in 3-7 weeks, you will be amazed when you discover your warts are gone. Now tell everybody!

This remedy will also work for small children if you follow the same procedure and say the words for them.

THIS WILL WORK! And remember if you are not completely satisfied your money will be refunded.

—An ad in the *National Enquirer* promised “*Constipation Relieved—No laxative or medicine.*” According to Christina, the advertiser, to relieve constipation you put a glass of water in the bedroom and let stand while you sleep over night. Eight to twelve ounces or more of this water is supposed to be taken before breakfast “at least five or seven days a week.” An evaluation conducted by Dr. Irving B. Brick, Professor of Medicine, Georgetown University, concluded the ritual was not likely to be harmful but “from a medical point of view there is no rational validity to the action of this water.” He found the promised relief “pharmaceutically useless.”

—A Florida entrepreneur (See ad below) advertised an inexpensive substitute for *Preparation H*. A \$2 test purchase produced a mimeographed sheet suggesting the purchaser apply a cotton ball soaked in “red apple cider vinegar, no particular brand,” to the itching area. A review of this suggestion by Dr. Stephen I. Katz, M.D., Ph. D., Chief, Dermatology Branch, National Cancer Institute, produced this reaction: “Vinegar of any kind can be very irritating to the skin. The application of vinegar to the rectum (I assume they mean anal) area for relief of rectal itching is totally unfounded and may indeed worsen the underlying condition.”

??? Rectum Itching ???

I will tell you how I stopped my terrifying RECTUM ITCH without medication - for pennies.

You probably have the remedy in your kitchen. No more expensive Preparation H. You can be as amazed as I am by this beautiful discovery:

SEND \$2.00 CASH - CHECK - M.O. - TO:

NO-ITCH

Guaranteed Reply day received.

—Sinequanon, a New York firm, advertised a *Nutritional Analysis Profile*. For a fee of \$15.00, the firm promised to provide “all the information needed to evaluate your nutritional and other health factors critical to your attaining and maintaining good health.” A test purchase produced a computerized nutrition and exercise evaluation form. After reviewing this form, Dr. Robert D. Reynolds, Vitamin and Mineral Nutrition Laboratory, Beltsville Human Nutrition Research Center, USDA, filed the following conclusion:

The claim that “This profile provides *all* (emphasis added) the information needed to evaluate your nutritional and other health factors . . .” is dubious at best, especially when no med-

ical examination is given in conjunction with the "profile." A thorough medical examination is essential to detect many problems that simply are not obvious or known to the average person filling out such a questionnaire. In the absence of an evaluation by a medically trained expert, complete with biochemical analyses of blood and urine, a chest X-ray, blood pressure measurement, heart rate, chest and abdominal palpations, etc., no questionnaire can begin to fulfill the claim to provide *all* information needed to evaluate health factors. Finally, the food groupings and quantities listed in the questionnaire make even a rudimentary nutrient intake analysis nearly impossible. Thus, the entire program appears to be nearly worthless.

—A *Psoriasis Diet* advertised by a California firm suggested that Psoriasis could be avoided by eliminating spicy foods, animal fats, alcoholic beverages and other products containing hydrogenated fats and sugar. All vegetables consumed were to be cooked, or steamed, fish baked or broiled, and other specific suggestions were made. The developer of this diet stated it had helped hundreds of thousands.

An evaluation of the diet submitted by Dr. Stephen I. Katz, Chief of Dermatology Branch, National Cancer Institute, found:

The "Psoriasis Diet" is without any scientific foundation. There are not even any remote clues that psoriasis is related to an individual's dietary habits. The diet is supposed to be used for "auxiliary help in the fight against psoriasis." However, even this claim of efficacy is false and misleading.

—"*Help Detoxify Liver and Gallbladder*" read an ad placed by Jurgens Enterprises of California in *Prevention* magazine. It was said there was an easy, natural approach, to eliminate sluggishness, gall stones or surgery. A test purchase of this product produced two sheets of instructions for "liver and gallbladder flush".

Dr. Irving B. Brick, Professor of Medicine, Division of Gastroenterology, Georgetown University Hospital, reviewed the regimen and concluded:

This method for so-called detoxification and flushing of the liver with ingredients including disodium phosphate, a laxative, apple cider or apple juice, citrus juice, olive oil, and lemon juice taken in a prescribed way is supposed to flush the liver and gallbladder and "help restore the normal functional capacity of these organs." The ritual is detailed and goes on for six days. None of the ingredients noted is known to be therapeutic for any liver or gallbladder disease. Possibly, some laxative effect may occur and in some elderly patients this could cause theoretically electrolyte disturbances. The claim that it might cause expulsion of "small gallstone-type objects in the stool" is completely without any pharmaceutical basis.

Another part of the advertisement gives a method to determine whether the hydrochloric acid is normal, low, or very low. This is by flushing after taking a certain number of tablets of niacin. Again, there is no rational validity to this method. Furthermore, there are methods given to increase hy-

drochloric acid production. Again, there is no rational validity to this. Finally, there is a liver flush recipe which is proposed after the detoxification program and again the ingredients, while not themselves harmful, are of little use in doing what is claimed it does.

CHAPTER VIII

PAPER PROMISES

Any attempt to assess the value and impact of health remedies printed or published in books and pamphlets is likely to be met immediately with constitutional concerns related to the protection of free speech. The judgments involved are particularly difficult, requiring a balance of the potential harm posed by the publications and the constitutional principle at the core of our democratic society.

Unfortunately, no one is more aware of this difficulty than the quacks. Fortunately, in the words of Thomas Jefferson, "Error of opinion can be tolerated, so long as reason is left free to combat it."

What follows is a compendium of some of the quack remedies contained in publications advertised and sold to the general public in printed form. These paper promises range in format from the mimeographed sheet to glossy brochures and full blown books, often with a pseudo-scientific appearance.

The analysis provided is not intended, as those who profit from these publications will undoubtedly claim, to lead to censorship or book banning. Rather, it is intended to provide a foundation of reason with which consumers can properly assess the accuracy of the advertisement with which these prescriptions are sold and the risks associated with their adoption.

—Anyone responding to the 1981 advertisement in the *Globe* promising to "Eliminate Stomach and Intestinal Disorders," received two mimeographed sheets of paper describing "*Herbs for Health*." These herbs were said to have beneficial effects "contributing to intestinal health." Dr. Alvin B. Segelman, Department of Pharmacognosy, Rutgers University, reviewed this material for the Committee and found it contained "a number of inconsistencies and false information." Specifically, he said:

Licorice Root is claimed to contain insulin—it does not! Moreover, two herbs mentioned as being very good for the digestive system, namely comfrey and sassafras, may both cause cancer of the liver in humans. The user is advised to purchase the herbs at the local Health Food Store or in the grocery store. The information given is mostly unfounded and of little if any value to the layman.

The typed material ends with two biblical quotations, presumably to give some "validity" and authenticity to the stated therapeutic claims—they do not.

—"Beat the High Health Care Costs," read an ad in *Mother Earth News*. The remedy was said to be simple, effective and legal. Investigators responding to the ad received a a 15-page "book" written by a retired chiropractor promoting "*attunement*." After

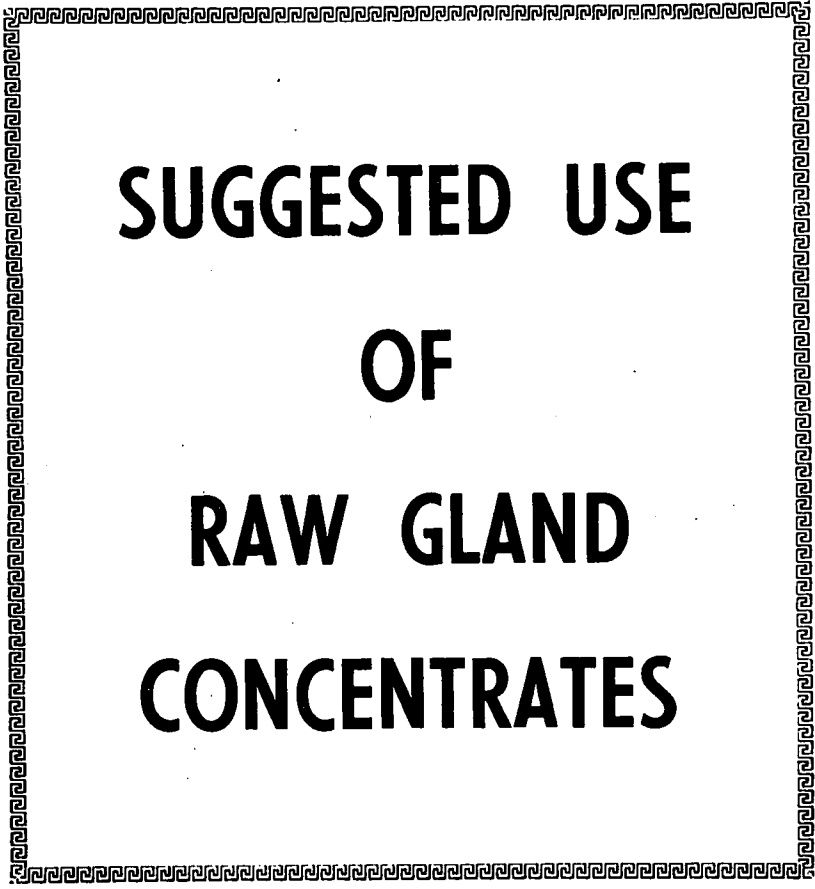
reviewing the material obtained, Dr. Paula Botstein reported the method is "not recognized by physicians or backed by scientific data demonstrating its effectiveness." Attunement is said to involve touching the "magic button" on the body. "Some of the claims attributed to it," wrote Dr. Botstein, "are extravagant, improbable, and not supported by scientific evidence (e.g. rapid cure of psychosis, speedy lowering of high fever, recovery from epilepsy and diabetes)."

—A Pennsylvania firm advertised a diet said to *increase energy*, reduce weight, and insure health. A test purchase produced a 4-page pamphlet, said to be the result of 20 years of research. The author assured the purchaser the diet could cure arthritis, hives, high blood pressure, kidney stones, and diabetes. A review of the pamphlet by Dr. Sheldon Margen, Professor of Public Health, University of California, Berkeley, found it "thoroughly unscientific."

Dr. Margen said the diet "does not take account of the scientific advances in nutrition of the last 50-75 years. It does not discuss the nutrient content of foods or what is necessary to develop a balanced diet . . . It also states that bread of all types (which is certainly the most staple and important food for most of the world), and sugar, salt, pepper and most condiments are the chief contributors to poor health. Except for sugar (and this depends upon the quantity eaten), this is obviously false. Specifically, salt is an essential nutritional element, and there is absolutely no evidence that consumption of pepper and other condiments may lead to ill health.

"This brochure is written in a totally unscientific fashion," Dr. Margen concluded, "stressing the use of uncooked foods and periodic fasting. There is no good evidence that this is beneficial. I believe the statement and claims made in this brochure are clearly and unequivocally false and misleading."

—A firm called "Nutritional Consultants" advertised literature explaining "*Cellular Therapy*" for \$1.00. Those responding to the ad received a spread sheet indicating the curative potential of various "raw gland concentrates" and a price list for the product. Raw heart concentrate, it was said, could prevent myocardial infarctions and heart insufficiency. Raw lymph concentrate was said to prevent cancer. Raw placenta concentrate was said to prevent degenerative diseases and rejuvenate the user and so on. A copy of the list is reproduced on the following page.



**SUGGESTED USE
OF
RAW GLAND
CONCENTRATES**

Raw adrenal concentrate

- Hypoglycemia
- Adrenal exhaustion
- Fatigue
- Low blood pressure (brown outs)
- Alcoholism

Raw heart concentrate

- Myocardial infarction
- Palpitations
- Heart insufficiency
- Nervous heart

Raw liver concentrate

- Liver detoxification
- Stamina
- Hypoglycemia
- Diabetes
- Allergies
- Skin disorders, acne
- Hypercholesterolemia

Raw stomach lining concentrate

- B12 absorption factor
- Fatigue
- Stomach pH
- Stomach ulcers

Raw lymph concentrate

- Immune system response
- Lymph drainage
- itis's
- Cancer

Raw mammary concentrate

- Lactation
- With uterus for uterine bleeding
- Breast soreness

Raw mixed gland concentrates

- General run-down
- Systemic rejuvenator

Raw brain concentrate

- Memory
- Neurological pathology
- Alcoholism
- Mental disorders

Raw duodenum concentrate

- Stomach and duodenal ulcers
- Ulcerated colitis
- Stomach pH

Raw eye concentrate

- Eye irritation
- Glaucoma
- Eye Allergy
- Astigmatism

Raw orchic concentrate

- Impotency
- Lack of libido
- Degenerative high blood pressure

**Raw calf bone with
Horsetail Rush**

- Osteoporosis
- Gingivitis
- Broken bones

Raw ovary concentrate

- Dysmenorrhea
- Menopause
- Amenorrhea
- Hot flashes
- Birth control pill users
- Ovarian atrophy

Raw pancreas concentrate

- Hypoglycemia
- Diabetes
- Pancreatitis
- Poor protein assimilation
- Cancer

Raw placenta concentrate

- Rejuvenation
- High blood pressure
- Arthritis
- Degenerative diseases

Raw pituitary concentrate

- Saddle bag fat
- Endocrine dysfunction
- Headaches

Raw prostate concentrate

- Prostatitis
- Prostatic hypertrophy

Raw parotid concentrate

- Poor carbohydrate assimilation
- Dry mouth
- Hypothyroidism
- Mumps

Raw spleen concentrate

- Immunity depression
- Thrombosis
- RBC or WBC depression

Raw thymus concentrate

- Immunity depression
- Colds, flu, infections
- Low resistance

Raw uterus concentrate

- Endometriosis
- Pregnancy
- Hot flashes

Dr. Edward L. Schneider, Associate Director for Biomedical Research and Clinical Medicine, National Institute on Aging, reviewed this material for the Committee. He concluded:

The rationale for the use of raw glandular concentrates is extraordinarily misleading. It is full of gross inaccuracies which indicate that the authors of this document have no or minimal formal scientific and/or medical background. An example of the incredibly fallacious logic of their argument is the contention that these extracts contact the genetic template, DNA, of animal organs which when digested will have an effect on the respective human organs. They appear to be totally unaware of the biochemistry of DNA, which cannot be digested and then return to a form resembling its original genetic capability.

These products also may be dangerous in that they may sensitize individuals who may be allergic to specific glandular materials. Furthermore, this false advertising may mislead individuals with serious medical conditions to stop their current medications and switch to these useless glandular extracts which are offered for over 60 medical conditions. A tragic example would be a diabetic abandoning the use of insulin, with its painful injections, for the proposed raw pancreas extract. While the pain of injections would be eliminated, the patient could have a drastic increase in blood sugar, fall into a coma and die.

—Harian Publications of New York advertised a publication entitled, *Secrets of Staying Young and Living Longer*. The book, which sold for \$4.95, contained a collection of foods and therapies, which are said to have helped thousands recover from arthritis, diverticulosis, headaches, hypertension, prostate enlargement, colitis and similar ailments. An examination of the book by Dr. Edward L. Schneider, Associate Director for Biomedical Research and Clinical Medicine, National Institute on Aging, produced the following review:

It is unfortunate that these secrets did not remain secret. This book is full of gross inaccuracies. It is a classic example of a little knowledge being presented in a misleading, uninformed and even dangerous fashion. The inaccuracies are too many to detail. The author does not appear to realize that the claims of individuals in Georgia in the U.S.S.R. and Vilcabamba in Ecuador are exaggerations. In addition, he interprets Dr. Leonard Hayflick's discovery of the limited ability of human cells to divide in tissue culture to mean that we die because our cells stop dividing in our bodies. This is an incredibly erroneous misinterpretation. Finally the author recommends looking directly at the sun. This is an extraordinarily dangerous procedure and could result in a loss of vision.

—Nicholas Publishing of New York advertised two booklets, one for the *prevention of heart disease* and the second, to control genital *herpes*. The booklets attributed heart disease to a substance contained in homogenized dairy foods and herpes to nutritional imbalances. After reviewing the two documents. Dr. Sheldon Margen,

Professor of Public Health, University of California, Berkeley, concluded:

This is one of the most blatantly false and misleading documents that I have read for some time. It completely dismisses the lipid theory of cardiovascular disease and states that high blood pressure and atherosclerosis of the heart and legs are not associated with fat/cholesterol, but rather with the presence in milk of a substance, xanthine oxidase, which is made more absorbable by homogenization of milk, and that homogenization of milk is the main cause of atherosclerosis. I know of no reputable scientific evidence which supports this position.

The second brochure in this series is on herpes and what can be done about it. It is likewise totally based on a theory for which there is no scientific evidence whatsoever. The brochure suggests that the nutritional use of L-lysine will cure or prevent the symptoms of herpes. This is based upon two uncontrolled experimental cases. The authors do not quote any of the negative experiments on this. The results are unfortunately false and misleading in terms of present-day scientific evidence.

—William Crook of Texas advertised a "*New Medical Discovery*," said to be a common, little understood blood condition that afflicts millions. Some of the conditions resulting from this blood conditions were said to be depression, compulsive eating, fatigue, asthma, hypertension and migraine.

Investigators responding to the ad received a pamphlet entitled "*You and Your Allergy*." After reviewing the ad and the pamphlet, Steven M. Horvath, Director and Professor, Institute of Environmental Stress, University of California, Santa Barbara, concluded:

The advertisement is blatantly misleading. The enclosure "You and Your Allergy" is composed of modified and simplified statements on various types of allergies, mostly correct. As such, it would be of some general value to individuals suffering from allergies. The advertisement suggests *otherwise*—it implies some "remarkable treatment" unrelated to what the individual will receive for his \$2.00. A real quack scheme. It is of some interest that the author of this pamphlet also produces a more expensive set of pamphlets on similar topics originating out of Jackson, Tennessee."

—FC & A Publishing advertised "*The Complete Bran Diet Program*." For \$2.99 and 50¢ postage and handling, the publisher promised to reveal the wonder diet which would reduce weight. "You can lose 14-24 pounds on this diet without eating less food," prevent heart attacks, cancer, and other diseases. A review of the diet by Dr. Sheldon Margen, Professor of Public Health, University of California at Berkeley, found the publication was based on "epidemiological work which suggests that increased fiber intake may be a factor in certain diseases, particularly those of the colon. Most of these studies have not stood up to close scrutiny . . . These booklets imply that a high bran diet will prevent certain diseases such as appendicitis, hemorrhoids, varicose veins, hiatus hernia, heart attacks, gallstones, diabetes, and obesity. The problem is that this

is presented virtually as gospel truth, rather than as the rather poorly documented findings they really are. Therefore, I find these booklets erroneous and misleading."

"In addition," Dr. Margen continued, "the author makes many statements that are contrary to scientific fact."

—A Kentucky promoter advertised he had a simple remedy for *skin cancer*. Purchasers received a copy of a 20-page booklet consisting of anecdotes related to the use of an ointment composed of petroleum jelly and goldenseal. Experts reviewing the book indicated it unquestionably was useless in the prevention of skin cancer and there was a significant possibility it could result in harm since it might cause users to delay in seeking treatment for certain forms of skin cancer. The possibility of harm is particularly abhorrent since most skin cancers can quickly be cured by prompt, proper, medical attention.

—People responding to a promised cure for *eye cataracts* received a mimeographed sheet containing three paragraphs. The publisher promised the treatment was simple—"all one needs to do for eye cataracts is to eat a whole lot of cheddar cheese and they will melt away." Medical reviewers stated, "The only possible benefit of this therapy was commercial, occurring in income to the publisher and indirectly to the dairy industry."

—A Texas publisher produced an illustrated book entitled *How to see without glasses*. The book was said to contain "sensational" news for "magic" vision improvement. In fact, it contained a series of eye exercises.

Reviewers of the book concluded that neither the exercises advocated nor any other exercises would be effective in correcting vision. In addition, some of its content was found to be "extremely hazardous in that it purports to deal with certain conditions such as cataracts, which may result in blindness if not promptly treated by competent medical consultation."

—A typewritten *cancer cure* obtained by the Committee in response to an ad placed in the *Saturday Evening Post* in 1981 advised the reader to reject traditional cancer therapy. Instead, the author advised, cancer victims should laugh at humorous films, take megavitamins, and clear the mind of pride, envy, hate and guilt. Dr. Jane Henney of the National Cancer Institute responded that all of these techniques have not proven effective and the advice to the reader that they abandon standard cancer therapy is almost certain to prove harmful.

—A Washington promoter advertised there were simple and inexpensive cures for cancer. For \$5.00 the firm said it would provide this information in its book, "*All About Cancer: You Don't Have to Die.*"

On responding to this ad, postal investigators cooperating with the Committee received 3 mimeographed pages concerning cancer and a solicitation for other publications with titles ranking from "Bizarre Sexual Practices" to "The Russians are Coming and So is the Depression."

An analysis of the cancer material by Dr. Henney, Deputy Director of the National Cancer Institute, concluded, "This document contains multiple false and misleading statements regarding the cause and treatment of cancer. The cause of cancer is alleged to be

a subconscious death wish, sexual repression, and feelings of loneliness and alienation. Treatments which are purported to cure cancer include chaparral, white oak bark, the grape diet, lemon juice, cider vinegar, clay massages and herbs. There are no scientific facts to support any of these statements."

CHAPTER IX

DEVICES

Device quackery preys on the same widespread credulity, fear and desperation which allows other forms of quackery to flourish. But for many Americans, the appearance of a technological answer to their health concerns—particularly one that resembles the X-rays, electrocardiograph, or other instruments commonly associated with organized medicine—has a persuasiveness other phony remedies lack.

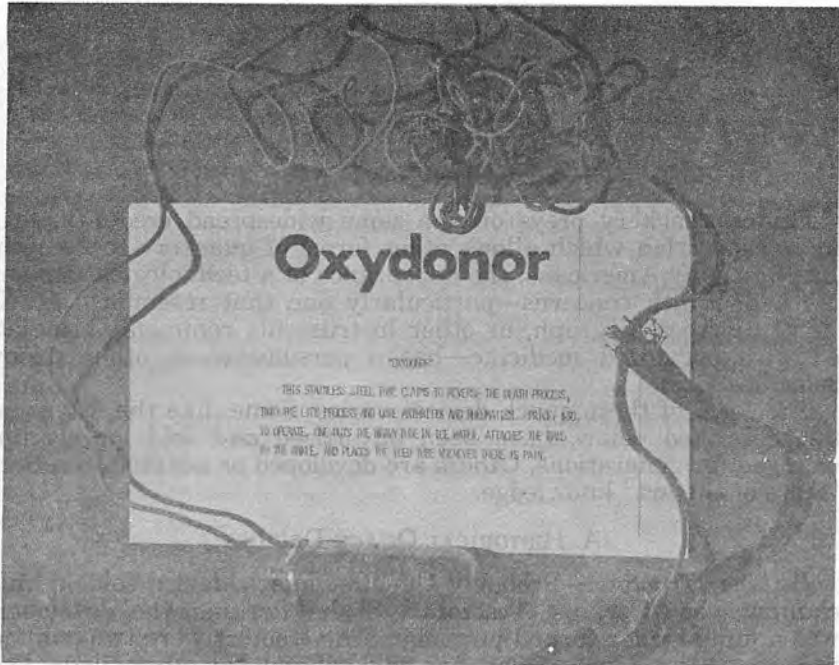
The form of these quack devices varies. Some, like the Oxygenator, described below, have been advertised and sold largely unchanged for generations. Others are developed or adapted to reflect “state of the art” knowledge.

A. HISTORICAL QUACK DEVICES

Perkins' Tractors.—Probably the first quack device sold in this country was “Perkins' Tractors.” Elisha Perkins, the developer, was a mule trader turned physician. The tractors were two pointed rods about three inches long, one gold colored, the other silver. The rods, which were alleged to be magnetic metal, were said to be capable of “pulling disease from the body by magnetic attraction.” In operation, the two rods were simply drawn downward across the afflicted part of the anatomy to “draw off the noxious electric fluid.”

Ultimately, the magnetic metal proved to be painted wood. Perkins was ousted from the Connecticut State Medical Society. Among those said to have been duped by Perkins were several members of Congress, the Chief Justice of the Supreme Court and President George Washington.

Oxydonor.—Since the days of “Perkins' Tractors,” no mechanical, medical humbug has enjoyed greater vogue or deceived more people than those devices the American Medical Association facetiously classified as “gas pipe therapy.” These devices have been marketed since 1915, when they were first developed by Hercules Sanche. They have been sold under the name Oxydonor, Oxy-pathor, Oxygenor, Oxygenator, Oxytoner, and Oxybon [See photo on following page.]



These gas-pipe devices are composed of a small, nickel-plated pipe, filled with some inert substance. This pipe is sealed on each end and attached to flexible wires with disks, elastic bands or buckles to fix the device to the afflicted part of the body. They cost about \$1.23 to make and sold in 1915 for \$35. They were said to be capable of treating "all chronic diseases and conditions of long standing."

Confidential instructions issued to agents of the company are more instructive as to its real purpose. The instructions guided

salesmen to "use judgment" in selecting cases and "sidestep" cases which have dragged on for years. The key, according to the manufacturer, was to "Tell yourself repeatedly that the Oxyopathor is all right. Repeat this until firmly convinced that it is all right. Thereafter you will be invincible."

"Above all," the instructions read, "get some money in advance. Get payment. Do this without fail, and remember, the less theory you talk, the better."

On March 31, 1915, the Postmaster General of the United States issued a fraud order against the Oxygenor company. Postal authorities alleged the device was "utterly worthless for the treatment of disease in any form." The company made no defense and the order was issued.

Subsequent orders have since been issued against other variations of this device in the ensuing years. All have prevailed.

Radioscope and Oscilloclast.—Albert Abrams, M.D., claimed he had invented a system of diagnosis and healing he called "radionics." "The spirit of the age," Abrams wrote, "is radio, and we can use radio in diagnosis."

Abrams' diagnostic technique called for placing a drop of the patient's blood, drawn while the patient faced west, in a box called a "dynamizer." Then an electrode connected to the dynamizer was placed on the forehead of a healthy subject. To be effective, this subject had to be stripped to the waist and facing west at the time of analysis. The diagnosis consisted of Abrams striking the half-naked, healthy subject's abdomen to determine by sound what the patient's problem was.

Abrams' machinery was said to be so sensitive that it could not only detect dread diseases, but could discern their precise location within the body, the sex of the patient, and even his religion.

To cure what the dynamizer diagnosed, Abrams developed the "Oscilloclast." The Oscilloclast was said to produce vibrations in consonance with the vibratory rates of all known diseases. The force of these vibrations properly directed was said to shatter the afflicting ailment.

In a relatively short time, Abrams was receiving dried blood for analysis from more than 3,000 local practitioners. Abrams' diagnosis would be returned on a postcard with recommended treatment settings. The Oscilloclast was rented to these practitioners and all other interested parties for \$250 plus monthly payments of \$5. The machine was leased with the specific understanding it would not be opened by the lessee.

One who did open the Oscilloclast was the physicist Robert Millikan. Millikan said it was the kind of device a ten-year-old boy would build to fool an eight-year-old. A panel of experts after a year's examination for the *Scientific American* concluded, "At best it is an illusion. At worst, it is a colossal fraud."

Abrams left his business to the College of Electronic Medicine, which he reportedly endowed with \$3 million. The college, succeeded by the Electronic Medical Foundation, carried on Abrams' medical theories until 1950.

The FDA documented the phoniness of the diagnostic system by submitting a blood sample drawn from a dead body. The analysis returned was "colitis." Diagnosis of blood from an 11-week-old

rooster submitted by the FDA resulted in a report of sinus infection and bad teeth.

In 1954, the Electronic Medical Foundation consented to a federal court injunction agreeing to stop all further promotion of the diagnostic system and devices. Shortly thereafter EMF established the National Health Federation (NHF) to lobby against government interference in the use of unproven medical remedies.

Drown radiotherapeutic instrument.—Abrams, most successful imitator was Ruth Drown, a California woman, who invented the Drown Radio Therapeutic Instrument—a collection of dials, terminal posts and an anometer. Mrs. Drown claimed that crystals were formed by placing a drop of blood on a blotter. Once these crystals were formed, they could be analyzed, she said, and “healing waves” sent to the patient regardless of his or her geographic location.

Mrs. Drown’s device, which cost over \$400, was sold to hundreds of doctors, chiropractors and osteopaths. In 1951, following an extensive trial, Mrs. Drown was convicted of violating the 1938 Food, Drug, and Cosmetic Act, which extended federal control over device quackery involved in interstate commerce. Despite the conviction and a fine of \$1,000, Mrs. Drown continued practicing her “healing art.” She estimated she treated some 35,000 suffering men and women through the years.

Orgone accumulators.—In 1934, Wilhelm Reich, M.D., a protege of Sigmund Freud, designed and built “Orgone accumulators.” The accumulators were boxes of wood, metal and insulation board about the size of a telephone booth designed to trap “Orgone energy,” which Reich claimed to have discovered and which he considered the “most powerful force in the universe.”

Hundreds of these boxes were sold or leased for the treatment of all kinds of diseases, including cancer. Rentals were around \$250 a month. Treatment consisted of sitting inside this box and absorbing the Orgone.

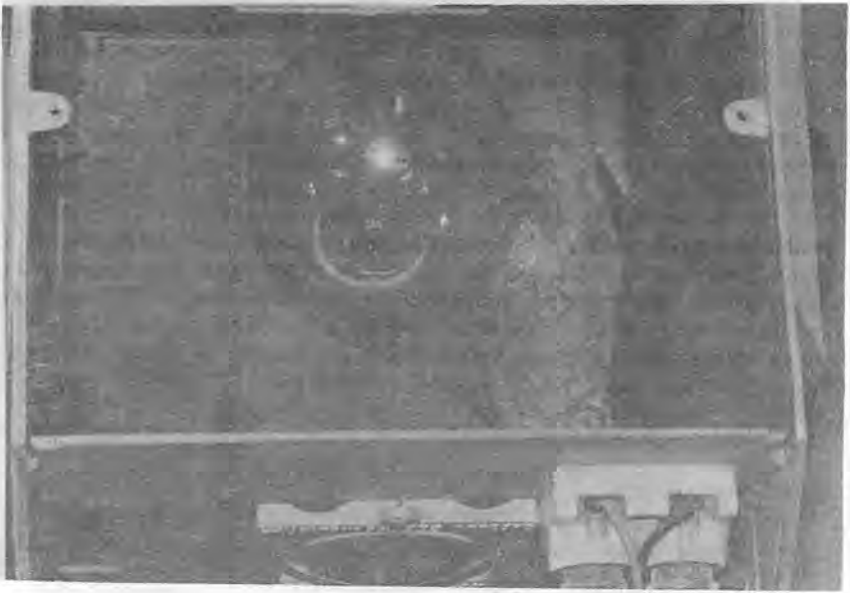
In 1954, the FDA sued for an injunction to stop this hoax. Reich responded that neither the judge nor the jury were capable of understanding orgone science and refused, therefore, to offer a defense. Reich was ordered to recall all of his out-of-state leased devices and correct the misleading advertisement contained in the labeling of his product. Reich defied the order and continued to operate his business. He was convicted of contempt in 1956.

Air-Ozone.—A similar device seized by the FDA and condemned by court order was the “Air-ozone,” illustrated below. When plugged in, the eight tubes of this device glowed and were said to emit light energy of various wavelengths, producing ozone. This treatment was said to be effective for angina pectoris, arthritis, arteriosclerosis, tuberculosis and 37 other diseases.



Micro-dynameters and Spectrochrome.—Two of the biggest frauds of the 1950's and 1960's were the micro-dynameters and spectrochrome. During this period more than 5,000 microdynameters were sold at prices up to \$900. The former was represented as being capable of diagnosing and treating virtually all diseases. It consisted of a galvanometer fitted with various electrodes which were applied to different areas of the patient's body.

Investigators found the only condition it could detect was perspiration.



SPECTROCHROME

Pictured Above is the Inside of a Spectrochrome

The spectrochrome was an impressive cast-iron box containing nothing more than a 1,000 watt light bulb, a bottle of water and some colored filters. It sold for \$475. To operate the device, the patient removed his or her clothing and stood in the box facing north in the first quarter of the moon. The filters over the light bulb were adjusted to compensate for specific diseases. A yellow filter was used to cure cancer. A red filter was said to cure arthritis.

The FDA sought and obtained an injunction after proving that five of the supposedly successful treatments were false. In three of the cases, the patients died of conditions the spectrochrome was said to have cured. As recently as 1980, however, a variation of the spectrochrome was advertised in Miami. The inventor, who practices "color therapy," advertised it as a cureall. Different colors directed at specific points were said to treat different diseases. A person with heart trouble, for example, was directed to lie on his or her stomach and shine a green light on a specific point along the spinal column for 15 minutes.

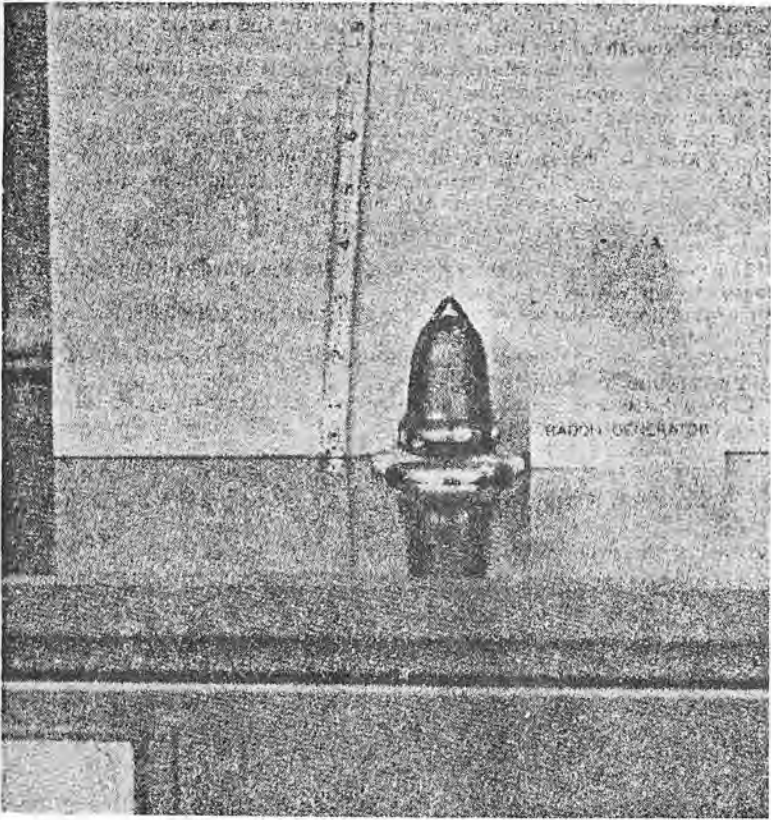
Radioactive and Space Age Devices.—With the advent of atomic energy, a number of quack devices were developed promising the benefits of nuclear technology. Among them were the radiumator, the rado generator, the zerret applicator and the vrilium tube.

The radiumator was said to have a wide range of applications. It was a conglomeration of tubing and valves around a "radium chamber" designed to produce radioactive water. The manufacturer argued that drinking this water could cure heart disease, high blood pressure, kidney disease, and sex debility. It sold for \$10,000 and was said to be a bargain since it contains \$4,000 to \$6,000

worth of pure radium chloride. In fact, it contained \$1.30 of radium and was a pure hoax.

The radon generator [see photo next page] was a similar device. The generator was said to give off small amounts of radon, a gas. This gas was to be added to a jug of tap water. Two quarts of water treated in this fashion, imbibed over a period of time, was said to be a cureall.

From the "Aurum Discovery," "The Billion Dollar Swindle."



RADON GENERATOR

A device which gives off small amounts of radon, a gas. This gas was to be added to a jug of tap water. The claim was that if one drank two quarts of this water a day for a certain period of time, he would be cured of whatever disease he had. The device sold for \$300 and could be purchased through a bank loan.

Zerret Application.—The zerret application, another cureall, was sold to over 5,000 people at \$50 each before the promoter was prosecuted by the FDA and sentenced to jail. The applicator consisted of two blue and white plastic globes connected by plastic tubing. The tubing was said to contain “zerret water,” a force unknown to science. Treatment consisted of holding the dumbbell in one hand for 30 minutes while the “healing rays expand all the atoms of your being.”



The *Therenoid Belt* was promoted as a “cure-all” which worked by magnetizing the iron of the blood. The two-speed switch was for

effecting a slow or a quick cure. This device is demonstrated by Congressman David W. Evans of the select Committee on Aging.

Vrilium Tube.—The *vrilium tube* was recommended for treatment of cancer, diabetes, leukemia, thyroid disturbances, ulcers, arthritis and other serious conditions. It was a brass tube about two inches long and a quarter of an inch in diameter with a safety pin for attaching it to clothing.

The device sold for over \$300. It contained a chemical worth less than a penny. It was worthless for any medical use and was, in fact, not even radioactive.



B. QUACK DEVICES SAID TO "CURE" ARTHRITIS

The Committee staff reviewed hundreds of phony gadgets and quack devices. Not one proved of any significant health value. They ranged in sophistication from copper bracelets to complex machinery. They ranged in price from a few cents to thousands of dollars. They differ in promise from those that would cure all ailments, to the more modest claims of disease-specific devices. Their common denominator is that they are worthless. The only possible benefit involved in any of these machines accrues to the seller and involves the transfer of income from the buyer to the builder.

What follows is a description of some of the devices reviewed by the Committee:

Ozone generators.—Three thousand of these machines, advertised as “*God’s Gift To Humanity*,” were sold in California and 12 other states. The selling price was \$150. It was recommended for use for arthritic conditions and 46 other diseases ranging from diabetes to heart disease. It provided no relief for arthritis or any other medical condition. Its manufacturers and agents pleaded guilty to conspiracy and fraud, were fined and sent to jail.

Vibrators.—The Arthritis Foundation estimates that 14 percent of all arthritics use some type of vibrating machine despite the fact vibrators offer no relief for arthritis and can even be dangerous for people with this condition. Committee staff reviewed dozens of devices promising relief generated by some form by vibration. While vibrators can provide minor relief for muscle pain caused by over-exertion, they cure nothing and can do serious harm to arthritics by increasing joint inflammation.

Radioactive Gloves.—Gloves like the Rado Pad [See photo on following page] or Uranium Wonder Gloves have been marketed since 1950. They are said to contain uranium or some other radioactive ore which will cure arthritis. More often than not, there is no radioactive element in the glove. They contain gravel or some other harmless substance with no curative powers. In the few instances where these gloves actually contained radioactive material, the amount found is roughly equivalent to that provided by the luminous dial of a watch. The glove pictured below sold for \$30.



Solarama Thermal Board.—A Solarama Board is placed under the patient's mattress. It produces vibration and some heat. Among the conditions it is supposed to remedy are arthritis, high blood pressure, insomnia, bedsores, bursitis, migraine and hemorrhoids. It operates, according to its Texas distributors, by activating "the free flow of electrons into a person's body." The board sells for \$100-250. The manufacturer is careful to note in the small print that "no specific claim of pain relief is promised."

Dynawave.—Dynawave, manufactured by a Virginia company, was said to be the result of more than 15 years of extensive research by scientists in conjunction with the medical profession. It sold for \$925 until it was taken off the market, and promised relief for traumatic injuries, burns, muscle re-education and bursitis, as well as arthritis. The patient was given a series of electrical shocks ranging from zero to 450 volts from a wand connected to a generator.

The Arthritis Massager Co.—The Texas manufacturer sold this device, promising it could provide relief from pain associated with spurs on the spine, dislocated disks, arthritis or arthritis-like pain.

The manufacturer promised it could return semi-invalids to work in days and even tighten teeth. On complaint from the FDA, the manufacturer agreed to a consent decree and the balance of his remaining products were ordered destroyed.

Acu-Dot.—An Ohio manufacturer advertised and sold Acu-Dot for temporary relief of occasional minor aches and pains of muscles and joints. It consisted of small round adhesives, like a bandage patch, with tiny magnets attached. It provided no benefit to the patient whatsoever.

Magnetic Copper Bracelets.—Copper bracelets, crosses, belts and other similar jewelry have been marketed for years for relief of pains in joints, tennis elbow, backache, and arthritis. Copper is said to have miraculous curative powers, and when enhanced by magnetism is said to draw out pain mysteriously. Several dozen manufacturers of these products have been prosecuted by either the FDA or postal authorities. All have either agreed to consent orders or been found guilty. No beneficial effect of wearing these devices has ever been proven.

The Inducto-scope.—The Inducto-scope was supposed to cure arthritis through magnetic induction. As the photo below illustrates, the rings were placed over the afflicted area and then the device was plugged in. The Inducto-scope had no medical benefit. What it did do is expose users to the hazard of a severe electric shock.



Leg Cramp Leather Bands.—The manufacturer of this device, which resembles strips of leather or rubber of various sizes, advertised it would provide relief of leg cramps and muscle pulls, as well as arthritis. Relief was to be provided by slipping the device under the sheets of the patient's bed. Analysis of the device by Dr. Vincent F. Cordaro found, "The only arthritis which can be improved or cured by this gadget is that in the lame brain of the promoter. No more need be said." The device sold for \$29.95.

—"*Kongo Kit*" promoters of the Kongo Kit claimed that by rubbing the mittens or belt over the affected part of the body—the pain of arthritis would disappear. However, these mittens, which are made of hemp, actually scratch and remove skin from the body producing more pain than that produced by the arthritis—thus relieving the pain of arthritis. Price: \$5. Congressman Claude Pepper demonstrates the Kongo Kit in the photo which follows:



C. RECENT QUACK DEVICES SAID TO CURE CANCER

Sonus-Film-o-Sonic.—The Sonus-Film-o-Sonic played music through electrodes attached to the skin. The distributor, a southern California chiropractor, said he could diagnose cancer by passing his hands over the body of the patient, claimed cancer could be cured by transmitting "Smoke Gets in Your Eyes" through the electrodes. The device cost \$500, but it was said to work equally well for arthritis. Arthritis was said to respond to "Holiday For Strings."

Dotto Electronic Reactor.—Gianni A. Dotto of Ohio, the inventor of this device, claimed it capable of detecting, treating, curing and

immunizing individuals against diseases such as cancer by electromagnetic radiation. At one point, Dotto was said to be treating 75 patients a day with the device. A review by the American Medical Association found there was no evidence to support this device's diagnostic or therapeutic value. Treatment consisted of passing a magnetic ring over the patient's body.

Woods Cancer Cure.—Mr. Woods advertised you can "Cure your own cancer at home." He requested \$25 for instructions and information. Respondents received a syringe and three sheets of literature on curing cancer. Medical reviews of the literature pronounced it "complete nonsense." Among other things, Woods suggested "You can remove a cancerous atom from your body on the outside or inside without an operation by simply applying a vacuum about one inch to one half inch from the skin. Place a small amount of fresh beef inside the vacuum tube as cancerous atoms are magnetic of flesh and blood." On complaint from the postal authorities, Woods admitted fraud and filed a consent agreement.

Pap-Chek.—A New Jersey firm placed advertisements in *Harp-er's Bazaar*, *McCall's*, *Redbook* and *Family Week* promoting a "do it yourself" Pap-Chek. The test was said to have been approved by the U.S. Department of Health, Education and Welfare. The purchase price of the kit was \$9.00. Investigation by the American Cancer Society and the New York State Attorney General's office proved the products claims were deceptive. The testing kit had not been proven to be effective, there was no provision for follow-up in the event findings were positive, and the program had not been approved by the Department of HEW. The promoter was found guilty of 72 counts of mail fraud and sentenced to one year in jail.

Home Screening Kit for Cancer.—An advertisement in the *National Enquirer* in 1981 requested \$10 for a hospital tested and approved home screening kit for colon or rectal disease. On answering the ad, postal authorities cooperating with the Committee received a "hemocult kit, a 30-second test for early detection of asymptomatic GI lesions, particularly colorectal cancer." A review of this device by Jane Henney, Acting Deputy Director, NIC, stated "Hemocult screening kits to identify blood in patients stool may at some point be a useful device to detect colon cancer . . . (but) to suggest this form of testing will prevent cancer is at best premature." The same device is available at local drug stores for less.

Negative Ion Generators.—Negative ion generators have been promoted in the United States for more than 20 years. The products have been touted as cures for countless medical conditions including cancer, emphysema, rheumatism and heart disease. Most of these devices are small electrical appliance generators that are placed on a desk or bedside. Despite FDA findings that ion generators can fulfill none of the health claims with which they are promoted, 150,000 to 200,000 units a year are being sold. Prices for these gadgets range from \$90 to thousands of dollars apiece.

D. QUACK DEVICES SAID TO REVERSE THE AGING PROCESS

Baby-touch Mittens.—Baby-touch mittens, advertised in *Glamour* magazine and other national women's magazines, were said to be

capable of "removing flaky, dead, dry skin film as you stroke away unwanted hair." Testing by medical experts determined them totally ineffective. Neither hair nor skin were removed by this product. On complaint by the postal authorities, the manufacturer agreed to cease marketing the product.

Dynatone Facial Exerciser.—Dynatone advertised its product would diminish wrinkles and produce a younger appearance. This was to be accomplished by placing the product, a battery powered exerciser about the size of a package of cigarettes, against the face and neck muscles. Testimony at trial indicated the product was worthless since wrinkling was related to the elasticity of the skin and had no relation to muscle tone.



Dynabelt.—Dynabelt exercisers, manufactured by the same firm, offered impressive, effortless weight reduction. The device, an electronic belt, was said to transmit impulses that caused muscles to exercise effortlessly. It was sold for \$69.95. Investigators found it provided no benefit, and that advertisements promising weight loss from its use were misleading.

Bust Development.—One of the most frequent and persistent health ripoffs is the bust development device. All of these products claim astonishing results. "I looked just like a boy until one day I discovered a program that increased my bustline by three full inches in just 14 days," one ad read. Other ads claim even faster results. A self-styled wallflower, for example, is said to have gained one and one half inches on her bustline in five minutes.

Some of these bust developers include:

- The *Mark Eden Bust Developer*, a clam-shaped tension device that supposedly exercised the breast. Four million of these devices were sold at \$9.95 before the intervention of authorities.
- The *Vulptuizer*, plastic cups of varying sizes connected with a short rubber tube and exhaust bulb. The instructions accompanying this instrument, which sold for \$15.00, called for the introduction of the breast into the cup to form a seal. Then the bulb is squeezed to exhaust air, causing the breast to swell. [See photo on following page.]



- Evertone*, a cosmetic cream, was said to increase the bustline by 1½ inches in seven weeks. Medical authorities in conjunction with the U.S. Postal Service declared these claims to be false representations. The cream, developed and sold by Mami-lab, cost \$28.00 for a 24-week supply.
- Beauty Breast of Paris*, one of the most expensive programs, consisted of a combination of breast creams, exercise and a hydrotherapy contour cup. The company claimed the breast could be increased by an eighth of an inch with each application.



The simple fact of the matter is that mechanical contrivances for increasing the size of women's breasts are a swindle and a potential hazard to health. According to the American Medical Association, although exercise may develop the muscle supporting the breast, causing the bustline to be carried higher on the chest, no exercise device or cosmetic will increase actual bust size.

E. OTHER QUESTIONABLE DEVICES

Relax-a-cizor.—The Relax-a-cizor promised quick and easy weight loss. The contraption was said to provoke muscle spasms through mild shocks which would melt the pounds away. This "effortless exercise" proved attractive to some 400,000 Americans who bought these machines at a cost of \$249.50 each. After a five-month court battle, the judge branded the device hazardous and potentially harmful. He found the Relax-a-cizor could cause miscarriage and aggravate preexisting conditions such as epilepsy, hernia, ulcers and varicose veins. There was no evidence of any corresponding benefit. One angry purchaser complained, "I was supposed to lose half a pound an hour. I put it on every day for 90 days. I didn't lose anything—except \$249.50".

Roll-a-Way.—A simpler and equally ineffective weight loss device was the Roll-a-Way. Investigators found it was nothing more than an ordinary electric light bulb mounted behind two rubber rollers and encased in plastic. Its markets promised, "Just plug it in and iron your fat away."

Bunion Eze.—The manufacturer of this product advertised it would “correct bunions without surgery.” The purchaser received a plastic brace approximately five and one half inches long with a rubber pad and two straps. Medical authorities determined the product, which cost \$13.59, was useless.

Toe Straightener.—This device, it was alleged, “would straighten bent toes and help restore toes to their natural shape.” Medical authorities evaluating the device found a piece of rubber to be worn under the toes. They concluded it had no scientific, medical or therapeutic value.

Babylon Zone Therapy Roller.—This device was simply a large ball bearing mounted on a block of wood. It was advertised as a foot massage technique that would benefit many health conditions. It was seized by the FDA in the mid 1950s.

Acuroller.—Acuroller is a modern update of the Babylon Zone Therapy Roller. The manufacturer, advertised the Acuroller would respond to everyone’s need for preventive health. This device, a small wooden dumbbell, was said to relieve back tension, sore feet, stress and stimulate energy flow. In addition, it was promised, the device could help breakdown and roll away cellulite and stimulate lymphatic drainage, flushing out the harmful toxins which cause pain. Investigation determined the only possible benefit of the device would be to relieve simple muscular tension. It was found useless for improving one’s general health. [See photo on following page.]



Experience Pleasure & Relieve Stress With Your All-In-One Body Roller

AcuRoller is a self-health tool designed to relieve stress and tightness. AcuRoller was developed by Dr. Richard Sword, a preventive health specialist. AcuRoller is the most effective, comfortable, versatile, and reasonably-priced body roller available. Take one home!

For Back

As you lie down rolling back and forth on AcuRoller its two wide lobes press evenly along your major back muscles relieving aching and loosening our muscles causing discomfort. Your back feels strong and refreshed, even after a hard day.

For Stomach

Firm stomach muscles without strenuous exercise. Place AcuRoller on a carpet, rolling back and forth on your stomach. Control pressure using arms and legs. Increase pressure slowly as your stomach becomes firmer and stronger.

For Feet

After a day on your feet, give your feet a pleasant foot massage. With AcuRoller on the floor in front of your chair, roll away the day's tensions. Improving whole body reflexes as you watch TV, read, or just enjoy.

For Thighs

Use AcuRoller to help break down and roll away extra fat from AcuRoller on the floor.

under one thigh, apply pressure using body weight as you roll back and forth. Achieve a more attractive shape as you strengthen leg muscles.

For Legs

Important to runners, use AcuRoller to loosen legs both before and after exercise to improve endurance and defy cramps. Grasp both ends, pressing and sliding along leg muscles.

For Neck

Explosive neck stiffness that builds up from working over a desk or talking.

Use one end of AcuRoller to press neck muscles from top to bottom. Don't stop until they tingle.

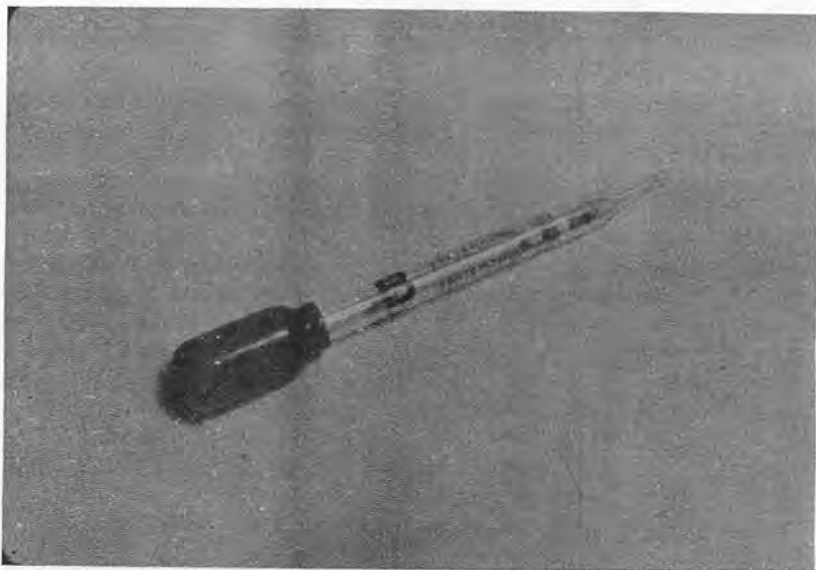
For Friends

As good as it feels to use AcuRoller on yourself, it's even better for your friends. What? No friends? Well, you'll make some soon with AcuRoller!



For Back,
For Feet,
For Thighs,
For Legs,
For Neck,
For Friends

Urinometer.—This device was advertised as “a Food and Drug Administration approved, scientifically designed early alert system,” which warns of abnormal sugar levels in the urine which could indicate kidney trouble, diabetes and possible heart diseases. The product consisted of an eyedropper containing five colored balls, termed gravity marbles. [See photo below.] Investigation determined that the device was ineffective for detecting diabetes or glucose in the urine. In addition, the device had not been approved by the FDA. In fact, the FDA had seized the identical product manufactured by other firms.



Chen's Instrument.—Chen's Instrument was advertised for pain relief and weight loss. It was said to be based on acupuncture principles, which control hunger and pain without pills. The product consisted of a five-inch-long cylinder with a rotating head. Evaluation of the product found it bore no relationship to acupuncture, would not result in weight loss and had no capacity to lessen pain. The medical expert reviewing the product concluded, “The advertising of this product is unequivocally false and misleading.”

CHAPTER X

CLINICS—ORGANIZED QUACKERY

The essential prerequisites to quackery reflected in the panoply of drugs, potions, diets and devices identified in the previous chapters are pain, chronic and incurable illness, desperation, deception and greed. Alternative treatment clinics combine these elements with the appearance of legitimacy associated with credentialing, offices of treatment, advertising and billing. These clinics are to quack remedies what the doctor's office and the hospital are to the pharmacy.

While there are no precise estimates of the number of these clinics in existence, or statistics on the number of patients deluded by them, it is clear from the Committee's investigation that there are hundreds, at minimum, of these clinics and tens of thousands of victims. One clinic reviewed claimed to have treated more than ten thousand patients in a five-year period. Treatments offered by this clinic ranged from purported cures for arthritis to cancer.

The Committee's review of clinics, which are organized to distribute discredited and unproven remedies, reveals a number of common elements. Most of the clinics advertised were staffed by people with formal medical training, generally less than that required for a M.D. degree. Several of the clinics were organized by individuals claiming medical credentials they do not possess.

Most of these clinics focus on treatments which include diet, non-surgical therapy, potions and drugs. Treatment is provided at the clinic or through an office, like a doctor's office, associated with another facility offering temporary living accommodations.

Patients are solicited through direct mail, advertisements, word of mouth, alternative health publications, and mass mailings to targeted lists of sufferers and their families. Often, referrals are made by foundations organized to disseminate information on unproven health remedies and therapies.

Clinics' newspaper and magazine advertisements responded to by Committee investigators almost invariably urged the reader to send for a "free booklet." A response generally resulted in a brochure. It also results in the respondent's name being placed on a mailing list of those interested in alternative health remedies.

Initial mailings are frequently followed with phone calls and additional mailings designed to sway the cautious. Some clinics resort to scare tactics in their follow-up mailings, warning recipients that there is danger in delay and that their hope for a new life and recovery is evaporating. Among other things, this technique delays and sometimes eliminates the possibility of the patient seeking effective treatment with proven remedies.

Another common technique is to request the patient to fill out a form identified as a "personal case history" for a "free evaluation." This approach, essentially diagnosis by mail, is useful in helping the clinic operators design a program to treat what the patient thinks he has, regardless of the nature of his real problem.

Almost invariably, the clinic will claim that: (1) a thorough physical examination will be given at the clinic; (2) treatment methods at the clinic are based on the operators "own research", and, hence; (3) the treatment program is different and not to be found elsewhere; (4) the whole body will be treated; (5) the ailment, whether it be cancer, herpes, or arthritis can in fact be cured.

Some of the clinics reviewed by the Committee include the following:

A. DOMESTIC CLINICS

Clinic A.—In 1980 the Committee received testimony from Mrs. Lena Rosenberg of Philadelphia, Pennsylvania concerning her experience at the clinic. Mrs. Rosenberg explained how she and her husband happened to become involved with this clinic and how it resulted in his death. Mrs. Rosenberg's testimony, the first evidence the Committee received concerning clinics, is reprinted below:

My name is Lena Rosenberg. I am 61 years old and have worked for the last 10 years as a court clerk.

Before 1979, my husband, Benjamin, had never been sick of any serious nature and we had no family doctor. So when he became sick with very bad pain that January 1979, my daughter took him to the Kennedy Hospital, near where we live. My husband stayed in that hospital for 2 months. He had two operations while he was there, one resulted in a colostomy and another was on his prostate. After the operations, his surgeon told me that he had cancer in his colon. He said that it couldn't be removed.

While my husband was in the hospital, my daughter met someone in a health food store who told her about a couple in West Philadelphia who helped people by giving advice on their diet. My daughter and I went to see about this and met Steven and Ellen Haasz. They both call themselves reverend and they say they have Ph.Ds. They call their place "Temple Beautiful".

Steven Haasz told me that everything that was bad with the body came from the foods that people eat and that people should eat as little as possible. When they did eat, he said people should only eat raw fruits or vegetables or the juice from them. He particularly thought that wheat grass juice and watermelon rind juice were good to eat. When I told Haasz about my husband, he said that he had cured himself of cancer in four places by proper dieting and that I should get my husband out of the hospital because doctors are murderers and hospital food is poison.

When my husband got out of the hospital in March 1979, he was supposed to make appointments to go back to see the doctors there. We went to Steven Haasz instead and my husband went back to the doctor only twice. I happen to know her Ph.D.

is in English and his in engineering. They called the place Temple Beautiful. Through my own interpretation, the temple is supposed to be the body. First of all, he said, he cured himself of cancer in four places. Since then, "I have become an expert on the illness." At that time I believed everything he said. You get cancer from food and he could treat my husband a certain way and that it should go into remission, within two months.

Haasz put my husband on a diet of wheat grass juice, watermelon rind juice, and juice of green vegetables. He sold us a juicer for the wheat grass for \$180 and told us where we could get one for watermelon rinds, used, from his friend for \$50. We even bought trays to grow our own wheat grass. We paid Haasz \$20 an hour for consulting.

I was so convinced that this method of treatment was my husband's salvation that I became obsessed with the idea of visiting the place founded by Ann Wigmore, a woman who wrote a book on this. So my husband and my daughter and I went to a place in Boston called the Hippocratic Institute. It was somehow connected to Haasz' place in Philadelphia. We stayed for 2 weeks and ate raw fruit and vegetables. The director of the place told us that they had had a person with the same condition as my husband come there and after getting on their diet, the cancer dropped right out of him. This director also told me the cured man ultimately died of cancer because he went off the diet. This was the same message told me by Dr. Haasz when he said that unless I stayed on the diet I would develop cancer of the pancreas, since I'm diabetic. They charged each of us \$385 for each of us to stay in Boston for 2 weeks.

After returning to Philadelphia, Haasz suggested that my husband's body was out of harmony because of the colostomy that he had. He suggested that we have a second surgery performed to reverse that which had already been done.

We consulted a doctor Haasz had recommended about reversing it and he said my husband was too weak to be operated on. He went down to about 90 pounds. Perhaps he was 80 pounds at the time of his death, because he was a walking skeleton. I could count every bone in his body. He said that he needed protein and should have one egg and toast. I actually went out and bought a dozen eggs and bread but when I told Haasz about it, he said, "you know he should not eat them." So I gave them away. My husband was excited about the prospect of having an egg to eat but regretfully at the recommendation of Dr. Haasz, I repeatedly denied them to him.

In May, my husband started to have pain, and I panicked and told Haasz I was going to call a doctor. Haasz said, "Never mention doctors or hospital to me again—or do not ever talk to me."

I know now that I was foolish to listen to Haasz and to spend about \$2,000, including the trip to Boston, on the raw food things. But my husband and I were married for 37 years and when he got sick, I was looking for magic. Their false promise of hope may have actually shortened my husband's few num-

bered days on this Earth. My husband died on May 17, 1979, at age 67, at home.

The Assistant District Attorney of Philadelphia, Pennsylvania, who accompanied Mrs. Rosenberg said that Haasz did not violate any state criminal law.

Clinic B.—In March, 1980, a *Chicago Tribune* exposé revealed that Clinic B specialized in unproven remedies such as hyperthermia, an experimental procedure that involves raising a patient's body temperature to try to kill cancer cells, metabolic therapy which involves the use of laetrile, large doses of vitamins, enzymes, special diets and coffee enemas.

A 63-year-old housewife with cancer of the ovaries and the uterus suffered brain damage, second degree burns and other complications after undergoing heat therapy treatment. Clinic B told the woman that she would have three treatments at the cost of \$15,000 and \$2,000 doctor's fees. At research institutions where hyperthermia is undergoing clinical trials, the treatment is offered at little or no charge to patients who volunteer to participate in the experiments. After the first treatment, her husband told the *Tribune* that he couldn't recognize her and the doctor admitted she got more than was intended. The third day after treatment, the woman went into a coma. She was transferred to another hospital and died of cancer several months later. Her husband said that when she walked into the hospital she was vibrant and healthy and that she had not shown any signs of deterioration before. The clinic billed the husband about \$9,500.

According to the *Chicago Tribune* series, two patients died at the hospital after undergoing hyperthermia and relatives were not told about the risks. A Michigan woman, 35 years old, with breast cancer suffered a heart attack near the end of her first whole body hyperthermia treatment. Four weeks earlier a New York man, 58 years old, died of pneumonia after undergoing the treatment.

Parents of a 10-year-old boy with leukemia opted for metabolic treatment instead of surgery which had a 30% survival rate. The boy was put on a meatless diet, large doses of Vitamin C and coffee enemas. Too late, the parents realized that the claims of improvement were false.

It is reported that the clinic and related hospital made a handsome profit. Revenues in 1978 alone reached to \$5.5 million for the 93-bed facility. Also, according to an audit report at the then Department of Health, Education and Welfare, the patient costs were among the highest for hospitals in the Chicago area. The facility allegedly requires payment in advance for a cancer patient who visits the clinic on an outpatient basis. For the metabolic program, it requires a deposit of \$1,300 which includes daily injections for 20 days, 18 visits to one doctor, five visits to another doctor, and a consultation. For the hyperthermia, a deposit of \$3,000 is required. The hospital emphasizes that the deposit covers only estimated costs and that the actual charge may be greater.

The doctor who administers the heat therapy program repeatedly came under fire from the medical community and state officials. They found that \$2,000 per treatment to be unethical and unearned.

The *Tribune* investigation revealed that the owner and Chairman of the Board of the entity received \$320,000 a year in rent from the hospital due to a "sweetheart contract," compensation as Board Chairman totalling more than \$100,000, and \$50,000 for arranging financing with a company he controlled.

As part of the clinic's publicity campaign the *Tribune* reported the facility boasted that renowned medical centers across the country often send seriously ill patients to it. The Mayo Clinic in Rochester, Minnesota, the Stanford University Medical Center, UCLA and the University of Pittsburgh were incorrectly represented as having referred patients to it.

As a result of the *Tribune* series, Federal, state, and city agencies asked cancer specialists to serve as special consultants in an investigation of these questionable practices. The experts agreed that the hospital represented a definite danger to the community and public in general.

Clinic C is one of the many clinics offering unconventional cancer therapy. The clinic features a \$3,000 per month laetrile therapy, questionable and sometimes inaccurate diagnostic testing and worthless vitamin and enzyme regimens. An investigative piece in the *Pensacola Journal* in October 1979 revealed that the clinic had two chiropractors on its staff who treated patients for cancer even though the Florida Board of Chiropractic Rules specifically forbid a chiropractor from treating cancer. Patients were told that they could purchase the prescribed vitamins and enzymes for a 10% discount at a health store owned by the wives of the operators.

Clinic D.—In 1977, a Wisconsin state judge intervened in a case where the parents of a child with leukemia sought to stop her chemotherapy and begin nutritional treatment including laetrile. The parent's attorney had referred them to Clinic D. According to federal investigation, the attorney had been a wholesale and retail distributor of laetrile from his offices. He is also an attorney for a Wisconsin Corporation, that was ordered to cease operation in 1977 by a federal court.

The child's cancer was diagnosed as acute lymphocyte leukemia which has a high probability of cure with chemotherapy. When the parents removed the child from the chemotherapy, the child's doctor contacted the state welfare agency. The state petitioned the court, received temporary custody and the chemotherapy was continued.

A Committee investigator contacting the clinic was told their four-week program, referred to as spiritual non-violence, consisted of a regimen excluding cigarettes, alcohol, meat, eggs and cheese. The clinic said it emphasizes "self healing" based on the theory that "cancer is stagnated energy in the body". Costs for this self-help program were said to range from \$1,860 to \$2,465 for the four-week program.

Clinic E's publications state "cancer is seldom a separate and distinct disease, but the end product of other diseases." "Most inflammatory conditions can end in cancer, if not arrested in time," they further state.

Treatment consisted of "adjusting the segments of the spine to correct vertebral distortions interfering with the nerve supply nec-

essary for the normal functioning of the organs and tissues of the body; by colon irrigation, which is a hygienic method of removing body waste and poisons; by nerve and cell goading and reflex techniques to stimulate activity of the tissue cells; by spinal and other forms of traction to relieve nerve pressures and compressed discs between the spinal articulations; by physio-therapy and correctional exercises to build up the general tone of the body, and by diet to give the required nutrition."

Diagnosis of cancer for treatment was made by using the "Basic Function Tests." This process consisted of "a blood pattern test which measures varying electric potentials to establish the functional patterns of the body, its organs and glands." Results were verified by conductivity measurements using two discredited devices, the neuromicrometer and the microdynameter.

Both the FDA and the American Cancer Society reviewed this therapy and concluded there is no evidence to support its effectiveness. Contact by Committee investigators indicate the facility is no longer offering cancer treatment.

Clinic F is a non-profit organization that serves as a training center for the method of using psychology in cancer therapy. The Center conducts group counseling sessions for patients. An intensive 10-day group psychotherapy program in 1981 cost \$1,900 for tuition plus fees for food and lodging.

The belief that psychological factors will alter the course of the disease lacks scientific substantiation. However, unlike most unproven methods, this approach may have some beneficial value to cancer patients. The American Cancer Society indicates that it may increase patient comfort and the ability to deal with cancer. However, they warn of the dangers of over reliance on the method.

According to a letter from the Center to ACS, the staff includes a number of both M.D.'s and Ph.D.'s. Among them are a psychodiagnostician, cellular biologist and a consulting physicist. The clinic say it has trained over 4,000 counselors in introductory courses at the Center and throughout the country. In addition, the clinic counsels about 40 cancer patients a year.

In the spring of 1981, consultants in the Departments of Psychiatry at Memorial-Sloan Kettering Cancer Center and Mt. Sinai Hospital in New York City conducted independent reviews of these techniques based on currently available publications and audio tapes obtained from the Center. The findings of these two major medical institutions were remarkably consistent and similar. It was the consensus of the consultants that, although in its more positive aspects the technique may increase patient comfort and ability to deal with cancer, there is no scientific evidence that psychological and psychosomatic factors will alter the course of the disease.

Clinic G is operated by a dentist who developed a complex diagnostic test as a guide to his dietary program to treat cancer and other diseases. The patient's responses to a questionnaire are analyzed and then a tailored metabolic program is recommended. The test costs \$75. The treatment consists of pancreatic enzymes, vitamins and minerals, a personal diet which may be vegetarian or meat (depending on the patient's metabolic category), and coffee enemas as part of a detoxification process. The dentist maintains that diet alone can treat or prevent 86% of all cancer conditions.

The operator achieved notoriety when Steve McQueen contacted him in January of 1980 after reading about the program in a magazine. McQueen was diagnosed as a "Type IV" metabolizer and was placed on a diet of fish, chicken, beef two times a week, and large quantities of raw vegetables. When McQueen's condition continued to deteriorate he sought treatment in a Mexican clinic that specializes in these methods.

For a time McQueen believed that he had improved with the additional therapy. Besides the special diet, he took a variety of "immunostimulants," including live cells from fetal pigs and cattle, the controversial cancer drug laetrile and a lot of vitamins and dietary supplements. In addition, he received chiropractic treatments, heat and massage.

McQueen went on Mexican radio in early October to express his gratitude:

Mexico is showing the world this new way of fighting cancer through non-specific metabolic therapy," said a tired, raspy voice over the Mexican radio. "Congratulations and thank you for helping to save my life."

Shortly after the broadcast McQueen died. In 1971, an appellate court issued an order to the dentist not to practice medicine (that is, try to cure cancer) without a license.

B. INTERNATIONAL CLINICS

Clinic H in Tijuana specializes in the Hoxsey herbal cancer treatment. According to a 1980 article the clinic treats more patients than all of the other outlaw clinics combined. The one-time cost for the treatment is \$1,000. In late 1980, the clinic moved up the hill into a glass walled, multi-room mansion with terraces and a commanding view of the United States to the north. "We'll be able to look down on the U.S. from there," promoters said.

Clinic I is a non-profit organization that requests a \$5000 "donation" for acceptance to the program. Material distributed by the clinic indicates that the donations are tax-deductible. Patients are treated by injection on an out-patient basis only. Patients come to the building for ten minutes several times a day to be injected and to have their blood sampled.

Two case histories bring home the personal costs. In 1980, Joey Hofbauer died at the age of 10 from Hodgkin's disease. Conventional therapy had offered an excellent chance of cure—between 81 percent and 94 percent. According to an article in *Medical World News*, the parents brought Joey to the Bahamas for his secret immuno-augmentative therapy plus laetrile. The boy died in the Bahamas the following year of "extensive involvement" of his lungs by the disease.

Mrs. Virginia MacConnell had cancer diagnosed by doctors in Cincinnati, Ohio as adenocarcinoma. She had undergone surgery for her cancer several months before and was receiving radiation therapy in Cincinnati to stop further growth of the disease. The radiation treatment was causing her great discomfort. She soon became disillusioned with these methods and the possible treatment with chemotherapy drugs, which was being advised by her doctors. Mrs.

MacConnell was asked to contribute \$5,000 in the first week that she attended the clinic. She stayed over six months and her son had no idea how many thousands of dollars she "donated" during that time. The son maintains that there was pressure to contribute regularly to this "non-profit" group. Workers described persons who didn't donate money as freeloaders. Sometimes, it was reported, people were asked to leave when they became gravely ill. People constantly feared being asked to leave. At one point Mrs. MacConnell wrote her son and stated that over 10 of the 53 patients in the clinic were asked to leave, all within a few days. Mrs. MacConnell died on December 8, 1978, four and one half months after she was pushed from the clinic.

Clinic J is also in Mexico and offered a metabolic treatment for cancer. The Mexican government said that activities of those who run it can be classified as "charlatanry."

The operator, a former University of Mexico biochemistry professor, does not have a medical degree. Material advertising the opening of the clinic states that the clinic treats cancer biochemically to correct the chemical balance of the blood and thereby cure cancer.

The operator claimed that cancer is not a local malady but rather a symptom of a general condition and disappears when the condition is corrected. He claimed a 95 percent cure rate for 18,000 cancer cases in the early "first detection stages." He used a blood analysis which, he claimed, has an 80 percent accuracy rate.

According to the A.M.A. files, the Mexican Health Department took action to stop the illegal practice.

Clinic K in Tijuana attracts American patients. It specializes in revitalization therapy or cellular therapy to cure many and "augment everyone's vigor." The therapy consists of injections and pills of placenta cells which "travel to the weakest part of the body and start a chain reaction that helps the body build new cells." In other words, the operator doesn't worry about making an incorrect diagnosis. "Whatever is wrong, the cells will help." This therapy supposedly cures hepatitis, removes wrinkles and greyness, and relieve the symptoms of arthritis.

Clinic L in Baja, Mexico featured an expensive drug therapy of "Meitoxzyme," a worthless drug supposedly made from a poisonous fish. A 6-week supply costs \$1,200. The owner of the clinic is a man who bills himself as an M.D. but lacks the degree.

Clinic M operates in Tijuana. The physician who heads this clinic boasts that it has treated more than 30,000 patients. This Mexican doctor is well known for his use of laetrile and he claims fantastic results that have never been duplicated in independent research.

This clinic is publicized as an oasis of hope, as one of the world's leading clinics in prevention, early detection, and treatment of malignant diseases.

The clinic has used two diagnostic tests which have been found to be ineffective in the detection of cancer: the Beard Anthrone Test and the Hemacytology Index.

In 1975, the Postal Service launched an investigation into the Health Hut which turned out to be a front for the clinic which had obtained a Texas post office box and solicited diagnostic tests for cancer and sent them to its laboratory. The Postal Service sent for

the diagnostic package but no replies to its letter was received. The case was closed.

Clinic N is also located in Mexico and was the target of an investigation by the ABC News program 20/20 in 1981. The investigation revealed that patients were told they were receiving DMSO when in fact the pills were potent steroids which could cause very serious side effects. It was reported this clinic offered a host of unproven remedies and drugs following the most cursory examination.

CHAPTER XI

FOUNDATIONS

In the course of this inquiry, the Subcommittee identified about a dozen foundations involved in the dissemination of information encouraging the use of unproven remedies, research, lobbying, and advocacy. A complete review of the activities of these foundations would be beyond the scope of this report, and, given the nature of some of the allegations, have more properly been referred to the Internal Revenue Service and the Department of Justice for review.

There are, however, a number of common elements that should be noted. At least half of the foundations supporting unproven remedies reviewed by the Subcommittee were either formed by, or involved the significant participation of, individuals previously indicted or convicted of health fraud and quackery. The crimes for which these individuals were convicted ranged from single violations of mail fraud statutes to practicing medicine without a license.

In some cases, the organization of these foundations appeared to be honest attempt on the part of well-meaning individuals to gather and disseminate information of remedies they sincerely believe have value. In others, probably the majority, the motivating factor appears to be the attainment of the legitimacy and credibility associated with foundations and non-profit status.

In combination, these foundations support and attempt to encourage reliance on virtually every unproven remedy identified in this report. Couched in words of choice and alternative, these foundations support, facilitate, and direct the desperate to the "miracle of choice." Some distribute multi-paged, mimeographed sheets detailing a smorgasborg of clinics, therapies, practitioners, and remedies. Others are more selective and specifically identified, encouraging reliance on specific treatments or remedies. A few are captives of individual clinics and practitioners and are not much more than referral mechanisms or facades providing the cover of respectability. One noted promoter of unproven remedies, for example, practices an air of unworldly disinterest in pecuniary matters, disdaining payment for his services. Instead, patients are informed they may make a contribution of \$5,000 or more to the foundation supporting research into the practitioner's remedy. The air of disinterest evaporates, however, when the patient finds the "gift" is a condition of treatment.

While foundations are normally thought of as research-oriented organizations, the only visible research encouraged by most of these foundations is the uncontrolled and indiscriminate testing of unproven remedies on desperate human beings. This attitude re-

flects one of the most appalling elements of quackery—uncontrolled tests on human guinea pigs—and is reminiscent in its callous disregard for human life of some of the worst atrocities of World War II. Humanity as well as science demand that new remedies be tested and proven safe and effective before wide dissemination.

Several of the foundations reviewed advertised a tax-exempt status they do not possess. Obviously, the possibility of a tax exemption is a significant factor in encouraging contributions. It also gives the organization making the solicitation the air of legitimacy inherent in the assurance that the organization has met the IRS standards for tax-exempt organizations and, therefore, the funds donated will be applied to a truly charitable purpose. Contributors to organizations advertising but not granted tax-exempt status may feel doubly deceived when faced with a tax audit.

Most of these foundations, in contrast to most recognized charitable organizations, do not have publicly available disclosure statements indicating the amount and source of revenue and the amount and source of expenditure. While the information is not available to the Subcommittee to formulate a judgment with respect to all of these foundations, in at least two cases there are indications disproportionate amounts have been directed to administrative and fund-raising activities.

Private organizations like the Better Business Bureau and the National Charities Information Bureau indicate foundations should direct a reasonable amount, generally 50 percent or more, of all funds generated to the purposes for which the foundation was organized. *The New York Times* reported recently that one of these organizations spent less than 11 percent of the money it raised on research. A spokesperson for the Maryland Division of the American Cancer Society informed the Subcommittee the return address for this foundation was “simply a mail drop.”

To further confuse the public and add the color of credibility to their activities, some of these organizations are not above filing misleading statements. One of these foundations was said to have sent unsolicited contributions in small dollar amounts (\$25 or less) to eminent cancer researchers in order to be able to advertise support of their activities.

Another organizations claimed millions of dollars spent in research in more than a dozen countries. In fact, contrary to its advertisement, actual contributions by the organization were less than \$1 million and about one-eighth the amount advertised.

Finally, several of these foundations appear to be devoting a substantial portion of their revenues to lobbying activities. Regulations governing the activities of Section 501 (c)(3) organizations, (organizations founded for charitable purposes and granted, therefore, a tax exempt status) strictly limit the amount of revenues that can properly be directed toward influencing public policy and legislation.

In summary, most of these foundations are about as charitable as Jesse James. For the most part, they appear to be self-serving, self-promoting entities organized to provide their principles with an air of legitimacy and cloak of respectability. They are a referral mechanism for patients seeking unproven remedies and a propaganda

machine for their purveyors. They maximize the quacks opportunity for self-promotion and personal profit. The Internal Revenue Service should exercise extreme vigilance in reviewing the activities of these and similar organizations to insure the purpose of tax exemption is achieved and the self-aggrandizement of individuals eliminated.

CHAPTER XII

ENFORCEMENT EFFORTS—AGENCIES RESPONSIBLE FOR COMBATING QUACKERY

Responsibility for preventing and controlling quackery is shared among numerous governmental, medical and consumer-oriented organizations. Principal responsibility at the federal level is divided among the Food and Drug Administration, the Federal Trade Commission, the U.S. Postal Service and the Justice Department.

State enforcement activities are largely the responsibility of the state attorneys general and consumer affairs offices. Other governmental agencies with a major role involve county consumer affairs offices and local police—particularly in metropolitan areas.

Non-governmental agencies involved in the battle against quackery are numerous and diverse. They range from consumer groups like the Better Business Bureau to representatives of organized medicine like the American Medical Association and philanthropic associations such as the American Cancer Society and the Arthritis Foundation.

The Committee's review of enforcement activities focused on the Federal response. Committee staff visited each of the agencies sharing responsibility for preventing and controlling quackery, reviewed relevant files and interviewed key personnel. Specific additional information was requested from each agency.

State activities were determined by the analysis of detailed questionnaires sent to state attorneys general offices, state offices on aging, and state consumer affairs offices. The responses to these questionnaires were supplemented with telephone interviews. In addition, questionnaires were sent to a sample of county consumer affairs offices and metropolitan police offices.

Finally, the related activities of agencies in the private sector were reviewed through a combination of site visits, questionnaires and interviews. Among the private agencies contacted were the American Cancer Society, Arthritis Foundation, American Medical Association, Better Business Bureau and Action Line Reporters.

These public and private agencies confirmed quackery as a pervasive and enormous problem. Every agency contacted reported receiving significant numbers of complaints concerning unproven health remedies and false advertising. Without exception, every agency reported most of the complaints they received were valid.

While all these public and private agencies identified quackery as a billion dollar problem of epidemic proportions, resources available to combat quackery appear to be diminishing. Federal efforts in particular have shown a significant proportional reduction (proportion of total resources within agencies sharing responsibility for control-

ling quackery) over the last 20 years. During the last 4 years, this trend has escalated.

With the exception of the U.S. Postal Service, which maintains a consistent interest in monitoring fraudulent health products promoted and sold through the mails, existing Federal efforts to control quackery can only be said to be minimal. On the whole, state and local enforcement efforts do not appear much more substantial. Where state actions are taken, these cases are almost always initiated by consumer complaints and settled with consent agreements. Rarely is a quack, however egregious his activity and harmful his product, proactively identified, vigorously investigated, prosecuted and convicted under relevant criminal statutes.

The most common reason given for the absence of quackery-related enforcement activities on the Federal, state and local level was that it was "not a priority." Given the dimension of this problem and the potential for harm, this perception must be reversed.

A. THE FOOD AND DRUG ADMINISTRATION

The Food and Drug Administration is empowered by the Federal Food, Drug, and Cosmetic Act to prohibit the introduction of any food, drug, device, or cosmetic that is adulterated and misbranded. The Act also prohibits the introduction into commerce of a new drug unless it is safe and effective for use under the conditions prescribed, recommended or suggested in its labeling, and the misbranding or adulteration of a regulated product after it has moved in interstate commerce. Sanctions that may result in violations of the Act include seizures, injunctions, and/or prosecutions. Health fraud cases ordinarily are based on misbranding charges.

The FDA investigates individual complaints, obtains information and collects evidence regarding potential violations of the Act. Decisions as to the significance of the findings obtained from an investigation and what action should result are made in accordance with established compliance policy that reflects factors such as health hazard potential, extent of product distribution, and nature of the misbranding.

The violation, if it is a minor misbranding issue of limited scope, may be resolved at the district level by direct correspondence with the firm and a followup inspection at the next regularly scheduled period.

More serious, widespread violations may result in investigations by multiple districts, coordination with bureaus or centers, and issuance of regulatory letters which give notice and warn that formal legal action will follow (such as seizure, injunction, and/or prosecution) if the violative conditions are not voluntarily corrected promptly.

If the problem represents flagrant violative conduct, the Agency will ordinarily initiate formal legal action without prior warning.

AUTHORITY

Within the general authority of the FDA, there is no specific authority to address quackery or health fraud problems. While the provisions of the Food, Drug, and Cosmetic Act are not specified or limited to the problems presented by quackery, many of its provi-

sions do provide authority to act against quackery and health frauds.

Several sections of the Act give the FDA authority to gather information about health fraud products and practices:

- Section 702 authorizes the Agency to conduct examinations and inspections, and to collect samples. Section 702 has special provisions for dealing with counterfeit drugs.
- Section 703 gives the Agency the authority to look at records showing the movement of health fraud products in interstate commerce.
- Section 704 gives the Agency authority to enter and inspect factories, warehouses, and other establishments where health fraud products are manufactured or held, and it permits the inspection of records concerning health fraud products labeled as prescription drugs.

Once health fraud products are identified, the Agency has several enforcement options. Health fraud products which are in violation of the Act are subject to seizure under section 304. Individuals and firms engaging in health fraud practices which violate provisions of the Act are subject to injunctions under section 302, and criminal prosecution under section 303 except certain violations involving vitamins and minerals misbranded by fraud products. Under section 801 of the Act, the Agency may detain a product if it appears to be in violation of the Act. Then the burden shifts to the importer to prove to the Agency that the product is acceptable for entry into the United States. If the importer does not meet its burden, the product may be refused entry into the United States.

In addition, the FDA may advise regulated firms of potentially violative products, practices or conditions, and give the health fraud purveyors an opportunity to make corrections voluntarily before initiating legal or administrative action.

The FDA classifies quack products and devices under several definitions of the Food, Drug, and Cosmetic Act. Drugs are defined as articles that make a claim that they are “. . . intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man . . .” (Sections 201(g)(1)(B) and (C)). Most food fraud products are basically classified as “foods” which are defined to mean “. . . (1) articles used for food or drink for man . . . (2) chewing gum, and (3) articles used for components of any such article.” (Section 201(f)). However, when therapeutic claims are made for foods, they are also drugs and become subject to the Act’s requirements for drugs.

Many health food fraud products are “food additives” as defined in section 201(s) of the Act, since they are substances intended to be added to food but they are not generally recognized (among experts qualified by training and experience to evaluate food safety) as safe under the conditions of their intended use. These products would not have the necessary approved food additive petition under section 409 of the Act, and they would be adulterated (and hence unlawful) under section 402(a)(2)(C) of the Act.

Similarly, many health fraud products are “new drugs” as defined in section 201(p) of the Act, since they are not generally recognized (among experts qualified by scientific training and experi-

ence to evaluate the safety and effectiveness of drugs) as safe and effective for use under the conditions prescribed, recommended, or suggested in their labeling. These products would not have approved new drug applications or investigational exemptions under section 505(b) and (i) of the Act, and they therefore cannot move in interstate commerce pursuant to section 505(a). There are similar provisions for health fraud products that are "new animal drugs" as defined in section 201(w), which need FDA's approval under section 512.

The food additive petition, and the new drug and new animal additives approval processes, give the Agency authority to control what products are allowed onto the market (premarket approval) and also give the Agency authority to take health fraud products off the market. Health fraud products that are medical devices may also be subject to premarket approval (or removal) pursuant to section 515. In addition, medical devices that are health frauds may be administratively detained under section 304(g), and certain health frauds which present the requisite public health risks may be banned under section 516.

The Act also prohibits interstate commerce in adulterated or misbranded foods, drugs, medical devices, and cosmetics. Therefore, the adulteration and misbranding provisions of the Act can be used against health fraud products.

Foods that contain unapproved food additives or unsafe animal additives are considered adulterated (Sections 402(a)(2) (C) and (D)). Although they do not attack directly the fraudulent nature of medical health fraud, the general adulteration provisions of the Act may also be used against health fraud products in appropriate cases.

If the labeling of a food is false or misleading in any particular way, then the food would be misbranded within the meaning of section 403(a)(1) of the Act. Vitamins and minerals may be misbranded if their advertising is false or misleading in a material respect or if their labeling does not meet the Act's requirements. Similarly, foods for special dietary use must contain certain information on their labeling or else they would be misbranded.

Section 501 of the Act sets forth ways in which drugs and medical devices may be adulterated. General adulteration sections that might also be violated by health fraud products are 501(a)(2)(B) which requires drugs to be manufactured in accordance with current good manufacturing practices, 501(f) which requires certain medical devices to receive premarket approval, and 501(g) which makes banned devices adulterated.

Section 502 of the Act sets forth ways in which drugs and medical devices may be misbranded. *The sections that would be used most often to combat health fraud are section 502(a) which states that a drug or device is misbranded if its labeling is false or misleading in any particular way, and 502(f)(1) which requires a label to bear adequate directions for use. These sections are used to attack the false treatment or curative claims on the theories that if the product is ineffective for its claimed use then the labeling making the claim is false and misleading, and that no one can write adequate directions for the use of a product that does not work.*

Because many health fraud promoters do not register with the FDA or list all products making therapeutic claims, or provide the Agency other information required by section 510, their drugs and devices may also be misbranded under section 502(o). Other misbranding sections might also be used in an appropriate case, although they do not directly address the fraudulent nature of the product. For example, if a worthless drug cure did not contain the name and place of business of the manufacturer, packer, or distributor on the label, a section 502(b)(2) charge could be made. Similarly, section 502(e) requires the label to contain the established name and for drugs the quantity of active ingredients; 502(f)(2) which requires adequate warnings when a product's use may be dangerous to health or where warnings are necessary to the protection of users; and 503(j) which prohibits drugs and devices dangerous to health when used in the dosage or manner, or with the frequency or duration recommended in the labeling.

Many possible health fraud products making drug claims are being reviewed for safety and effectiveness as part of the Agency's over-the-counter (OTC) drug review program. Following the establishment of a final monograph (final rule), any related OTC drug that fails to meet the requirements of the monograph and FDA regulation, 21 CFR 330.1, will be recognized as misbranded under section 502 of the Act, or as a new drug requiring an approved new drug application pursuant to section 505(b) of the Act before it can be marketed. Some health fraud drugs or medical devices have no acceptable uses when labeled for OTC use. Unless labeled for prescription use they may be misbranded under section 503(b) of the Act.

Section 601 of the Act is the cosmetic adulteration provision of the Act, which can be used to challenge unwarranted claims for cosmetics (e.g., shampoos that are claimed to restore hair). Similarly, section 602 of the Act is the misbranding provision for cosmetics, and as with drugs or medical devices, cosmetic health fraud can be attacked under 602(a) which prohibits false and misleading labeling.

ENFORCEMENT BY THE FDA

The FDA does not have the authority to directly initiate criminal proceedings. Rather, it recommends to the Department of Justice that criminal proceedings be initiated. Most criminal cases recommended by FDA are under section 303 of the Act if an activity prohibited by section 301 of the Act has occurred. In addition, the Agency can recommend that the Department of Justice take action against violations of Title 18 of the *U.S.C.* if a violation of that title has occurred. The criminal sanctions under the Act provide for imprisonment for not more than one year, a \$1,000 fine, or both for each misdemeanor count for which conviction is obtained. Second convictions under the Act or committing a violation of the Act with intent to defraud or mislead are felonies that may result in imprisonment for not more than three years, a fine of not more than \$10,000, or both for each count for which conviction is obtained.

Similarly, the FDA does not have the authority to directly initiate civil proceedings. However, it may recommend to the Depart-

ment of Justice that it initiate civil proceedings. The civil sanctions provided under the Act include seizure of the product because it is in violation of the Act, and an injunction against the persons (including corporations) responsible for causing the violation. Imported products that are health frauds may be detained and denied entry into the United States.

Nor are there administrative remedies available to the FDA under the provisions of the Act which can be applied to health fraud and quackery. In fact, all of FDA's recommendations for legal action pass through several levels of Agency review as well as the Food and Drug Division of the Department's General Counsel, before they are referred to the Department of Justice. The cases, whether criminal or civil, are usually developed initially by an FDA District Office and they must be approved by the appropriate bureau/center, the Office of Regulatory Affairs, and the Office of General Counsel before a final decision is made to recommend the case to the Department of Justice. As of October 10, 1983, at the direction of the Department of Justice, all FDA requests for criminal prosecutions (including requests for grand jury investigations), and injunctions under the Act must be transmitted to the Department of Justice, Civil Division, Office of Consumer Litigation, rather than directly to the appropriate United States Attorneys as was the historical practice. Seizure recommendations are still forwarded directly to the United States Attorney's office.

The examples below illustrate the range of enforcement alternatives available to the FDA and their use:

- In 1978, the FDA seized and destroyed "Po Chai Pills," said to be an oriental medicine good for fever, diarrhea, vomiting, and gastrointestinal diseases. The FDA found these claims were false. In addition, the FDA found the compound constituted a "new drug" within the definition of the Food, Drug, and Cosmetic Law, being marketed without approval. In addition an FDA analysis of the drug found it contained mercuric sulfide. "Every known class of mercury compound is potentially hazardous," the FDA said, "especially as internal preparation."
- A Japanese firm marketed "magnetic bracelets," stating that the product was amazing and provides a magnetic field which ionized the iron in the blood. This process was promoted for arthritis, bursitis and said to provide general good health for weeks after wearing. The FDA met informally with the distributors in July of 1978 and agreed to permit the marketing of the product if it were sold as jewelry and all references to health claims were deleted.
- In 1979, the FDA took action against the Manufacturer of "Air Care" advertised as the "Smallest Health SPA in the World." Air Care was in fact a variation of the popular Ion Generator devices. It carried claims promising the prevention, cure, mitigation or treatment of conditions ranging from sinusitis and asthma to depression and fatigue, colds, legionnaires disease, insomnia, cancers, tumors, infections, vertigo, schizophrenia, and more than a dozen other diseases. This miracle cure was said to be available for \$150-250. The FDA action consisted of

requiring the manufacturer to change the labeling to delete the miraculous claims made for the product.

—In 1978, an Oklahoma manufacturer marketed the “Therapuncture Device” for \$850. The device was sold with claims that it could diagnose and treat a wide variety of diseases by finding corresponding pressure points in the ear. Among the diseases this device promised to treat were appendicitis, and problems associated with nearly every other part of the body from teeth to toes. The FDA found the product was mislabeled and did not contain adequate directions for use. The developer of the device, a blind Doctor of Osteopathy, refused to destroy the machines. They were seized by the FDA.

RESOURCES

The FDA’s total operating budget in 1982 was \$338.3 million. In 1983, their budget was increased to \$362.7 million. About \$1.8 million of that total in both years was allocated by the FDA to the control of quackery. The activities accounting for this expenditure include investigations of cases involving the illegal sale or marketing of deceptive medical devices and promotion of unapproved drugs, consumer education activities and preparation of publications.

The FDA estimates about 40 staff years were spent working on health fraud in each of the last two years. These staff members are located throughout the FDA. There is no specific office within the FDA designated to handle issues relating to health fraud.

The FDA could not provide the Committee with complaint data tracking the number and kind of consumer complaints by age. Similarly, the FDA had no track of referral source for consumer complaints.

THE FDA’S HEALTH FRAUD ACTIVITIES

The FDA health fraud activities are summarized on the table below. Specific referrals for quackery and related misrepresentations could not be determined by the FDA. But, the Subcommittee was informed, these activities would be included in the total health fraud statistic reported. As the table indicates, the FDA forwarded 29 health fraud cases to Justice in 1982 and 74 in 1983.

LEGAL ACTIONS RECOMMENDED BY FDA AND INVOLVING (DIRECTLY OR INDIRECTLY) HEALTH FRAUD

Type of action	Fiscal year—	
	1982	1983
Seizures:		
Drugs (human)	22	52
Medical devices (human)	1	13
Veterinary drugs or devices	3	2
Foods (human)	0	3
Total	26	70
Injunctions:		
Drugs (human)	12	3
Medical devices (human)	1	0

LEGAL ACTIONS RECOMMENDED BY FDA AND INVOLVING (DIRECTLY OR INDIRECTLY) HEALTH
FRAUD—Continued

Type of action	Fiscal year—	
	1982	1983
Total.....	3	3
Prosecutions: Drugs (human).....	0	1
Total.....	0	1
Grand total—Health fraud actions.....	29	74

¹ Countersuits requesting injunction.

Of the 29 civil health fraud cases forwarded by FDA in FY 82, 19 resulted in civil sanctions (seizure of the goods or an injunction) in FY 82; eight of the seizure cases resulted in the seizure of goods in FY 83. In two of the seizure cases, the product was not available for seizure.

Of the 74 civil health fraud cases forwarded by FDA in FY 1983, 62 resulted in civil sanctions in FY 1983. In five of the cases, the product was not available for seizure. Another five cases are awaiting Department of Justice action.

There were no criminal health fraud cases filed in FY 82. One criminal health fraud case (forwarded in FY 83) is pending before a Federal grand jury.

Of the 29 civil health fraud cases forwarded by FDA in FY 82, three were resolved by consent decrees, one was resolved by a default decree. In two seizure cases, the product was not available for seizure. In FY 83, 20 were resolved by default decrees, five were resolved by consent decrees. In five seizure cases the product was not available for seizure. Thirty-eight of the 73 cases have been filed but there has been no final action. The five remaining cases are pending either filing of the complaint or attachment by the United States Marshal.

These health fraud cases include the following examples of enforcement activities directed at quacks:

- the National Arthritis Foundation brought to the FDA's attention the *green-lipped mussel*, a shellfish product imported from New Zealand and promoted as being effective in the treatment of arthritis. The FDA sought and obtained seizure of significant quantities of the product (as a drug) in interstate commerce.
- many consumers expressed concern over the unbridled promotion of *starch blockers* (alpha amylase inhibitors) for weight control. The FDA developed an enforcement strategy including written notice to firms manufacturing and distributing these drugs, followup on effectiveness of the notice, seizure of significant quantities, and injunctions. Numerous legal actions were brought at FDA's request. Two countersuits were also brought by the major starch blocker firms. Both have been resolved in the Agency's favor.

PUBLIC EDUCATION

The FDA estimates \$340,000 of the total \$1.8 million directed at health fraud and quackery by the Agency went for public education in both 1982 and 1983. These funds are said to be directed at implementing an "Agency-Wide Health Fraud Program" covering food, medical devices, and drugs. The objectives of this program are to increase public knowledge and understanding of FDA's statutory responsibilities and the limitations of FDA's authority in protecting consumers from misinformation about foods, dietary supplements and nutrition; misrepresented drugs; and deceptive or harmful devices. The program provides guidance that enables consumers to recognize fraud, evaluate product claims, and make informed decisions. It also provides information to consumers on how to register complaints and concerns about fraudulent products.

In addition, the FDA produced a number of pamphlets or literature providing guidance regarding medical quackery. Some of the publications are:

- The Big Quack Attack: Medical Devices (1/80).
- Quackery, Paying for Miracles (1979).
- Facts About Hearing and Hearing Aids (1979).
- Balding is Forever (2/81).
- Hair Analysis? May As Well Be Bald (4/83).
- Diet Books Sell Well But . . . (3/82).
- Medicines And the Elderly (9/83).
- Cellulite: Hard to Budge Bulge (5/80).
- About Body Wraps, Pills and Other Magic Wands for Losing Weight (11/82).
- Hocus-Pocus As Applied To Arthritis (9/80).
- Cancer Quackery: Past and Present (10/80).
- The Voice Of The Quack (10/80).
- The Gadget Quacks (2/77 now out of print).

SUMMARY

The FDA has the broadest authority to control quackery of any of the Federal agencies. It has a variety of tools at its disposal including: (1) educating the general public to be aware of promotional and other techniques to sell fraudulent products with unproven claims; (2) giving notice to the industry and specific firms of practices that the Agency considers to be in violation of the laws it enforces; (3) initiating civil and criminal proceedings.

Although the Agency has had a significant impact on specific products, many of which have been identified throughout this report, it is clear that preventing and controlling health fraud and quackery is not an FDA priority. Less than .001% of its total budget is directed at quackery. Spokesmen for the FDA have been frank about this problem. Appearing before the Pharmaceutical Advertising Council in February of 1983, Arthur Hull Hayes, Jr., then Commissioner, said the FDA was "simply overmatched. . . . There are too many quacks, too skillful at the quick change of address and product name, for the cumbersome procedures of the FDA."

"There is no question there is more we should do to stop quackery," FDA spokesman Bruce Brown told the *Washington Post* on February 7, 1983, "but it boils down to a question of resources and whether employees should be diverted from other tasks."

By all accounts, the FDA's anti-quackery efforts began to diminish about 20 years ago as its efforts met organized opposition and major new responsibilities, like tightening control over prescription drugs and evaluating new drugs, were added by Congress. Considering the thousands of known quack remedies marketed each year, the potential for harm, and the billions lost yearly, this effort and the relatively few prosecutions generated by the FDA seems minimal at best.

The FDA's response is that quack remedies are often promoted by individuals "keenly aware of the law's requirements and committed to finding ways to circumvent them." Often promoters are intent on keeping the product available as long as possible. Thus, the FDA argues its efforts to stop health fraud are very resource intensive. Accordingly, the FDA says it "cannot take action against the great bulk of health fraud products."

Nevertheless, spokesmen for the FDA are committed to moving toward a more aggressive enforcement program against health fraud. As part of this initiative the Committee was promised a special program will be designed to develop and forward to the Department of Justice in a more timely manner health fraud cases dealing with economic violations.

The Agency said it will also attempt to identify additional resources for this effort and establish health fraud as a program management system project in FY 85 to assure a structure system of planning, budgeting, reporting, and evaluation at the Agency-wide level.

B. THE FEDERAL TRADE COMMISSION

AUTHORITY

The Federal Trade Commission Act (15 U.S.C. 45, 52-55) empowers the Commission to prevent persons, partnerships and corporations from using unfair or deceptive acts or practices in or affecting commerce, and specifically directs the FTC to prevent the use of false advertisements regarding food, drugs, devices or cosmetics. The power to prevent acts or practices involving medical and health quackery is included in this mandate.

The Commission can rely on administrative sanctions, including cease and desist orders and corrective advertising, and civil sanctions, including restitution, temporary and permanent injunctions and civil penalties of up to \$10,000 per violation to control health frauds. The Commission cannot initiate criminal proceedings in cases involving health fraud or quackery. It can recommend the Department of Justice initiate criminal proceedings against any individual or organization violating Section 12(a) of the Federal Trade Commission Act. These violations carry a penalty of a \$5,000 fine or six months imprisonment.

BUDGET

The FTC had a total budget of \$68.8 million in 1982. In 1983, the budget was reduced to \$66.9 million. About \$650,000 of this total in 1982, and \$700,000 of the 1983 total was allocated to controlling quackery. These totals include the salaries, benefits and other direct costs associated with employees assigned to health fraud activities. There were 12 professional and five clerical staff assigned to these activities in 1982 and 14 professional and six clerical assigned in 1983.

Responsibility for health fraud within the FTC is assigned to the Bureau of Consumer Protection. The BCP handles investigations relating to quackery and makes recommendations for enforcement actions. Within the BCP, the majority of health fraud and quackery cases are handled by the Food and Drug Advertising Program and Professional Advertising Project.

HEALTH FRAUD ACTIVITIES

In investigating consumer complaints, the FTC has a range of compulsory and non-compulsory investigative procedures.

Noncompulsory investigatory procedures include letters requesting voluntary production of information or access to proposed respondents' files, questionnaires to groups of possible complainants, respondents, witnesses, and others, formal surveys and interviews.

Compulsory procedures include investigational subpoenas, civil investigative demands, orders of access, and orders to file special (or FTCA Section 6(b)) reports.

The FTC estimates they received about 375 consumer complaints regarding health fraud and quackery in both 1982 and 1983. From these complaints, four formal investigations were initiated in 1982 and 12 in 1983. In addition, three formal proceedings (two consent agreements and one compliance investigation) were initiated in 1982 and ten formal proceedings (five complaints, four show cause orders and one compliance investigation) in 1983.

None of the cases initiated by the FTC resulted in criminal sanctions, civil sanctions, administrative sanctions or regulations in 1982. In 1983, the FTC reports three civil sanctions and six administrative sanctions. There were no criminal sanctions or regulations in 1983. Two cases were settled in 1982 (consent agreement) and seven (five consent agreements and two consent judgments) in 1983.

Examples of these actions provided by the FTC include the following:

- Estee Corporation, a leading manufacturer of health-related special foods, accepted a consent agreement not to advertise its foods as useful or appropriate for diabetics' diets without adequate substantiation. Under the consent agreement, the company will also pay \$25,000 in consumer redress in the form of research grants to the American Diabetes Association or the Juvenile Diabetes Foundation.
- Two chiropractors and two corporations used a "cold laser" to perform so-called non-surgical "facelifts." The Commission charged they lacked a reasonable basis for the advertising

- claim "cold laser" treatments are effective for improving appearance by removing lines, depressions, and wrinkles. A consent order between the parties prohibits claims that the procedure can improve the appearance or that it is as effective as surgery unless the respondents have reliable proof.
- To settle charges that its advertising claims contradicted government-required label warnings, Mentholatum, the maker of Snug Denture Cushions, agreed to refrain from claiming that the product is for long-term use. This health warning stems from Food and Drug Administration findings that long-term use of ill-fitting dentures, with or without cushions, might lead to gum irritation or bone problems. The FDA advises that the product should be used only temporarily until a dentist can be seen. Snug advertisements claimed that the product will hold dentures firmly and comfortably and "last for weeks." Whenever length of use claims are made, Mentholatum also must make clear that the product is for short-term use only.
 - To settle charges that it allegedly exaggerated the results children under 17 could expect from its bodybuilding programs, Universal Bodybuilding, agreed not to make unsubstantiated claims in the future. The complaint accompanying the agreement alleges that the company falsely stated in comic book ads and promotional material that buyers of its programs would quickly improve their physical appearance, and add muscles and lose fat. The complaint alleged that these ads were deceptive because the company did not have proof for the claims and because young people did not ordinarily achieve the promised results.
 - The Commission alleged the North American Phillips Corporation and its ad agency misrepresented in advertisements the ability of its "Black Pro" shaver to eliminate razor bumps. The Commission also alleged the corporations misrepresented they had tested the product in a daily regimen. The corporations agreed to stop the representations unless they have reliable scientific evidence to substantiate them.
 - The maker of Acne-Statin was prohibited by the agreement from claiming that its product cures acne, eliminates acne's cause, or is superior to all other acne preparations unless it demonstrates a scientific basis for such claims.
 - Hair Extension of Beverly Hills, Inc., a California hair-implant firm, agreed not to advertise, sell or perform hair implants under terms of this consent agreement. The hair implant process involves the insertion of fibers into the scalp and is used for the treatment of baldness or hair loss. The complaint alleged that the firm may resume advertising and performing implants with FTC permission, if they can show that the treatments are safe and effective.
 - The Commission filed a complaint alleging that the Rush-Hampton Industries, Inc. corporation made false and misleading representations in advertisements for its air cleaning appliance. The corporation stated the appliance "gets rid of or eliminates formaldehyde gas, tobacco smoke, dust and pollen from household air and it filters all the air in a 14 by 18 foot room every 33 minutes." The Commission responded that the

- appliance can remove no more than 5% of formaldehyde gas from household air, no more than 15% of tobacco smoke, cannot eliminate pollen or dust, and cannot filter air in a 14 x 18 foot room within an hour.
- The FTC filed a complaint alleging that the manufacturer of Aspercreme and its advertising agency, Ogilvy & Mather, Inc., misled customers by making unsubstantiated claims concerning Aspercreme's effectiveness and by claiming that it contains aspirin when, in fact, it does not.
 - The Commission alleged that Teledyne, the manufacturer of Water Pik, and its advertising agency made unsubstantiated or false claims in advertising the product. The complaint charged that the firms, without a reasonable basis, claimed that the Water Pik significantly contributes to the prevention of gum disease when used with other methods of dental care, that the use of Water Pik alone will significantly reduce the chances of getting gum disease when used with other methods of dental care, that the use of Water Pik alone will significantly reduce the chances of getting gum disease, and that four out of five dentists recommend this product to prevent gum disease. The complaint also alleged that the firms falsely claimed that Water Pik is approved by the American Dental Association. The complaint charged that the survey of dentists was not designed, conducted or analyzed in accordance with accepted survey standards, and that the Water Pik was not approved by the American Dental Association at the time Teledyne ran certain advertisements claiming it was approved.
 - Braswell, Inc., its director and its subsidiaries, were enjoined permanently from representing that any product or service will cure or prevent hereditary baldness, without Food and Drug Administration approval. Braswell, the subject of dozens of previous postal service actions, was enjoined from making performance or efficacy claims for any product or service unless Braswell has reliable scientific evidence to substantiate the claim. The parties also agreed to pay \$610,000 in civil penalties.
 - United States District Court for the Southern District of New York entered a judgment in the amount of \$75,000 against defendant J. B. Williams and its advertising agency for violating an FTC order (79 F.T.C. 420) by failing to disclose clearly and conspicuously that any weight reduction occurring after use of P.V.M. would be the result of a diet restricting caloric intake or exercise program.

SUMMARY

The FTC's presence and impact on quackery is imperceptible. While all estimates indicate health fraud and quackery is increasing dramatically, the FTC's role seems to be diminishing. Based on the examples provided the Committee, the few actions taken by the Commission seem randomly chosen and so protracted in development as to be of little use in protecting the consumer. There is no evidence of proactive action or targeting resources. Investigations are generated apparently by a threshold of complaints filed against

the same vendor. These complaints on average will be at least three years old before the FTC completes its investigation and a final decision has been rendered.

Given the massive nature of health fraud and quackery and the serious potential harm posed by quack remedies, it seems peculiar that the FTC seems to have chosen to focus its powerful machinery on cosmetic matters like products promising relief from razor bumps and acne. These questions are particularly relevant in light of the FTC's stated policy considerations for initiating investigatory activities:

- (1) The potential for consumer injury resulting from the practice;
- (2) The extent to which consumers cannot evaluate the potential economic or safety risks by themselves;
- (3) The extent to which other agencies or market forces may remedy the problem, without Commission action, before consumers incur significant harm; and
- (4) The likelihood that an effective remedy can be obtained with a reasonable commitment of resources.

C. THE U.S. POSTAL SERVICE

Though armed with the fewest resources and the most restrictive legislative authority of the four federal agencies involved in controlling quackery, the Postal Service seems to have the best record and the largest impact in recent years in controlling health frauds and quackery.

AUTHORITY

The Postal Service's authority to control quackery and health fraud is rooted in a general Congressional mandate to protect the public from marketing schemes conducted by mail. In these instances, the purchaser is particularly vulnerable to fraudulent inducements because there is no opportunity to observe the product before payment.

Specific authority to protect the mail-order consumer is vested in Title 18, U.S. Code, Section 1341 (criminal fraud statute) and Title 39, U.S. Code, 3005, (administrative false representation statute). Administrative sanctions permit the Postal Service upon issuance of a false representation order to return to senders mail found to be induced by solicitations containing false representations.

In 1983, Congress passed legislation which extended the Postal Service's authority. This legislation, P.L. 98-186, sponsored by Chairman Pepper, came out of previous Aging Committee investigations dealing with frauds against the elderly.

The legislation was designed to address two of the most flagrant problems identified by the Committee, repeat offenders and fly-by-night operators who advertised a product, take orders and then change addresses without delivering any merchandise and before investigators could take action.

The legislation gives the Postal Service the right of immediate purchase (as opposed to waiting for a product to be delivered) of products offered through the mail and authorizes the issuance of "cease and desist" orders against violations of 39 U.S.C. 3005, the mail order stop order.

RESOURCES

The Postal Service reports 5 professional and 2 clerical personnel assigned to quackery full time in 1982. In 1983, the Postal Service had 20 professionals assigned full-time to these activities and 18 professionals involved on a part-time basis.

ENFORCEMENT

The Postal Service receives more than 200,000 fraud complaints each year. A specific breakdown by category is not available, but based on enforcement action, it is clear a significant proportion are related to quackery and health frauds.

In addition to cases generated by complaints, the Postal Service relies heavily on publication monitoring. If a suspect advertisement is noted, a test purchase of the product is made and submitted to medical experts for evaluation. Based on this evaluation, the Postal Service decides whether to initiate administrative, civil or criminal proceedings.

The Postal Service investigated 79 cases of alleged health fraud in 1982. Fifty-eight of these were referred for prosecution. In addition, 54 complaints were filed resulting in 28 False Representation Orders and Consent agreements. Estimates for 1983 are not available due to the reorganization of the Service and the decentralization of Postal activities.

The Postal Service will investigate any medical device or product offered for sale through the mail which poses a potential health hazard or is advertised falsely. Investigations are targeted by an assessment of the potential harm of the product and the volume of business generated by the advertisement.

SUMMARY

The Postal Service is the only branch of government—Federal, state or local—that systematically reviews potentially-fraudulent health advertisements and products. It is the only agency which targets its resources and is proactively involved in preventing health frauds on a continuing basis, shows criminal convictions for quackery, and has been consistently proactively involved in preventing quackery on a continuing basis through the period of this review.

D. THE DEPARTMENT OF JUSTICE

The degree and nature of involvement by the Department of Justice in preventing quackery cannot be defined. On receipt of information from the FDA that the DOJ had moved to consolidate referrals for cases involving quackery, the Subcommittee addressed a questionnaire to the Department.

On May 11, 1984, Stephen S. Trott, Assistant Attorney General, Department of Justice, responded, "The Department's role and experience in this area are limited. It is our opinion that the typical medical quackery case where someone touts the nonexistent virtues of a product does not lend itself to Federal criminal prosecution."

E. STATE ENFORCEMENT ACTIVITIES

STATE ATTORNEYS GENERAL

Primary responsibility for controlling quackery and health fraud on the state level resides with the State's Attorney General. The Committee attempted to assess these activities by a questionnaire sent to the Attorneys General of the fifty states, Puerto Rico and the District of Columbia. These questionnaires were followed up with telephone surveys.

Consumer protection activities reported by the states varied enormously. Resources dedicated to consumer protection ranged from 1.5% of the attorney general's budget in North Carolina to 16.5% in Maryland. Consumer fraud efforts measured in FTEs ranged from 1 FTE (Delaware) to 106 (Illinois).

Despite these differences in efforts directed at controlling quackery and other consumer frauds, the Attorney General's perception of the problem was nearly unanimous. Every state but one, Pennsylvania, reported a significant increase in consumer fraud complaints in the four-year period surveyed. Nine states reported complaints had more than doubled in the four-year period. Illinois reported the most complaints (30,000) and Puerto Rico the fewest (105).

The Attorneys General reported the overwhelming majority of their cases were generated from consumer complaints. The majority said they spent less than half their time in proactive investigations. In fact, no source other than consumer complaints generated more than 15% of the total complaints in any state.

About two-thirds of the Attorneys General reported their offices' investigations concluded 51% or more of the complaints received were valid. The vast majority of these cases were settled informally.

More than two-thirds of the states responding indicated their authority in the area of consumer protection was limited to civil remedies. Only 29 criminal convictions for consumer fraud were reported by all the states. Twenty-two of these were developed by 2 states (Florida and Wisconsin).

States reported anywhere from 10% to a third of total consumer complaints received were related to health fraud or quackery. If the overlapping category of deceptive advertising were added to these responses, the total would exceed 50% in every state.

Every State but one reported mail order fraud as a particular problem. In every state responding, more than three-fourths of all consumer fraud cases involved false advertising and mail order fraud.

Every state but one, Puerto Rico, said seniors are especially vulnerable to health frauds and reported more actual instances directed at the elderly than complaints received. Every state responding estimated the dimensions of quackery and other health frauds to be in the billions.

The response from the California Attorney General seemed to sum up the experience of most of the Attorneys General responding to the Committee's survey: "Unquestionably senior citizens are especially vulnerable to all kinds of consumer frauds," the Attor-

ney General wrote. "Unquestionably there are many more instances of consumer fraud against the elderly than are reported. Unfortunately, state budgets do not permit substantial perusal of advertising. The victims of phony arthritis and cancer advertising seldom complain and often, desperate to find a solution to their despair, defend the worthless cures they have purchased."

STATE CONSUMER AFFAIRS OFFICES

Responses from surveys to state consumer affairs offices mirrored the reports of the Attorneys General. Every state but one reported significant increases in consumer frauds. All but one state reported more than 50% of the complaints they received were valid.

Every state reported settling the majority of complaints informally. These informal agreements were estimated to account for from 51% to 100% of all complaints received. No criminal sanctions were reported by these offices.

All of the state consumer affairs offices indicated health frauds and quackery posed a serious problem to which seniors were particularly vulnerable. Every office responding to the question measured the dimension of this problem in the billions.

STATE OFFICES ON AGING

The State Offices on Aging, as might be expected, were even more concerned about the problem of health fraud and its impact on seniors. Two thirds of the offices reported seniors were frequently victimized. All agreed seniors are particularly vulnerable to consumer frauds. A geriatric nurse practitioner in Dayton, Ohio, offered an explanation of the problem:

I find in my work with Adult Protective Services that many of our clients are particularly trusting of people who assume a mantle of authority—ministers and evangelists, physicians, and anyone who styles himself "expert" or wears a white coat on TV or in pictures. All our clients are abused, exploited, or neglected, or at risk of such abuse, exploitation or neglect. I see those with problems involving health care needs.

I find that clients choose to believe in those methods which support their own experiences—logically enough. If someone has had a bad experience with conventional medical care—has been treated by brusque professional, or undergone surgery without the optimal results, or whose perception of what was to be expected was basically unrealistic—it is likely he'll find a "magical" answer in Reverend Al or the products of Rondale Press.

When asked to rank 12 consumer frauds, quackery and the deceptive advertising associated with quackery were ranked first as the area of abuse of most concern and with the greatest impact on seniors. Every state office but one, Puerto Rico, said there were many more instances of quackery and other consumer frauds than are reported.

The Director of the New York State Office on Aging, who had asked for additional responses from all allied aging organizations

in the state, including Area Agencies on Aging, Legal Services Program Directors, Regional Ombudsmen and supervisors, expressed the consensus of the aging network on this point. "These responses indicate strong agreement that older citizens are especially vulnerable to consumer fraud," she wrote, "and that a great number of cases are never reported, possibly involving more than a billion dollars each year."

Every state office on aging responding to the question estimated quackery was a multi-billion dollar problem. One of our respondents took a longer view. "What is fraud anyway," the Director of a midwest agency asked. "Is it fraudulent that Anacin, Bufferin and Bayer all talk about "more pain reliever" or "more of the ingredient doctors recommend" without identifying that ingredient as aspirin? Many of my clients take all three of these, and also Tylenol, for relief of pain. They think they're taking different things, and that the combination will speed relief of their pain. Then they complain of upset stomach, and take some Alka Seltzer for that.

"Maybe the real fraud is the idea that we can live lives free of pain and discomfort, never smelling bad, never being less than perfect or beautiful. I think my clients are beautiful, though not perfect. But they don't. They think they are ugly, and mourn for their lost bodies, lost mobility, lost finances and lost acceptance."

F. COUNTY AND LOCAL GOVERNMENTAL EFFORTS TO CONTROL HEALTH FRAUDS

COUNTY CONSUMER AFFAIRS OFFICES

The Committee surveyed a sample of county consumer affairs offices across the country. Thee offices reported a total of 119 cases of quackery and 2586 cases of deceptive advertising. They all agreed quackery posed a serious problem which particularly impacted the elderly.

The county offices reported limited targeting and proactive investigations (no more than 20% of cases). The response of a county official from Houston, Texas, was typical. "Due to limited funding," he wrote, "our local efforts are reactive in nature and they are quite limited in number. . . Although I would like to be active in the area suggested by your inquiry, the subject has no priority with our local or state funding officials to act at my level."

Like the Attorneys General and State consumer affairs offices, the county consumer affairs offices reported there were more cases than reported and that most of the cases reported were settled informally. "The elderly are ripped off and never know it," wrote a Kansas respondent, "Medical frauds are our biggest problem." In all, the county offices sampled reported 126 criminal convictions for consumer frauds.

While their enforcement activities were limited by jurisdiction and resources, the county consumer affairs offices, like the others surveyed, fixed the dimension of quackery and health frauds in the billions.

METROPOLITAN POLICE

To complete the review of the governments response to quackery and health frauds, the Committee surveyed a sample of metropolitan police departments, representing responses from the local level which validated previous findings.

Two thirds of the police departments responding said the problem was increasing. All agreed the vast majority of complaints are consumer generated. All but two said at least 75% of these complaints are valid.

With one exception, the police departments indicated the elderly are particularly susceptible to health and other consumer frauds. All but one of the respondents said that health fraud and quackery were billion dollar problems.

G. PRIVATE EFFORTS TO CONTROL QUACKERY

There are a number of private agencies involved in investigating and controlling quackery and health frauds. They range in interests and activity from the general consumer activities of agencies like the Better Business Bureau and Action Line Reporters to the more focused activities of professional associations like the American Medical Association and philanthropic associations like the Arthritis Foundation and the American Cancer Society.

Though these activities are not supported by public funds, they are among the most effective and determined adversaries of quackery and its purveyors. What follows is a brief discussion of the activities of some of these agencies in this area.

ACTION LINE REPORTERS

Over 900 Action Line Reporters were surveyed by the Committee. Respondents rated quackery, health fraud and deceptive advertising as the most important and numerous of the frauds against the elderly. About two-thirds of the respondents said half the complaints they received involved the elderly.

Anna Lee Brendza, Hot Line Columnist, *The Times Reporter*, New Philadelphia, Ohio, stated the problem this way:

In the 11 years I have been doing the Hot Line Column, I have found that senior citizens are the group most likely to be swindled and the group least likely to complain. They appear to be reluctant to let anyone (especially their adult children, neighbors and friends) know that they have been "ripped off" and they tend to keep it secret. I would estimate less than a quarter of victimized seniors ever complain about it. Most senior citizens are honest and trusting and they tend to assume, erroneously, that everybody can be trusted. Most of them grew up in an era where honesty prevailed and they are still assuming that the door to door salesman is honest, that the ad in the magazine is truthful and that nobody would defraud them.

Thomas H. Sheridan, Action Time Editor, *Chicago Sun-Times* seemed to agree. He wrote:

Seniors have the same problem as the rest of us but may be less able to deal with them. Therefore a problem that might affect a lot of people—such as mail order—may affect seniors in a worse way because that mail-order may be one of their principal means of purchasing goods. Plus they are more likely to be living on fixed incomes.

Why do seniors citizens sometimes find themselves in a bind? Often its because they reached adulthood under different (and better) set of values than they live with today. Trust was more common; a man's word was his bond. Even during the Depression, there seem to have been less advantage taken of people and more pulling together than there is now. All of which leads seniors to sometimes be less wary in situations such as home repair, health fraud.

Like our other respondents, Action Line Reporters agreed mail order fraud was particularly a problem. "Since elderly persons are often shut-ins or restricted in their movement," wrote a producer with KABC-TV, "we find mail-order problems quite common—usually TV-ads and print ads appearing in such publications as the *National Enquirer*."

"Unquestionably, the majority of our complaints involve mail order," wrote the author of a "Help" column in Connecticut. And since it seems most of our mail comes from older readers it would seem that this is particularly a problem that isn't being addressed."

"Tell it to Bud" in the *Anchorage Times* agreed and gave the Committee an example. "An elderly woman sent a post card for information from the Fifth Avenue Hearing Aid Company. Two salesmen showed up at her door ready to fit her. The \$1,600 she was charged for these hearing aids was refunded after the *Times* intervention."

THE AMERICAN CANCER SOCIETY

The American Cancer Society is a national voluntary health organization of 2 and one-half million Americans dedicated to the control and eradication of cancer through balanced programs of research, education and patient service. Founded in 1913, the ACS has a budget of \$220,000,000. Its national headquarters are in New York City and there are 58 incorporated subdivisions throughout the country.

The American Cancer Society is one of the largest sources of cancer research funds in the United States, second only to the National Cancer Institute, an agency of the Federal Government. The Society supports more than 700 key cancer researchers in nearly 150 American hospitals, universities, medical schools and other institutions through institutional, research, and personnel grants. The cost of its research program in 1982 was over \$59 million.

Programs of research, education and service to cancer patients are planned by a national board of 116 voting directors representing all divisions of the Society. At least half of this board must be medical or scientific professionals. The other half are lay persons.

In 1954, the American Society began a program to help fight cancer quackery. At that time, there was little factual information concerning this problem and there were no state laws to combat it.

A Committee on Unproven Methods of Cancer Management was formed to serve as a central coordinating force in this field. The Committee is concerned with public and professional education as well as legal matters. Its membership includes experts in these fields. The Committee has issued many reports on individual unproven cancer remedies and tests. Its "State Model Cancer Act," modeled after the California anti-quackery act, has encouraged passage of laws against cancer quackery in several states, but some of these have been partially superseded by laws which protect laetrile.

The National Office of the American Cancer Society has established an information clearinghouse which contains one of the country's largest collections of information about cancer quackery. Material from its files is used to answer thousands of inquiries from health professionals, writers and the general public. Information about unproven methods is also published in *Ca—A Cancer Journal for Clinicians* which is distributed, free of charge, to more than 400,000 physicians, medical students and nurses in the United States. Close liaison is also maintained with the FDA, the National Cancer Institute, the U.S. Postal Service, the U.S. Customs Service and other interested parties—both government and private.

THE ARTHRITIS FOUNDATION

The Arthritis Foundation is the only national voluntary health association that is trying to do something about all forms of arthritis and other rheumatic diseases. Its programs include support for scientific research, training specialists, public information and education, and help within the community for people who have rheumatic diseases.

The local chapters and divisions of the Foundation are sources for information about rheumatic diseases and their treatment. They can guide you to specialists in treatment, to clinics, and to other agencies and authorities to help with physical, financial, and emotional problems caused by arthritis.

The chapters encourage and support a variety of local services for people with rheumatic diseases and their families. These include information and education programs, support groups, arthritis clinics, home care programs, and rehabilitation services.

The Arthritis Foundation believes, "People with arthritis are among the most exploited victims of health fraud in the United States". To address this problem, the Arthritis Foundation has established a Subcommittee on Unproven Remedies. The Arthritis Foundation's unproven methods subcommittee and related activities are under the direction of its Committee on Public Education, chaired by Dr. Wilbur J. Blechman of North Miami Beach, Florida.

The Subcommittee has several functions. If questions are brought to the Subcommittees attention concerning the practices or therapies of a clinic, for example, the Foundation sends a team to investigate. Advertisement, and information relating to the sale or distribution of unproven remedies are reviewed and analyzed. Eval-

uations of these products are circulated to the Arthritis Foundation's chapters so that they can be used to answer questions from physicians, volunteers or arthritis patients. Like the ACS, the Arthritis Foundation maintains a liaison with the Food and Drug Administration, the Federal Trade Commission and the U.S. Postal Service.

CHAPTER XIII

SUMMARY AND CONCLUSIONS

In order that this complex subject can be presented with maximum clarity to the general public, this summary and conclusion section is presented in question and answer form. Obviously, the answers to the questions reflects the facts and conclusions found in the body of this report.

What is medical quackery as defined in this report?

Quackery as used in this report refers to the promotion of medical remedies known to be false or which are unproven for a profit, usually by means of false representations that they will "cure" or aid in the cure of various diseases and problems.

How did the Committee on Aging come to investigate the problem?

Between 1978 and 1982, the Committee conducted a dozen hearings on various frauds perpetrated against the elderly. The Committee learned that senior citizens make up 11 percent of the population but more than 30 percent of the victims of crime. Fraud is the most significant category of non-violent crime. The Committee sent questionnaires over the signature of Chairman Claude Pepper to all State Attorneys General, Departments of Consumer Affairs, Districts Attorneys, selected Police Chiefs and United States Attorneys. The responses were unanimous that health care frauds represent the single most important kind of fraud perpetrated against the elderly.

If health care fraud was the single most important kind of fraud perpetrated against the elderly, what are other significant problems?

The Committee learned that senior citizens are increasingly victimized in business opportunity frauds, questionable land sales, pension frauds, and through the sale of questionable insurance policies in supplementation of Medicare.

Is health care fraud limited to the elderly?

No. It affects all age groups. Americans of all ages have health care problems and out of hope, desperation or because they simply do not know any better, they often turn to unproven remedies. It should be emphasized however, that senior citizens by a wide margin are the number one victims of health fraud. Seniors make up 11 percent of the population but 60 percent of the victims of health care frauds.

Why are the elderly particularly vulnerable?

Senior citizens are vulnerable because they have very real health care problems. They are sick three times as often and three times as long as the younger population and their per capita medical bills are three times as high. These medical bills hit at a time when having retired, they have less than one half of the income of their younger counterparts. Senior citizens are afraid of being ill and helpless. They are afraid of "going on welfare." They want to continue to pay their own way as independent, productive members of society. They do not want to become a burden on their families. Yet another reason is that seniors were raised in a more trusting less cynical era. And then too, they are likely to have tried all manner of remedies in the search for help for their chronic medical problems. The average senior who lives to be 75 will have an average of four major disabilities. Finally, it should be stated that many seniors are lonely and welcome a friendly face at the door or a friendly voice on the telephone. It is sometimes easy to win their confidence and therefore defraud them. As one convicted confidence man told the Committee in 1980, "The elderly are particularly vulnerable. They make easy marks for the con man."

How long did the investigation take and what was its purpose?

The Committee's investigation took place over four years. It is the most comprehensive investigation of medical quackery and related health care frauds ever undertaken. The purpose of the investigation was to document the scope of the problem as well as what was being done about it and what should be done to deal with it. Another purpose was to give the public the best judgments of modern medical science about the effectiveness of various claimed remedies and to expose those who systematically seek to profit out of the pain of others.

Does that mean that the Committee condemns each unproven remedy mentioned in this report?

No. Many of the so-called "cures" listed in this report have been proven false. Others are so ludicrous that commonsense indicates they cannot be of much value. Others have a scintilla of credibility. It may be that the next major breakthrough in medical science is listed in this report, although that is highly doubtful. What the Committee is saying, that a cure or remedy before it can be proclaimed as such, must be proven to be so through the established procedures of the scientific method. There must be unbiased, scientific evidence that a remedy is helpful and that it does not provide harm or untoward side effects before society can allow its widespread use by the general public.

Does this report and this investigation relate to home remedies used by individuals?

No. In the privacy of their homes Americans can and do try a host of unproven remedies. In many cases they believe such remedies help them. It is not within the scope of this report to condemn this practice. Nor is it within the scope of this report to limit what individuals can say about the purported remedy. The American

public enjoys freedom of speech and is free to advocate whatever cause it likes, either through speeches or in writing books, pamphlets and articles. If and when individuals began to charge money for such writings or advice, with knowledge that the advice is false, then society should begin to become concerned. The old Constitutional adage applies. It is said one's freedom to swing one's arms stops where another's nose begins.

If the practices of individuals are not the central focus of this investigation, what is?

The central focus of this report are the profiteers who promote medical remedies known to be false or which are unproven for a profit generally through the mechanism of false representations that the product or therapy will "cure" or aid in the cure of various ailments. In short, the central concern of this report is people who deliberately seek to defraud the public and particularly the elderly. These promoters are sometimes individuals, sometimes major corporations or informal partnerships of several people who conspire to defraud the public often through the U.S. mails.

What steps did the Committee undertake in its investigation?

In addition to its questionnaires to local, state and national law enforcement officials, The Committee staff interviewed selected law enforcement officers and reviewed case files which they shared with the Committee. The Committee contacted the American Cancer Society and reviewed its files. Similarly, the American Medical Society agreed to let the Committee review its files of questionable medical remedies. The Arthritis Foundation also cooperated fully and all of its files were reviewed.

The Committee secured the cooperation of three institutes in the National Institutes of Health. Dr. Robert Butler, then Director of the National Institute of Aging was particularly helpful. Dr. Jane Henney of the National Cancer Institute helped guide the Committee staff through its files. Similarly, the Committee received assistance from the National Institute on Arthritis, Kidney and Digestive Diseases.

The National Library of Medicine was asked for a print-out of all relevant articles related to unproven remedies. The Library of Congress provided all the information it had available in the form of articles in the press or books on the topic of medical quackery going back 30 years.

The Federal Trade Commission was contacted and it agreed to let the Committee staff review all its closed files and to give a summary of its on-going cases. The Committee contacted the Federal Trade Commission and reviewed its files on this topic going back many years. By the same token, the Committee received the full cooperation of the U.S. Postal Service. The Committee staff reviewed all files relating to medical quackery in possession of that agency for the last 20 years.

The Committee contacted senior citizens directly and also through their national organizations. The Committee next assembled a list of the nation's most preeminent experts in the science of medicine. The list of these scientists is carried in Chairman Pepper's forward to this report. These experts agreed to advise the

Committee in its investigation and to evaluate various products and therapies.

Next, in cooperation with investigators detailed to the Committee by the U.S. Postal Service, the Department of Health and Human Services and the Federal Trade Commission, the Committee staff searched through advertisements appearing in over 100 major magazines and newspapers. Literally thousands of ads were evaluated and a number were answered, meaning that the offered products and cures were purchased. These products were then sent for analysis by the cooperating medical experts enlisted by the Committee. These products were evaluated in light of the representations made about them.

Finally, the Committee conducted six hearings specifically on the subject of medical quackery and mail frauds perpetrated against the elderly.

The massive evidence which was assembled forms the factual basis for this report.

What was the Committee's primary conclusion?

The Committee concluded that medical quackery is a massive problem. It is growing at an alarming rate. In 1965, at hearings by the U.S. Senate Special Committee on Aging, it was estimated as costing the nation \$1 billion a year. Today the Committee estimates conservatively that it costs the nation more than \$10 billion. Phony cancer cures constitute the largest share of such frauds, accounting for \$4 to \$5 billion a year. Questionable arthritis cures now cost the nation \$2 billion a year and anti-aging remedies probably meet or exceed that total. It is important to add that these are only the costs associated with quackery. For example, with respect to arthritis, the total direct and indirect cost to the nation is estimated at \$25 billion a year. These amounts dwarf amounts spent for legitimate research. For example, only \$80 million was spent for research in arthritis in fiscal 1984.

In short, the size of the problem is massive and it is growing. These amounts dwarf what is spent for legitimate research. Moreover, enforcement efforts at the local, state or national level to prevent such frauds are almost non-existent. Only the U.S. Postal Service which is greatly overworked and undermanned has anything like a reasonable enforcement effort underway. The result is not only that millions of dollars is lost but that thousands of people every year suffer needless injury and death.

What are some examples of the questionable arthritis remedies discovered by the Committee?

It is a long list. First there are questionable drugs. Some promoters tout cocaine and novacaine as cures. Others push shots or pills made from the male or female sex hormones. Bee venom, snake venom, and ant venom has been touted. Then there are various diets and so-called food cures. Some promote green-lipped mussel extract; other say avoid potatoes and tomatoes; honey and vinegar is a favorite.

Various plants and herbs such as poke root, aloe vera, wolf herb, yucca, alfalfa, ginseng and rattlebox are put forward as cures, most

often in the form of tea. Evidence is that not only are they not helpful, they may cause great harm as well.

Water has been put forward as a cure by some people. Sometimes it is salt water, mineral water, water allegedly from Lourdes or water altered with chemicals. It can be consumed by mouth, taken by injection, sprayed with a nozzle on various parts of the body. There is virtually no end to the permutations. However, it is not a cure in any form.

There are radiation "cures" where promoters have charged good money to lower sufferers down into uranium mines to be exposed to supposedly healing radon gas. Federal authorities stepped in to stop the practice. Vitamins and minerals are pushed as a cure as are copper bracelets.

The report notes that flu vaccines are not a cure, nor is light, acupuncture, blood treatments, tonics, elixirs or thousands of different kinds of pills. Some supposed cures such as mud packs, cow manure poultices and so-called "moon dust" which is really just sand are ridiculous on their face.

What are some examples of questionable cancer cures?

Despite what some promoters would have one believe, eating grapes is not a cure for cancer, nor is ingesting ground up diamonds in powder form. Mistletoe, the juice from Easter lillies, ground up horse warts in a sour milk suspension, goat serum (made from goat intestines), Jojoba oil, serum made from human fecal matter, and asparagrus oil have not been proven to cure cancer. Other questionable remedies include carrot juice, celery juice, coffee enemas, marijuana, mold, olive oil, snake meat, snake oil, sunflower seeds, and the Zen macrobiotic diet.

What are some examples of questionable "youth-cures" identified by the Committee?

Phony "youth cures" constitute the fastest growing and maybe the most profitable of questionable medical remedies. One promoter was making over \$110,000 a day according to Postal Authorities in sales on phony diet pills. Another promoter made some \$13 million on a phony hair restoring nostrum in about 9 months. There was the "instant face lift" which turned out to be nothing more than one page of facial exercises. Other kinds of products include products to soften the skin, to "make the person feel young again", to remove brown spots and cellulite. Of course, there is no product that will work in this way any more than there is a product known to medical science that retards baldness or helps grow hair back on a bald scalp. Other products offered "unrenewed energy". They consisted of herbs and pills which had no pharmacological effect or which contained caffeine equivalent to drinking several cups of coffee. Other remedies in this area offered to "end hot flashes" to heal the prostate with a vinegar preparation or by sitting on a hot light bulb. Still others promised to increase sexual potency. What these products have in common is that they do not work and that they are purely and simply a ripoff.

What about witchcraft, psychic healing, and spiritual healing?

Some promoters advertise in tabloids and magazines that they can cure arthritis, cancer and other maladies through witchcraft or voodoo. For example, in arthritis, one remedy is to split a frog, fry it in lard, and rub it on the affected part. Another voodoo remedy is to combine tobacco, salt and kerosene and rub it on the arthritic joint.

Psychic healers also promise cures either in person or over the telephone. Some of these promoters claim that they can perform surgery without a knife—that is without opening an incision. Similarly, the tabloids are full of ads from so-called spiritual healers usually called Madame Zelda or Sister Sarah or the like. They promise cures over the telephone once they have received the sufferer's money. Such healers appear to take on the mantle of legitimate religion but generally have no such affiliation. The Committee could find no scientific evidence that any of these methods were effective.

What are other examples of cures found in this report?

The report contains numerous examples of phony cures which did not fall into its three main subheadings: arthritis, cancer and youth cures. Some examples include the "natural birth control," which turned out to be advice to insert a lemon wedge in the vagina prior to sex. Another promoter claimed coffee enemas was the answer to gallstones. A "guaranteed herpes cure" turned out to be one mimeographed sheet of paper with advice on diet. In answer to an ad to improve eyesight without surgery, the Committee investigators received an elaborate kit including a phonograph record with advice to look directly into the sun and to exercise the eye muscles. An ad on how to be rid of warts brought one printed page advising shouting incantations at the moon—but only during the first quarter moon, never before or after. A hemorrhoid cure turned out to be advice to use vinegar on a cotton swab. The guaranteed psoriasis cure turned out to be a typewritten diet and the "former astronauts" formula for improved intelligence was essentially a multivitamin.

What about books that promote unproven remedies—isn't that free speech?

No. There is nothing wrong with publishing a book telling the world that chewing on old socks cured you of arthritis. That is free speech. When you start making representations about the book which are false and charging for the book, then it becomes a different matter, particularly if the advice you offer can result some way in public harm. In short, there is nothing wrong with writing the book. But claiming that you have the only cure to arthritis and charging \$30 for the book can be fraud. Even so, it is *the advertising* and not your book that will be the forces of concern.

More and more promoters are turning to books and typewritten articles as the solution they offer to those who answer the ads they have placed in periodicals. The reason for this, according to postal experts, is that such promoters want to hide behind the protections

of the First Amendment to the Constitution which guarantees free speech.

What are some of the examples of questionable devices which the Committee identified?

There are items as common as an ordinary vibrator which was received in response to an ad promising arthritis cure and as rare as the radon generator which supposedly generates radon gas for the same purpose. The spectrochrome is an example of a product alleged to be effective for a host of ills including cancer and arthritis. It is essentially a metal box with a 1000-watt light bulb in its center. Different colored filters are pulled in front of the light depending what malady one wants to cure. One further catch is that the moon has to be full and the patient nude and facing north for this therapy to work. The virilium tube cost \$300. It is a piece of brass tubing about two inches long with a trace of barium chloride in its center. The solorama board which was supposed to aid in arthritis is in essence a hot pad made out of rigid plastic which one puts between the mattress and box springs. The acu-dot was a small round plastic bandage with a tiny piece of plastic in its center which was supposed to be applied to the skin at pressure points. The FDA pulled these products off the market because they were found to be ineffective.

Are there clinics which specialize in questionable or unproven remedies?

Yes. There are hundreds of clinics in the United States and Mexico which specialize in unproven remedies. Some clinics offer only "bootleg" remedies, others offer them in conjunction with legitimate and more conservative medical practice. Some clinics are run by well educated practitioners and some by outright charlatans. It is very difficult to generalize except in one thing: this is big business. Millions of dollars every day are taken in by these clinics. The operation of some of them have been investigated and exposed. Many flaunt the law. Still others operate in the absence of state law. Since the states have primary responsibility for regulating medical practice, there is little that the Federal government can do except in the case of drugs or products or advertising which is distributed in interstate commerce. These clinics at least the ones in the United States, deserve closer scrutiny by the FDA. There seems little that can be done about the Mexican or other foreign clinics except through pressure on their governments.

What about foundations?

There are some enterprises that have been organized as non-profit, protected 501(c)(3) corporations which are little more than fronts for promoters who are purveyors of fraudulent health care schemes. Of course, there are legitimate foundations and therein lies the problem. How does the public know the difference. How does the public know that a foundation with the word "cancer" in its name might be set up for a nefarious rather than a noble purpose? Then there is the question of accountability for public funds. What is done with the money that is taken in by these promoters? The U.S. Postal Service has brought legal action against several

phony Foundations which were serving as fronts by which the public was being defrauded.

What about the government agencies which are supposed to police these kinds of frauds? Are they doing a good job?

In a word, no. The Food and Drug Administration is the agency with primary authority and yet it spends less than .001 percent of its total budget to combat medical quackery. To be precise, it spends \$1.8 million out of a total of \$362 million. This compares rather poorly with the estimated \$10 billion quackery problem. The former FDA Commissioner, Arthur Hull Hayes Jr. excused this by saying the FDA was "simply overmatched . . . there are too many quacks, too skillful and the quick change of address and the product name for the cumbersome FDA."

The FTC has a budget of \$66.9 million and says it has 14 people assigned to investigate medical quackery in the context of false claims and advertising. As noted, their efforts are imperceptible.

The FBI and the U.S. Department of Justice have shown no interest in health care frauds and in general there has been a decrease of emphasis on white collar fraud in the past two years.

The U.S. Postal Service is the one exception. It has a special unit called the Inspection Service which yearly handles over 200,000 complaints. In 1982, 5 people within the section were assigned to medical quackery and they investigated 79 cases, some 58 of which were referred to the Justice Department for prosecution. In addition the Service filed 54 false representation (civil) actions, 28 of which resulted in false representation, consent orders and the remainder were pending.

There is little emphasis on fighting medical quackery at the local level even though both State Attorneys General and District Attorneys identified it as the number one kind of fraud perpetrated against the elderly. What this means in general is that fraud ranks low on their list as compared to violent crimes. Fraud against the elderly ranked lower yet, and health care frauds ranked still lower.

What about private efforts to control fraud?

The Arthritis Foundation has done a commendable job in this respect. Credit should be given in particular to Mr. Charles Bennett. The American Cancer Society has had a historical interest which seems to have waned somewhat in recent years. The American Medical Association had an excellent unit headed by Mr. Oliver Fields which was disbanded a few years ago under threat of an antitrust law suit filed by other health care providers who claim a share to the title "doctor."

What can be done about the problem?

First, there must be greater public awareness. This is one of the primary objectives of this report. Second, the states, which have the primary authority for enforcing criminal laws, must devote more of their resources to the problem. As noted in this report, two-thirds of the states do not even have adequate laws on their books to allow them to deal with the massive problem of health care frauds.

Third, the Federal government must increase its enforcement efforts. The U.S. Postal Service needs more inspectors in general and more of them assigned to medical quackery. The Postal Service also needs authority to issue investigative demands. The Service is handicapped at the present time and cannot get access to the books and records of promoters making the prosecution of fraud cases difficult indeed. The Federal Trade Commission once again must begin its efforts to monitor deceptive advertising in some serious way. The Food and Drug Administration has had a proud history but current efforts resemble indifference and neglect. The FDA is the best equipped agency in terms of resources and legal powers. It must make better use of these efforts to bring some of these promoters to the bar of justice and protect the general public and particularly the aged.

Criminal penalties for those who defraud the elderly under Federal mail order statutes are low and must be increased to allow for inflation if for no other reason. The current penalties (\$1,000 fines in some instances) pose no real deterrent to those who can make \$110,000 a day or \$13 million in 9 months of operation.

It is clear that there must be greater allocation of public dollars for legitimate research in arthritis and cancer and diseases of the aged. Legislation recently passed by the House of Representatives as introduced by Chairman Pepper and Congressman Waxman to create a separate National Institute of Arthritis should be enacted. Arthritis is too important and has too great an effect on the nation as a whole to be buried with a host of other medical problems and diseases. It deserves its own institute.

Finally, it is clear that some type of public clearinghouse is needed so that the public can call and learn whether a proposed remedy is legitimate. At the same time, Congress needs to establish a mechanism for the impartial testing of unproven remedies. The present system of relying upon major drug companies to come before the FDA and champion various new drugs which they think may have therapeutic effect is somewhat restrictive and inefficient. The FDA itself does not test potential drugs. There is good argument that some Government agency should do this directly instead of trusting to others who clearly have vested interests. If the FDA is not the entity which should do so, then there should be some other, perhaps under the jurisdiction of the National Science Foundation. Congress could then refer unproven remedies to such an entity for fair and objective trials the results of which would be definitive. This kind of agency would be an adjunct and not a substitute for the existing system.

CHAPTER XIV

SUGGESTIONS FOR REFORM

Quackery is an enormous problem with a severe impact on the health and well-being of our citizens. Nothing short of a full-scale, concerted effort involving all of the Federal, state and local agencies responsible for controlling quackery will serve to make a significant impact and reduce the frequency of these reprehensible activities. The elements of this attack must include commitment of more significant resources than are now directed at controlling quackery, the establishment of these activities as a priority commensurate with the potential harm, the development of educational activities to inform the public of the nature and degree of the hazards associated with unproven remedies, and increased enforcement activities, particularly the application of criminal sanctions.

This review leads to the following specific suggestions for reform.

RECOMMENDATIONS TO CONGRESS

1. *Criminal penalties.*—Criminal penalties related to the promotion of unproven remedies are insufficient to present a deterrent. The FTC Act lists criminal penalties of \$5,000 and six months in jail for each violation. Criminal penalties for initial violations of mail fraud statutes are five years and \$1,000, while the FDA classifies some health fraud violations as misdemeanors, carrying a penalty of one year in jail and \$1,000.

These penalties are insignificant when compared to the immense profitability of quack enterprises. One promoter was found to have collected \$13 million in the nine months before authorities intervened. *Congress should act to establish criminal sanctions for the FDA, FTC, and Postal Service, that will act as deterrents to those who practice quackery. At minimum penalties should be increased to five years and \$5,000 for each violation.*

2. *Evaluation of unproven remedies.*—Previous hearings of the Subcommittee have demonstrated the need for clinical trials and the establishment of a formal mechanism to evaluate evolving medical procedures and technologies for their safety, efficacy and cost-effectiveness. This study supports and reinforces that need. *Congress should establish a formal Federal mechanism to evaluate evolving medical techniques and technologies through proper clinical trials.*

3. *Arthritis Institute.*—There is pending legislation which would establish an Arthritis Institute at the National Institutes of Health. This legislation passed the House in April and is now awaiting Senate action. *This legislation should speedily be enacted into law to provide a focal point for arthritis research and related activities.*

4. *Authority for Postal Service Civil Investigative Demands.*—In 1982, Chairman Pepper introduced legislation, H.R. 3973, to improve the Postal Service's ability to combat mail fraud. Most of the provisions contained in this bill were enacted into law in November, 1983 (P.L. 98-186). Omitted from the final package adopted by Congress was a key provision calling for the extension of authority for the Postal Service to issue civil investigative demands (a civil subpoena) requesting documents or information from named individuals.

Under the limitations of this authority, the Postal Service could not compel testimony under oath. In fact, the recipient may choose to ignore the request entirely, in which case the burden is on the U.S. Postal Service to convince a District Court that the demand was specific, proper and germane. This authority is similar to that possessed by all of the inspectors general. *It is essential this legislation be reconsidered and this important tool be added to the Postal Service arsenal in combatting the growing epidemic of quackery.*

5. *Increased funding for cancer research.*—There has been much progress against cancer in recent years. In 1937, the year that Congress appropriated less than \$1 million to commence research into the causes and treatment of cancer, approximately one in five lived at least five years after treatment.

Today, we spend close to a billion dollars in the war against cancer, and the ratio of those who live five years after treatment is one in three. Experts say that, with early detection and treatment, almost one-half of all cancer victims can be saved.

Funding for the National Cancer Institute reached the \$1 billion mark last year, partly due to a \$39 million increase to promote the development of several promising anti-cancer drugs highlighted at an Aging Committee hearing last year. In addition, funding for the National Institute on Aging is now \$76 million—an increase of \$6 million. Several times the combined NIA and NCI research budget is being wasted on quackery. *Congress should significantly increase funding for cancer research.*

6. *Health education and consumer information.*—Congress should increase funds earmarked for health education and consumer information. Individuals often have no place to turn for information related to specific disease prevention and treatments. Well-designed specific health education and information programs can be very effective, as witnessed by the successful National High Blood Pressure Education Program. The development of activities like the National Cancer Institute's information network and state diabetes education program should be better funded and advertised to the public as an alternative source of health information. Close collaboration between the public and private sector should be encouraged.

RECOMMENDATIONS TO DEPARTMENT OF HEALTH AND HUMAN SERVICES

1. *Clearinghouse on Unproven Remedies.*—The Department of Health and Human Services should establish a specific office to coordinate consumer health education and information. A major function of this office should be to provide a referral mechanism where patients or professionals can obtain current, reliable infor-

mation on the efficacy of specific health remedies. *The Department of Health and Human Services should establish such a clearing-house, incorporating the best information available from public and private sources, including the American Cancer Society, the Arthritis Foundation, the American Medical Association, and the Better Business Bureau.* This data base should be closely linked to other health information systems developed by the National Library of Medicine.

2. *A Medical Congress on Quackery.*—In the early sixties, two medical congresses were convened by the Department of Health, Education and Welfare concerning quackery. A conference of this nature can be invaluable in calling attention to this issue, defining roles and assuring the cooperation of the various concerned agencies in addressing the problem. *The Department of Health and Human Services should convene a Congress on Quackery within the year, involving all the public and private agencies identified in this report and others interested in controlling quackery.*

RECOMMENDATIONS TO THE FOOD AND DRUG ADMINISTRATION

The FDA should make a major commitment toward addressing quackery. The elements of this commitment should include:

1. A significantly increased educational effort. Current public awareness and educational programs are minimal. These efforts should be dramatically increased.

2. The more aggressive enforcement effort committed by the FDA to the Committee is to essentially protect the public for the hazards of quackery. Resources devoted to policing quackery should be increased and focused for maximum impact.

3. The FDA, in concert with the FTC, Postal Service, and Department of Justice, should develop a concerted effort focusing on repeat offenders and major contributors to this problem.

4. The FDA, in concert with other agencies, should rigorously enforce previous judgments of quack remedies or promoters to prevent the reintroduction of remedies adjudged to be deceptive and fraudulent.

5. The FDA should make the administrative changes necessary for it to react more expeditiously and efficiently to the problems represented by the promoters of quack remedies.

6. The FDA's complaint and information system should be reorganized to provide the basic information by which resources can be targeted and priorities set for addressing quackery.

RECOMMENDATIONS TO THE FEDERAL TRADE COMMISSION

1. The Federal Trade Commission should establish the elimination of quackery as a priority. There is no evidence it is now doing so. In fact, there appears to be significant evidence of the opposite.

2. The FTC should join with the FDA, Postal Service and Department of Justice in forming an anti-quackery task force to develop a concerned plan of attack and a division of labor. Because of the nature of its process and resources available to it, the Federal Trade Commission should focus on major promoters of quackery or those quack products which have a major impact on the public.

RECOMMENDATIONS TO THE DEPARTMENT OF JUSTICE

The Department of Justice should take the lead in establishing an anti-quackery task force. The task force, composed of representatives of the FDA, FTC, Postal Service and liaisons from appropriate private agencies, should target significant resources toward the control of fraudulent health remedies, focusing on repeat offenders, interstate and international promoters, and schemes with a significant impact on the health and well-being of our citizens.

RECOMMENDATIONS TO THE STATES

Despite the number of Federal agencies involved, major responsibility for controlling quackery lies with the states. States should consider the following:

1. *Adopting state cancer acts*, similar to the model state cancer act prepared by the American Cancer Society. The purpose of this act would be to establish a cancer advisory council within each state's department of health. The responsibilities of this council would include approving for use in the state those drugs which have been proven safe and effective for treatment of cancer, denying approval of unproven remedies, and reporting the use of unproven remedies to appropriate enforcement agents.

2. *Adopting model solicitation statutes* governing the activities of foundations and others soliciting for charitable donations. At minimum, these statutes should include strong disclosure and reporting requirements, identifying the potential application of funds generated, the actual application of funds previously generated, the nature of the governing board and the affiliation of the foundation with any treatment center.

3. *Strengthening medical practice statutes*, clarifying language describing the "unauthorized practice of medicine and, at minimum, classifying the practice of medicine without a license as a felony. The use of any treatments, including drugs, diagnostic procedures and surgical practices not established as standard therapy by such agencies as the Food and Drug Administration or peer review organizations, should require written informed consent by the patient. Copies of such informed consent, describing the risks and known benefits of treatment, should be maintained in the patient's record and available to the appropriate designated state health officials.

4. *Adopting statutes establishing criminal sanctions for quackery*. At present, two thirds of the states are limited to civil remedies in addressing this problem.

5. *Establish appropriate liaison with federal agencies* to keep the state advised of Federal actions and prevent the introduction of discredited remedies into the state.

APPENDIX I

MEDICAL QUACKERY

The following are questionnaires sent to District Attorneys, State Consumer Affairs Offices, State Attorneys Generals, State Legislative Committees, State Offices on Aging, Police Chiefs the Postmaster General, the National Institute of Arthritis, and the Department of Justice.

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

MEMORANDUM

June 16, 1981

To District Attorneys
From Claude Pepper, Chairman
Re Questionnaire on Consumer Fraud Efforts

Your assistance in a matter of importance to the House Select Committee on Aging would be most appreciated.

Our Committee is in the process of investigating the subject of frauds against the elderly. We have found that senior citizens are easy victims for con men who peddle phony stock sales, questionable land sales, medical quackery remedies of all kinds, work at home schemes, phony business opportunities, and a host of other schemes that you hear about on a daily basis.

We have already written to the Attorney General of your state asking for his perspective on this issue. We wanted to correspond directly with you because of your wide experience in consumer fraud. We are enclosing a questionnaire which indicates the parameters of our concern. We would appreciate your completing the questionnaire and returning it to us at your earliest possible convenience.

You will note that we have asked you to send copies of complaints or cases that you have resolved successfully or to provide examples of successful restitutions or prosecutions. Please send us newspaper clippings or anything else you can think of which will indicate the extent of the problem in your area and what you have been able to do about it.

If you will note, at the end of our questionnaire we have asked whether you would be willing to testify before our Committee on one or more consumer fraud issues which relate in whole or in part to the elderly. Please let us know if you would care to help in this way.

If you have any questions, please contact our Senior Counsel Val J. Halamandaris at (202)225-0451. We will be most grateful for your assistance and cooperation in this matter.

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

APPENDIX I

JUNE 16, 1981

QUESTIONNAIRE TO DISTRICT ATTORNEYS

I. BUDGET AND RESOURCES

1. What was the total budget of your consumer affairs office in 1980? \$ _____
Approximately how much was spent on consumer fraud issues? \$ _____
2. How many people in full-time equivalents (FTEs) are employed in your office? # _____
3. How many of these employees in FTEs are attorneys? # _____ How many accountants?
_____ How many investigators? # _____ How many clerical personnel? # _____
Other employees? # _____ Please specify positions: _____

II. POWERS AND DUTIES RELATED TO CONSUMER FRAUD/ABUSE

1. Please enclose a copy of your state consumer affairs statute(s) which gives your office authority to act in this area. Please list those areas in which your office has jurisdiction: _____

If you have a unique law which other states might copy, please so indicate on the back of this form.

2. Does your office have authority to initiate investigations as opposed to merely responding to consumer complaints? ___ Yes ___ No
3. What percent of your time is spent dealing with complaints? ___ %
4. What percent is spent with proactive investigations? ___ %
5. Do you have authority to convene administrative hearings regarding consumer complaints? ___ Yes ___ No
6. Do you have authority to initiate civil proceedings? ___ Yes ___ No
7. Do you have authority to initiate criminal proceedings? ___ Yes ___ No
8. Do you have authority to seize evidence? ___ Yes ___ No
9. Do you have authority to issue subpoenas in consumer fraud cases? ___ Yes ___ No

III. COMPLAINTS AND CASES

1. How many consumer complaints did your office receive in 1980? # _____
2. How many complaints did you receive in 1976? # _____
3. Approximately what percent of these complaints in 1980 came from each of the following:

From city or state agencies? ___ %
From consumers directly? ___ %
From law enforcement agencies? ___ %
From legal services or offices on aging? ___ %
From the U.S. Postal Service? ___ %
From others? ___ % Please specify: _____

4. What percent of these complaints appeared to be valid?
0-25% _____ 26-50% _____ 51-75% _____ Over 75% _____

QUESTIONNAIRE TO DISTRICT ATTORNEYS - PAGE 2

5. How many of these 1980 complaints were settled informally? # _____

6. How many civil actions were brought by your office in 1980? # _____
 How many convictions were obtained in that year? # _____

Or, if your office does not have this authority, how many cases were referred for civil action in 1980? # _____ To which agency(s) were these cases referred (please specify): _____

7. How many criminal actions were brought by your office in 1980? # _____
 How many convictions were obtained in that year? # _____

Or, if your office does not have this authority, how many cases were referred for criminal action in 1980? # _____ To which agency(s) were these cases referred (please specify): _____

8. How many potential civil cases are pending in your office today? # _____

9. How many potential criminal cases are pending in your office today? # _____

IV. TYPES OF CASES

1. Please provide a breakdown of the number of consumer fraud complaints handled by your office in 1980. How many cases related to each of the following areas:

AREA	NUMBER OF CASES
HEALTH FRAUD AND QUACKERY	
DECEPTIVE ADVERTISING	
BUSINESS OPPORTUNITY/INVESTMENT SCHEMES	
AUTOMOBILE RELATED SCHEMES	
LAND FRAUD	
HOME REPAIR SCHEMES	
PHONY EDUCATION SCHEMES	
FUNERAL COMPLAINTS	
INSURANCE FRAUDS	
WORK AT HOME SCHEMES	
NURSING HOMES/MEDICAID FRAUD	
MOBILE HOME COMPLAINTS	
OTHERS (PLEASE SPECIFY):	

2. Which of the above would you say presents the biggest problem in your area for the population in general? Please explain: _____

3. Which of the above would you say presents the biggest problem for the elderly population in your area? Please explain: _____

4. What can you say about the incidence of such consumer fraud complaints? Are they --
 (a) increasing at a rapid rate? _____
 (b) increasing slightly? _____
 (c) staying about the same? _____
 (d) decreasing? _____
 (e) don't know? _____

5. What percent of the cases you handled in 1980 related to door-to-door sales? _____ %

6. What percent of the cases you handled in 1980 related to advertising? _____ %

7. What percent of the cases you handled in 1980 related to mail order sales? _____ %
 Is this a particularly difficult problem because of the interstate nature of the business? Yes _____ No _____ Don't know _____

QUESTIONNAIRE TO DISTRICT ATTORNEYS - PAGE 3

8. Please provide 6 or more case histories of complaints your office has resolved successfully or of prosecutions which have been carried out. Obviously, our primary interest is in investigations which relate in whole or in part to the elderly.
9. Please enclose newspaper clippings with respect to several of these cases in order that the Committee might learn how much newspaper coverage these consumer fraud efforts received.
10. The Arthritis Foundation claims that the American public is losing more than \$1 billion on phony arthritis remedies alone. Other experts allege that the many dimensions of consumer fraud have become multi-billion dollar rackets. Would you agree with this statement? Yes No

V. VICTIMS AND THE ELDERLY

1. Experts contend that senior citizens are especially vulnerable to all kinds of consumer fraud. Would you agree? Yes No
2. Can you provide any rough estimate as to the percent of your complaints that come from or relate to senior citizens? _____ %
3. In your judgment, are there more instances of consumer fraud against the elderly than are reported? Yes No Don't know
4. Based on your experience, what percent of the consumers who complain would you estimate fall into each of the following income categories?

- (a) under \$5,000 _____ %
 (b) \$5,000 - \$15,000 _____ %
 (c) \$16,000 - \$25,000 _____ %
 (d) over \$25,000 _____ %

5. Please provide as much detail as possible on any health-related fraud which relates to the elderly that your office has discovered. Phony arthritis and cancer cures abound. Mail order weight loss, "youth" or rejuvenation cures and phony mail order diagnosis rackets are but a few of the health frauds perpetrated against the elderly.

Would you agree that these are serious problems as far as the elderly are concerned?
 Yes No

Would you estimate that in your area the problem is --

- (a) increasing _____
 (b) staying the same _____
 (c) decreasing _____
 (d) don't know _____

VI. ADDITIONAL COMMENTS AND/OR REQUEST FOR REPORTS

We will appreciate any additional comments, reports, case histories or examples of your work you may have to offer on this subject. If you would be willing to testify before the Committee, please indicate below:

- I would be willing to testify.
 I would not be willing to testify.

Name and title of the official completing this questionnaire: _____

Comments: _____

Please return to: Honorable Claude Pepper, Chairman
 Select Committee on Aging
 712 House Annex No. 1
 Washington, D.C. 20515

WE APPRECIATE YOUR ASSISTANCE.

APPENDIX I

SELECT COMMITTEE ON AGING
 U.S. HOUSE OF REPRESENTATIVES
 CLAUDE PEPPER, CHAIRMAN

JUNE 3, 1981

QUESTIONNAIRE TO STATE CONSUMER AFFAIRS OFFICES

I. BUDGET AND RESOURCES

1. What was the total budget of your consumer affairs office in 1980? \$ _____
2. How many people in full-time equivalents (FTEs) are employed in your office? # _____
3. How many of these employees in FTEs are attorneys? # _____ How many accountants? # _____ How many investigators? # _____ How many clerical personnel? # _____ Other employees? # _____ Please specify positions: _____

II. POWERS AND DUTIES RELATED TO CONSUMER FRAUD/ABUSE

1. Please enclose a copy of your state consumer affairs statute(s) which gives your office authority to act in this area. Please list those areas in which your office has jurisdiction: _____

If you have a unique law which other states might copy, please so indicate on the back of this form.

2. Does your office have authority to initiate investigations as opposed to merely responding to consumer complaints? ____ Yes ____ No
3. What percent of your time is spent dealing with complaints? ____ %
4. What percent is spent with proactive investigations? ____ %
5. Do you have authority to convene administrative hearings regarding consumer complaints? ____ Yes ____ No
6. Do you have authority to initiate civil proceedings? ____ Yes ____ No
7. Do you have authority to initiate criminal proceedings? ____ Yes ____ No
8. Do you have authority to seize evidence? ____ Yes ____ No
9. Do you have authority to issue subpoenas in consumer fraud cases? ____ Yes ____ No

III. COMPLAINTS AND CASES

1. How many consumer complaints did your office receive in 1980? # _____
2. How many complaints did you receive in 1976? # _____
3. Approximately what percent of these complaints in 1980 came from each of the following:

From consumers directly? ____ %
 From law enforcement agencies? ____ %
 From legal services or offices on aging? ____ %
 From the U.S. Postal Service? ____ %
 From others? ____ % Please specify: _____

4. What percent of these complaints appeared to be valid?
 0-25% _____ 26-50% _____ 51-75% _____ Over 75% _____
5. How many of these 1980 complaints were settled informally? # _____

QUESTIONNAIRE TO STATE CONSUMER AFFAIRS OFFICES - PAGE 2

6. How many civil actions were brought by your office in 1980? # _____
How many convictions were obtained in that year? # _____

Or, if your office does not have this authority, how many cases were referred for civil action in 1980? # _____ To which agency(s) were these cases referred (please specify): _____

7. How many criminal actions were brought by your office in 1980? # _____
How many convictions were obtained in that year? # _____

Or, if your office does not have this authority, how many cases were referred for criminal action in 1980? # _____ To which agency(s) were these cases referred (please specify): _____

8. How many potential civil cases are pending in your office today? # _____
9. How many potential criminal cases are pending in your office today? # _____

IV. TYPES OF CASES

1. Please provide a breakdown of the number of consumer fraud complaints handled by your office in 1980. How many cases related to each of the following areas:

AREA	NUMBER OF CASES
HEALTH FRAUD AND QUACKERY	
DECEPTIVE ADVERTISING	
BUSINESS OPPORTUNITY/INVESTMENT SCHEMES	
AUTOMOBILE RELATED SCHEMES	
LAND FRAUD	
HOME REPAIR SCHEMES	
PHONY EDUCATION SCHEMES	
FUNERAL COMPLAINTS	
INSURANCE FRAUDS	
WORK AT HOME SCHEMES	
MOBILE HOME COMPLAINTS	
OTHERS (PLEASE SPECIFY):	

2. Which of the above would you say presents the biggest problem in your area for the population in general? Please explain: _____
3. Which of the above would you say presents the biggest problem for the elderly population in your area? Please explain: _____
4. What can you say about the incidence of such consumer fraud complaints? Are they --
- (a) increasing at a rapid rate? _____
(b) increasing slightly? _____
(c) staying about the same? _____
(d) decreasing? _____
(e) don't know? _____
5. What percent of the cases you handled in 1980 related to door-to-door sales? _____ %
6. What percent of the cases you handled in 1980 related to advertising? _____ %
7. What percent of the cases you handled in 1980 related to mail order sales? _____ %
Is this a particularly difficult problem because of the interstate nature of the business? Yes _____ No _____ Don't know _____
8. Please provide 3 or more case histories of complaints your office has resolved successfully or of prosecutions which have been carried out.

QUESTIONNAIRE TO STATE CONSUMER AFFAIRS OFFICES - PAGE 3

9. Please enclose newspaper clippings with respect to several of these cases in order that the Committee might learn how much newspaper coverage these consumer fraud efforts received.
10. The Arthritis Foundation claims that the American public is losing more than \$1 billion on phony arthritis remedies alone. Other experts allege that the many dimensions of consumer fraud have become multi-billion dollar rackets. Would you agree with this statement? Yes No

V. VICTIMS AND THE ELDERLY

1. Experts contend that senior citizens are especially vulnerable to all kinds of consumer fraud. Would you agree? Yes No
2. Can you provide any rough estimate as to the percent of your complaints that come from senior citizens? _____%
3. In your judgment, are there more instances of consumer fraud against the elderly than are reported? Yes No Don't know
4. Based on your experience, what percent of the consumers who complain would you estimate fall into each of the following income categories?
 - (a) under \$5,000 _____%
 - (b) \$5,000 - \$15,000 _____%
 - (c) \$16,000 - \$25,000 _____%
 - (d) over \$25,000 _____%

5. Please provide as much detail as possible on any health-related fraud which relates to the elderly that your office has discovered. Phony arthritis and cancer cures abound. Mail order weight loss, "youth" or rejuvenation cures and phony mail order diagnosis rackets are but a few of the health frauds perpetrated against the elderly.

Would you agree that these are serious problems as far as the elderly are concerned?
 Yes No

Would you estimate that in your area the problem is --

- (a) increasing _____
- (b) staying the same _____
- (c) decreasing _____
- (d) don't know _____

VI. ADDITIONAL COMMENTS AND/OR REQUEST FOR REPORTS

We will appreciate any additional comments, reports, case histories or examples of your work you may have to offer on this subject. If you would be willing to testify before the Committee, please indicate below:

- I would be willing to testify.
- I would not be willing to testify.

Name and title of the official completing this questionnaire: _____

Comments: _____

Please return to: Honorable Claude Pepper, Chairman
 Select Committee on Aging
 712 House Annex No. 1
 Washington, D.C. 20515

WE APPRECIATE YOUR ASSISTANCE.

APPENDIX I

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

May 14, 1981

QUESTIONNAIRE TO STATE ATTORNEYS GENERAL
CONSUMER FRAUD SECTION

I. Budget and Resources

1. What was the total budget of the Attorney General's office in 1980? \$ _____
2. Approximately what percent of this amount is allocated to consumer protection activities? _____ %
3. How many people in full-time equivalents (FTEs) are employed in the consumer affairs section? # _____
4. How many of these employees in FTEs are attorneys? # _____ How many accountants? # _____ How many investigators? # _____ How many clerical personnel? # _____ How many hearing officers? # _____

II. Powers and Duties Relating to Consumer Fraud or Abuse

1. Please enclose a copy of your state consumer affairs statute(s) which gives your office authority to act in this area. Please list those areas in which your office has issued regulations: _____

2. Does your office have authority to initiate investigations as opposed to merely responding to consumer complaints? ___ Yes ___ No
What percent of your time is spent dealing with complaints? _____ % What percent is spent with proactive investigations? _____ %
3. Do you have authority to initiate criminal proceedings? ___ Yes ___ No
4. Do you have authority to initiate civil proceedings? ___ Yes ___ No
5. Do you have authority to make arrests? ___ Yes ___ No
6. Do you have authority to seize evidence? ___ Yes ___ No
7. Do you have authority to issue subpoenas in consumer fraud cases? ___ Yes ___ No

III. Complaints and Cases

1. How many consumer complaints did your office receive in 1980? # _____
How many of these did you refer to other agencies? # _____
2. How many complaints did you receive in 1976? # _____
3. Approximately what percent of these complaints in 1980 came from each of the following:
From consumers directly? _____ %
From law enforcement agencies? _____ %
From Legal Services or Office on Aging? _____ %
From the U.S. Postal Service? _____ %
Other (please specify): _____ %
4. What percent of these complaints appeared to be valid or were successfully resolved?
0 - 25% _____ 26-50% _____ 51-75% _____ Over 75% _____
5. How many of these complaints were settled informally? _____ %

QUESTIONNAIRE TO STATE ATTORNEYS GENERAL - PAGE 2

- 6. How many civil actions were brought by your office in 1980? # _____
How many convictions were obtained in that year? # _____
- 7. How many criminal cases were brought or referred by your office in 1980? # _____
How many convictions were obtained in that year? # _____
- 8. How many civil cases are pending in your office today? # _____
- 9. How many potential criminal cases are pending in your office today? # _____

IV. Types of Cases

- 1. Please provide a breakdown of the number of civil or criminal cases handled by your office in 1980. How many cases related to each of the following areas:

AREA	NUMBER OF CASES
HEALTH FRAUD AND QUACKERY	
DECEPTIVE ADVERTISING	
BUSINESS OPPORTUNITY/INVESTMENT SCHEMES	
AUTOMOBILE RELATED SCHEMES	
LAND FRAUD	
HOME REPAIR SCHEMES	
PHONY EDUCATION SCHEMES	
FUNERAL COMPLAINTS	
INSURANCE FRAUDS	
MOBILE HOME COMPLAINTS	
OTHERS (PLEASE SPECIFY):	

- 2. Which of the above would you say presents the biggest problem in your area of the country? Please explain: _____
- 3. What can you say about the incidence of such consumer fraud complaints? Are they --
 - (a) increasing at a rapid rate? _____
 - (b) increasing slightly? _____
 - (c) staying about the same? _____
 - (d) decreasing? _____
 - (e) don't know? _____
- 4. What percent of the cases you handled in 1980 related to door-to-door sales? _____%
- 5. What percent of the cases you handled in 1980 related to advertising? _____%
- 6. What percent of the cases you handled in 1980 related to mail order sales? _____%. Is this a particularly difficult problem because of the interstate nature of the business? Yes _____ No _____
- 7. Please provide 3 case histories of complaints your office has resolved successfully or of prosecutions which have been carried out.
- 8. Please enclose newspaper clippings with respect to several of these cases in order that the Committee might learn how much newspaper coverage these enforcement efforts received.
- 9. The U.S. Postal Service claims that the American public is losing more than \$150 million a year on mail order health schemes alone. Other experts allege that the many dimensions of consumer fraud have become multi-billion dollar rackets. Would you agree with this statement? Yes _____ No _____

QUESTIONNAIRE TO STATE ATTORNEYS GENERAL - PAGE 3

V. Victims and the Elderly

1. Experts contend that senior citizens are especially vulnerable to all kinds of consumer fraud. Would you agree? Yes No
2. Can you provide any rough estimate as to the percent of your complaints that come from senior citizens? _____ %
3. In your judgment, are there more instances of consumer fraud against the elderly than are reported? Yes No
4. Based on your experience, what percent of your complaints would you estimate fall into each of the following income categories?
 - (a) under \$5,000 _____ %
 - (b) \$5,000 - \$15,000 _____ %
 - (c) \$16,000 - \$25,000 _____ %
 - (d) over \$25,000 _____ %
5. Please provide as much detail as possible on any health-related fraud which relates to the elderly that your office has discovered. Phony arthritis and cancer cures abound. Mail order weight loss, "youth" or rejuvenation cures and phony mail order diagnosis rackets are but a few of the health frauds perpetrated against the elderly.

Would you agree that these are serious problems as far as the elderly are concerned? Yes No

Would you estimate that the problem is increasing, staying the same, or decreasing in your area?

VI. Additional Comments and/or Request for Reports

We will appreciate any additional comments or reports you may have to offer on this subject. If you would be willing to testify before the Committee, please indicate below:

I would be willing to testify.
 I would not be willing to testify.

Name and title of the official completing this questionnaire: _____

Comments: _____

Please return to: Honorable Claude Pepper, Chairman
 Select Committee on Aging
 712 House Annex No. 1
 Washington, D.C. 20515

WE APPRECIATE YOUR ASSISTANCE.

APPENDIX I

SELECT COMMITTEE ON AGING
 U.S. HOUSE OF REPRESENTATIVES
 CLAUDE PEPPER, CHAIRMAN

MEMORANDUM

July 30, 1981

To: State Legislative Committees

From: Claude Pepper
 Chairman

Re: Questionnaire on Consumer Fraud and the Elderly

Your assistance in a matter of some importance to the House Select Committee on Aging would be most appreciated.

Our Committee is in the process of investigating the subject of frauds against the elderly. We have asked the National Conference of State Legislatures for assistance and they were kind enough to put us in touch with you. We would appreciate your help in completing the enclosed questionnaire and returning it to us as soon as possible.

We have found that senior citizens are particularly vulnerable to con men who peddle phony stock sales, questionable land or insurance, medical quackery and a host of other schemes to them on a daily basis. We are interested in knowing if you have conducted any hearings which relate to this subject and if you have been successful in bringing about the enactment of reform legislation that you can tell us about.

If your state has a legislative committee other than yours which has jurisdiction over consumer affairs, you may wish to send a xerox copy of this questionnaire over to them so that they may provide us their input as well.

If you will note, at the end of our questionnaire we have asked whether you would be willing to testify before our Committee on one of more consumer fraud issues which relate in whole or in part to the elderly. We would appreciate receiving the completed questionnaire from you at your earliest convenience.

If you have any questions, please contact our Senior Counsel, Val J. Halamandaris, at (202)225-0451. We will be most grateful for your assistance and cooperation in this matter.

Please return this questionnaire to: Honorable Claude Pepper
 House Committee on Aging
 712 House Annex No. 1
 Washington, D. C. 20510

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

MEMORANDUM

July 30, 1981

Questionnaire to State Legislative Committees on Aging and Consumer Affairs

1. Experts contend that senior citizens are especially vulnerable to all kinds of consumer fraud. Would you agree? Yes No
2. Do you frequently receive reports or complaints that senior citizens have been victimized by one or more fraudulent schemes? Yes No
3. Have you conducted hearings in any of the areas set forth in question 4?
 Yes No If yes, include transcripts and copies of any subsequent reform legislation which resulted.
4. Please rank the following 12 areas of consumer fraud in terms of what you perceive are the most important and most numerous frauds perpetrated against the elderly. Use 1 for the most important kind of fraud and 12 for the least important:

AREA	RANK
HEALTH FRAUD AND QUACKERY	
DECEPTIVE ADVERTISING	
BUSINESS OPPORTUNITY/INVESTMENT SCHEMES	
AUTOMOBILE RELATED SCHEMES	
LAND FRAUD	
HOME REPAIR SCHEMES	
PHONY EDUCATION SCHEMES	
FUNERAL COMPLAINTS	
INSURANCE FRAUDS	
WORK AT HOME SCHEMES	
NURSING HOME OR BOARDING HOME ABUSES	
MOBILE HOME COMPLAINTS	
OTHERS (PLEASE SPECIFY):	

5. What can you say about the incidence of such consumer fraud complaints? Are they--
 - (a) increasing at a rapid rate?
 - (b) increasing slightly?
 - (c) staying about the same?
 - (d) decreasing?
 - (e) don't know?
 6. In your judgment, are there more instances of consumer fraud against the elderly than are reported? Yes No Don't Know
 7. Does your State have separate House and Senate Committees with jurisdiction over consumer affairs? Yes No If yes, please provide the name of the Chairman and address of each.
 8. The Arthritis Foundation claims that the American public is losing more than \$1 billion on phony arthritis remedies alone. Other experts allege that the many dimensions of consumer fraud have become multi-billion dollar rackets. Would you agree with this statement? Yes No
 9. Please provide as much detail as possible on any health or insurance related issues that your Committee has explored. Phony arthritis and cancer cures abound. Mail order weight loss, "youth" or rejuvenation cures and phony mail order diagnosis rackets are but a few of the health frauds perpetrated against the elderly.
- Would you agree that these are serious problems as far as the elderly are concerned?
 Yes No

QUESTIONNAIRE TO STATE OFFICES ON AGING - PAGE 2

10. Would you estimate that the incidence of frauds against the elderly in your area is --
- (a) increasing _____
 (b) staying the same _____
 (c) decreasing _____
 (d) don't know _____
11. The Committee is receiving an increasing amount of correspondence from individuals who claim to have been defrauded of their pension rights. Have any of these kinds of complaints come to your attention? ___ Yes ___ No

If yes, please describe the nature of the complaint and enclose copies of any correspondence that you might have so that we can learn about the matter. We would be interested in investigating any leads that you would care to call to our attention:

ADDITIONAL COMMENTS AND/OR REQUEST FOR REPORTS

We will appreciate any additional comments, reports, case histories or examples of your work you may have to offer on this subject. If you would be willing to testify before the Committee, please indicate below:

___ I would be willing to testify.
 ___ I would not be willing to testify.

Name and title of the official completing this questionnaire: _____
 Phone number: () _____

Comments: _____

Please return to: Honorable Claude Pepper, Chairman
 Select Committee on Aging
 712 House Annex No. 1
 Washington, D.C. 20515

WE APPRECIATE YOUR ASSISTANCE.

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

MEMORANDUM

June 16, 1981

To Directors, State Offices on Aging
From Claude Pepper, Chairman
Re Questionnaire on Consumer Fraud Efforts

Your assistance in a matter of importance to the House Select Committee on Aging would be most appreciated.

Our Committee is in the process of investigating the subject of frauds against the elderly. We have found that senior citizens are easy victims for con men who peddle phony stock sales, questionable land sales, medical quackery remedies of all kinds, work at home schemes, phony business opportunities, and a host of other schemes that you hear about on a daily basis. We plan a series of hearings in the next few months on this subject and we need your help.

We have already written to the Attorney General of your state asking for his perspective on this issue. We wanted to correspond directly with you because of your unquestioned expertise in this area. We are enclosing a questionnaire which states the parameters of our concern. We would appreciate your cooperation in completing the enclosed questionnaire in as much detail as possible. We would welcome any legislative solutions you may suggest to us. Please send us examples of cases that you have been able to resolve successfully or leads which you think we ought to examine.

If you will note, at the end of our questionnaire we have asked whether you would be willing to testify before our Committee on one or more consumer fraud issues which relate in whole or in part to the elderly. We would appreciate receiving the completed questionnaire from you at your earliest convenience.

If you have any questions, please contact our Senior Counsel Val J. Halamandaris at (202)225-0451. We will be most grateful for your assistance and cooperation in this matter.

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

JUNE 16, 1981

QUESTIONNAIRE TO STATE OFFICES ON AGING

1. Do you frequently receive reports or complaints that senior citizens have been victimized by one or more fraudulent schemes? Yes No
2. If you keep statistics, what was the total number of such complaints received in 1980? # _____
3. Experts contend that senior citizens are especially vulnerable to all kinds of consumer fraud. Would you agree? Yes No
4. Please rank the following 12 areas of consumer fraud in terms of what you perceive are the most important and most numerous frauds perpetrated against the elderly. Use 1 for the most important kind of fraud and 12 for the least important:

AREA	RANK
HEALTH FRAUD AND QUACKERY	
DECEPTIVE ADVERTISING	
BUSINESS OPPORTUNITY/INVESTMENT SCHEMES	
AUTOMOBILE RELATED SCHEMES	
LAND FRAUD	
HOME REPAIR SCHEMES	
PHONY EDUCATION SCHEMES	
FUNERAL COMPLAINTS	
INSURANCE FRAUDS	
WORK AT HOME SCHEMES	
NURSING HOME OR BOARDING HOME ABUSES	
MOBILE HOME COMPLAINTS	
OTHERS (PLEASE SPECIFY):	

5. What can you say about the incidence of such consumer fraud complaints? Are they --
 - (a) increasing at a rapid rate? _____
 - (b) increasing slightly? _____
 - (c) staying about the same? _____
 - (d) decreasing? _____
 - (e) don't know? _____
6. Do you have any estimate on the percentage of the complaints that you receive which are valid?

_____ 0-25% _____ 26-50% _____ 51-75% _____ Over 75%
7. In your judgment, are there more instances of consumer fraud against the elderly than are reported? Yes No Don't Know
8. The Arthritis Foundation claims that the American public is losing more than \$1 billion on phony arthritis remedies alone. Other experts allege that the many dimensions of consumer fraud have become multi-billion dollar rackets. Would you agree with this statement? Yes No
9. Please provide as much detail as possible on any health-related fraud which relates to the elderly that your office has discovered. Phony arthritis and cancer cures abound. Mail order weight loss, "youth" or rejuvenation cures and phony mail order diagnosis rackets are but a few of the health frauds perpetrated against the elderly.

Would you agree that these are serious problems as far as the elderly are concerned?
 Yes No

QUESTIONNAIRE TO STATE OFFICES ON AGING - PAGE 2

10. Would you estimate that in your area the problem is --

- (a) increasing _____
 (b) staying the same _____
 (c) decreasing _____
 (d) don't know _____

11. The Committee is receiving an increasing amount of correspondence from individuals who claim to have been defrauded of their pension rights. Have any of these kinds of complaints come to your attention? _____ Yes _____ No

If yes, please describe the nature of the complaint and enclose copies of any correspondence that you might have so that we can learn about the matter. We would be interested in investigating any leads that you would care to call to our attention:

ADDITIONAL COMMENTS AND/OR REQUEST FOR REPORTS

We will appreciate any additional comments, reports, case histories or examples of your work you may have to offer on this subject. If you would be willing to testify before the Committee, please indicate below:

- _____ I would be willing to testify.
 _____ I would not be willing to testify.

Name and title of the official completing this questionnaire: _____

Comments: _____

Please return to: Honorable Claude Pepper, Chairman
 Select Committee on Aging
 712 House Annex No. 1
 Washington, D.C. 20515

WE APPRECIATE YOUR ASSISTANCE.

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

MEMORANDUM

July 30, 1981

To: Police Chiefs
From: Claude Pepper, Chairman
Re: Questionnaire on Consumer Fraud Efforts

Your assistance in a matter of some importance to the House Select Committee on Aging would be most appreciated.

The National Institute of Law Enforcement and Criminal Justice has reported that although the elderly make up only 11 percent of the population, some 31 percent of all crimes are committed against individuals 65 and over. Certainly violent crime is more prevalent and we have had held numerous hearings on this subject. Paranthetically, I was chairman of the Select Committee on Crime of the House of Representatives from 1970 through 1974. The purpose of this inquiry to you is to learn about your experience with non-violent crimes perpetrated against the elderly.

We are interested to learn if you have a section or division within your office which is devoted to so-called "bumco" or consumer fraud issues. We would be interested in having you send us case files or summaries of a half or dozen or more cases investigated by your office which resulted in successful prosecution. We would be interested in having your personnel provide us with the names of con-artists behind bars or otherwise who might be willing to tell us about their involvement with frauds particularly those perpetrated against the aged.

The list of fraud is endless including but not limited to pension fraud, questionable land sales, phony stock or gem sales, phony business opportunity schemes, questionable home repair schemes, medical quackery and the like. We wanted to correspond with you directly because of your expertise in this area. We have already written to your State Attorney General and State Consumer Affairs Office. We want to hear from you.

The enclosed questionnaire is merely a device to help us learn what you are doing. Please answer as many questions as you can. You will note that we have provided space at the end of the questionnaire for you to tell us whether you would be willing to testify before our committee on this subject. We would appreciate your response to this questionnaire at your earliest possible convenience.

If you have any questions, please contact our Senior Counsel, Val J. Halamandaris or Kathleen Gardner of our staff at (202)225-0451. We will be most grateful for your assistance and cooperation in this matter.

Questionnaire to Police Chiefs

1. How many people in full-time equivalents (FTE) are employed by your office?
 _____ How many are professional? _____ How many are clerical? _____
2. How many people were employed by your office in 1975? _____ How many were professional? _____ How many clerical? _____
3. Has crime (a) increased ____ (b) decreased ____ or (c) stayed the same in your area since 1975?
4. If it has increased or decreased, approximately by what percent? _____
 Do you have a unit within your office which receives and handles complaints regarding consumer fraud? ____ Yes ____ No
 If yes, how many people are in such unit? _____
 How many are professional? _____ How many are Clerical? _____
5. As noted in our cover memo to you, national statistics show the elderly make up 11 percent of the population but over 31 percent of the victims of crime. Do the elderly constitute a disproportionate share of the victims of crime (violent and non-violent) in your area? ____ Yes ____ No
6. With respect to the elderly, would you say the incidence of violent crime is is --
 (a) increasing at a rapid rate? _____
 (b) increasing slightly? _____
 (c) staying about the same? _____
 (d) decreasing? _____
 (e) not sure? _____
7. Approximately how many complaints of potential fraud came to your attention in 1980? ____ How many in 1977? ____
8. Approximately what percent of these complaints in 1980 would you guess came from each of the following:
 From city or state agencies? _____ %
 From consumers directly? _____ %
 From legal services or offices on aging? _____ %
 From others? _____ % Please specify: _____
9. What percent of these complaints appeared to be valid?
 0-25% _____ 26-50% _____ 51-75: _____ 75-100% _____
10. Please provide a breakdown of the number of consumer fraud complaints handled by your office in 1980. How many cases related to each of the following areas:
- | | |
|---|--|
| HEALTH FRAUD AND QUACKERY | |
| DECEPTIVE ADVERTISING | |
| BUSINESS OPPORTUNITY/INVESTMENT SCHEMES | |
| AUTOMOBILE RELATED SCHEMES | |
| LAND FRAUD | |
| HOME REPAIR SCHEMES | |
| PHONY EDUCATION SCHEMES | |
| FUNERAL COMPLAINTS | |
| INSURANCE FRAUDS | |
| WORK AT HOME SCHEMES | |
| MOBILE HOME COMPLAINTS | |
| OTHERS (PLEASE SPECIFY): | |
11. Which of the above would you say presents the biggest problem in your area for the population in general? Please explain: _____
12. Which of the above would you say presents the biggest problem for the elderly population in your area? Please explain: _____

13. What can you say about the incidence of such consumer fraud complaints?
Are they --

(a) increasing at a rapid rate? ___
 (b) increasing slightly? ___
 (c) staying about the same? ___
 (d) decreasing? ___
 (e) don't know? ___

14. Please provide 6 or more case histories of complaints your office has resolved successfully or of prosecutions which have been carried out. Obviously, our primary interest is in investigations which relate in whole or in part to the elderly.

15. Please enclose newspaper clippings with respect to several of these cases in order that the Committee might learn how much newspaper coverage these consumer fraud efforts received.

16. The Arthritis Foundation claims that the American public is losing more than \$1 billion on phony arthritis remedies alone. Other experts allege that the many dimensions of consumer fraud have become multi-billion dollar rackets. Would you agree with this statement? ___ Yes ___ No

17. In your judgment, are there more instances of consumer fraud against the elderly than are reported? ___ Yes ___ No ___ Don't know

18. Please provide us with the names and phone numbers of any knowledgeable individuals who can tell us about frauds perpetrated against public and private pension plans?

19. Can your office provide the names of any convicted con men or promoters who might be willing to testify before the Committee about their activities? If so, please provide same in the space below together with names and telephone number of their attorneys together with other pertinent information. Please use the back of this questionnaire if necessary.

Name _____ Location _____ Attorney and No. _____

Name _____ Location _____ Attorney and No. _____

20. Please provide as much detail as possible on any health-related fraud which relates to the elderly that your office has discovered. Phony arthritis and cancer cures abound. Mail order weight loss, "youth" or rejuvenation cures and phony mail order diagnosis rackets are but a few of the health frauds perpetrated against the elderly.

Would you agree that these are serious problems as far as the elderly are concerned? ___ Yes ___ No

Would you estimate that in your area the problem is --

(a) increasing ___
 (b) staying the same ___
 (c) decreasing ___
 (d) don't know ___

We will appreciate any additional comments, reports, case histories or examples of your work you may have to offer on this subject. If you would be willing to testify before the Committee, please indicate below:

___ I would be willing to testify
 ___ I would not be willing to testify

Name and title of the official completing this questionnaire: _____

Comments: _____

Please return to: Honorable Claude Pepper, Chairman
 U.S. House Select Committee on Aging
 712 House Annex No. 1
 Washington, D.C. 20515

WE APPRECIATE YOUR ASSISTANCE

CLAUDE PEPPER, FLA.
CHAIRMAN

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EDWARD R. ROYBAL, CALIF., EX OFFICIO

BILL HALAMANDARIS
STAFF DIRECTOR
KATHLEEN GARROW CRAYDEN
ASSISTANT STAFF DIRECTOR

APPENDIX I

U.S. House of Representatives

SELECT COMMITTEE ON AGING
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

716 HOUSE OFFICE BUILDING ANNEX 1

Washington, D.C. 20515

(202) 226-3381

RALPH REGULA, OHIO
RANKING REPUBLICAN MEMBER

THOMAS J. TAZUE, IOWA
GEORGE C. WORTLEY, N.Y.
HAL DAUER, NEBR.
LARRY E. GRAY, IDAHO
JIM COURTER, ILL.
THOMAS J. RIDGE, PA.
JOHN MCCAIN, ARIZ.
MICHAEL BISHARA, PA.
MATTHEW A. ROSARIO, N.J., EX OFFICIO

JAMES P. OSERLE, PK. D.
HONORARY STAFF DIRECTOR

September 22, 1983

(IDENTICAL QUESTIONNAIRES
SUBMITTED TO FEDERAL TRADE
COMMISSION AND FOOD AND
DRUG ADMINISTRATION)

The Honorable William F. Bolger
Postmaster General
United States Postal Service
475 L'Enfant Plaza West, S.W.
Washington, D.C. 20260

Dear Mr. Bolger:

Your assistance in a matter of great importance to the Subcommittee on Health and Long-Term Care of the Select Committee on Aging would be appreciated.

You may know that the House Select Committee on Aging and its Subcommittee on Health and Long-Term Care has been conducting an exhaustive investigation into medical and health quackery. The Postal Service has provided valuable information and resources in this regard.

In light of the important role that the Postal Service plays in the federal scheme to combat medical quackery, we would appreciate your response to the enclosed set of questions. The questions are designed to provide current and complete information on the Postal Service in this area.

Please submit your answers at your earliest possible convenience but in no event later than October 7, 1983. If you need any clarification, please contact Subcommittee staff person, Nan Kalthoff, at 226-3381.

Your assistance in this matter is certainly appreciated. I look forward to your response.

Kindest regards, and believe me,

Very sincerely,


Claude Pepper
Chairman

CP:kgn

enclosure

QUESTIONS

I. Budget and Resources

1. What was the total budget for the United States Postal Service (USPS) in FY 1982? _____ In FY 1983? _____

2. What was the total budget allocated for programs or activities in the area of medical or health quackery in FY 1982? _____
In FY 1983? _____

3. How many employees were assigned to medical or health quackery programs or activities in FY 1982? In FY 1983?

a) on a full-time basis? (in FTEs)

	1982	1983
professional	_____	_____
clerical	_____	_____

b) on a part-time basis? (in FTEs)

	1982	1983
professional	_____	_____
clerical	_____	_____

4. Is there a specific office or section that has been designated to handle issues regarding medical quackery? Yes ___ No ___

If yes, please state the name and describe the powers and duties of the office.

II. Powers and Duties Relating to Medical Quackery

1. Please describe the basic powers and duties of the USPS in the area of medical and health quackery.

2. Please enclose a copy of the statutes and amendments that authorize your agency to act in the area of medical quackery.

3. Please enclose cites to the relevant legislative history.

4. Please enclose a copy of any regulations that your office has issued relating to medical or health quackery.

5. Do you have authority to initiate criminal proceedings in medical or health quackery area? Yes ___ No ___

What are the criminal sanctions?

6. Do you have authority to initiate civil proceedings in these cases? Yes ___ No ___

What are the civil sanctions?

7. Please explain the relationship of the Department of Justice and the USPS with respect to the initiation and prosecution of criminal and civil proceedings in this area.

8. Do you have authority to initiate administrative proceedings in these cases? Yes ___ No ___

What are the administrative sanctions or remedies?

III. Complaints and Cases

1. How many consumer complaints regarding medical or health quackery did your agency receive in FY 1982? _____ In FY 1983? _____

2. How many of these complaints would you estimate were from persons aged 65 and over? _____

3. Please estimate the percentage of consumer complaints your agency received from the following:

referral from private consumer groups _____

referral from government agencies _____

Federal _____

State/Local _____

consumers _____

health care professionals _____

USPS investigators _____

other (please explain)

4. Please describe the various formal and informal investigatory procedures the USPS employs in the medical and health quackery area.

5. How many formal investigations did the USPS conduct in FY 1982? _____ In FY 1983? _____

6. What is the average length of time from receipt of complaint to the opening of formal investigation? _____

7. How many formal proceedings did the USPS initiate in FY 1982? (please categorize)

In FY 1983? (please categorize)

8. How many cases resulted in criminal sanctions in FY 1982? _____ in FY 1983? _____

9. How many cases resulted in civil sanctions in FY 1982? _____ In FY 1983? _____

10. How many cases resulted in administrative sanctions in FY 1982? _____ In FY 1983? _____

11. How many cases resulted in regulations in FY 1982? _____ In FY 1983? _____

12. What is the total number of cases in FY 1982 that were resolved by formal settlement (e.g. consent decree)? (please categorize and describe each)

In FY 1983? _____ (please categorize)

13. Please describe the USPS's procedure for informally resolving complaints. _____

14. What is the average time from the receipt of a complaint to the filing of a formal proceeding?

15. What is the average time from the opening of an investigation to the filing of formal proceedings?

16. What is the average time from the filing of a proceeding to its final resolution?

17. Please enclose a list of the USPS's administrative actions in the last 5 years.

IV. Public Education

1. What was the total budget allocated for education of the public in the medical and health quackery area
in FY 1982? _____
in FY 1983? _____

2. What programs does the USPS conduct to educate the public?

How long has each been in existence? _____

3. Has the USPS produced any pamphlets or literature providing guidance to senior citizens regarding medical quackery?

Yes ___ No ___

If yes, please enclose a copies. Also please enclose copies of all USPS publications that concern medical quackery.

CLAUDE PEPPER, FLA.
CHAIRMAN

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MARTIN LLOYD TERRY
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BRENDAN PHOPE, MD
JAY S. CONSTANTINE

APPENDIX I

U.S. House of Representatives

SELECT COMMITTEE ON AGING
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

715 HOUSE OFFICE BUILDING ANNEX 1

Washington, D.C. 20515

(202) 226-3381

March 13, 1984

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MARK BENDUCT, L.L.E.
MINORITY STAFF DIRECTOR
SUEAN ROLAND
ASSISTANT MINORITY STAFF DIRECTOR

Dr. Lester B. Salans, Director
National Institute of Arthritis
9000 Rockville Pike
Bethesda, Md. 20205

Dear Dr. Salans:

You may know that for the past four years I have been conducting a comprehensive review of medical and other health-related frauds perpetrated through the mails and directed primarily at older Americans. This letter is to alert you to our interest in this important area and to determine what the National Institute of Arthritis' role is in combatting such fraud.

Every year, thousands of older Americans spend millions of dollars in search of miracle cures that never materialize. Often, the victims of medical quackery ignore seeking legitimate medical help until it is too late. Exploratory hearings held by this Committee reveal that spurious medical promotions of various devices, diets, drugs and purported cure-alls for a wide variety of problems are directed toward the elderly.

In the coming weeks, the Subcommittee on Health and Long-Term Care, which I have the privilege to chair, intends to release to the public a report detailing the findings of its four-year investigation into medical frauds and the elderly. We believe the National Institute of Arthritis plays an important role in combatting medical quackery. To this end, your assistance in responding to the following questions would be greatly appreciated.

- 1) How do cases/complaints concerning medical quackery come to the attention of the National Institute of Arthritis?
- 2) What office within the National Institute of Arthritis is responsible for responding to complaints of medical quackery?
- 3) What authority does this office have to take action on such complaints?
- 4) What was the budget of this office in 1982? In 1983?
- 5) How many full-time employees (FTE's) are assigned to this office? How many professionals? How many clerical?

6) How many cases/complaints of medical quackery were brought to the attention of this office in 1982? In 1983?

7) How many of these cases/complaints involved victims over the age of 65?

8) What was the disposition, by category, of cases/complaints involving medical quackery in 1982? In 1983?

9) Please provide examples of typical cases/complaints which are likely to come to your attention.

10) What features distinguish conventional diagnostic techniques and treatment modalities from those termed "alternative methods"?

11) Describe the approach taken by the Institute in its drug development program.

12) Are there any major differences in the manner in which conventional methods are promoted as opposed to alternative methods? Please describe any differences.

13) How does the Institute become aware of alternative therapies? How do you respond?

14) Please cite some examples of alternative approaches to diagnosis and treatment and your evaluation of their efficacy.

15) Do you believe that medical frauds promoted through the mails are increasing?

16) What does the Institute see as its role in the medical quackery area?

17) Please describe any formal and informal relationships between your office and other agencies concerned with this issue.

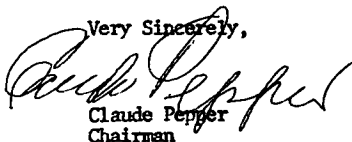
18) In your opinion, is Federal law currently adequate to address these problems? If not, please discuss any suggestions you have to improve enforcement efforts and prevent medical quackery crimes against the elderly.

19) Would you be willing to testify before the Subcommittee relative to the activities of your office in this area?

As usual, I thank you for your attention to this important matter and look forward to your earliest possible response. If you have any questions, please contact Bill Halamandaris, Staff Director, at (202) 226-3381.

With kindest regards and believe me,

Very Sincerely,



Claude Pepper
Chairman

CP/sml

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APPENDIX I

U.S. House of Representatives

SELECT COMMITTEE ON AGING

SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

715 HOUSE OFFICE BUILDING ANEX 1

Washington, D.C. 20515

(202) 226-3381

March 13, 1984

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HARVEY BENDISCH, L.L.B.
HONORARY STAFF DIRECTOR
SUSAN ROLAND
ASSISTANT HONORARY STAFF DIRECTOR

The Honorable William French Smith
Attorney General of the United States
20th & Constitution Avenue N.W.
Washington, D.C. 20530

Dear Mr. Attorney General:

You may know that for the past four years I have been conducting a comprehensive review of medical and other health-related frauds perpetrated through the mails and directed primarily at older Americans. This letter is to alert you to our interest in this important area and to determine what the Department of Justice's role is in combatting such fraud.

Every year, thousands of older Americans spend millions of dollars in search of miracle cures that never materialize. Often, the victims of medical quackery ignore seeking legitimate medical help until it is too late. Exploratory hearings held by this Committee reveal that spurious medical promotions of various devices, diets, drugs and purported cure-alls for a wide variety of problems are directed toward the elderly.

In the coming weeks, the Subcommittee on Health and Long-Term Care, which I have the privilege to chair, intends to release to the public a report detailing the findings of its four-year investigation into medicals frauds and the elderly. We believe the Department of Justice plays an important role in combatting medical quackery. To this end, your assistance in responding to the following questions would be greatly appreciated.

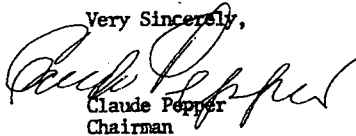
- 1) How do cases/complaints concerning medical quackery come to the attention of the Department of Justice?
- 2) What office within the Department of Justice is responsible for responding to complaints of medical quackery?
- 3) What authority does this office have to take action on such complaints?
- 4) What was the budget of this office in 1982? In 1983?
- 5) How many full-time employees (FTE's) are assigned to this office? How many professionals? How many clerical?

- 6) How many cases/complaints of medical quackery were brought to the attention of this office in 1982? In 1983?
- 7) How many of these cases/complaints involved victims over the age of 65?
- 8) What was the disposition, by category, of cases/complaints involving medical quackery in 1982? In 1983?
- 9) Please provide examples of typical cases/complaints which are likely to come to your attention.
- 10) Do you believe that medical frauds promoted through the mails are increasing?
- 11) What does the Department of Justice see as its role in the medical quackery area?
- 12) Please describe any formal and informal relationships between your office and other agencies concerned with this issue.
- 13) In your opinion, is Federal law currently adequate to address these problems? If not, please discuss any suggestions you have to improve enforcement efforts and prevent medical quackery crimes against the elderly.
- 14) Would you be willing to testify before the Subcommittee relative to the activities of your office in this area?

As usual, I thank you for your attention to this important matter and look forward to your earliest possible response. If you have any questions, please contact Bill Halamandaris, Staff Director, at (202) 226-3381.

With kindest regards, and believe me,

Very Sincerely,



Claude Pepper
Chairman

CP:sml

APPENDIX II

The following are questionnaires that were sent to the Council of Better Business Bureaus, Action Line Reporters, the National Arthritis Foundation, and the American Medical Association:

CLAUDE PEPPER, FLA.
CHAIRMAN

LEE ANDREWS, ME.
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MARGOLYN LLOYD, TENN.
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U.S. House of Representatives

SELECT COMMITTEE ON AGING
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

715 HOUSE OFFICE BUILDING ANNEX 1

Washington, D.C. 20515

(202) 225-3381

March 13, 1984

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JOHN BRACCA, ARIZ.
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MICHAEL DWYKIE, OHIO
MATTHEW J. RINALDO, N.J. (EX OFFICIO)

MARK BENEDET, L.L.B.
MINORITY STAFF DIRECTOR

SUSAN ROLAND
ASSISTANT MINORITY STAFF DIRECTOR

Mr. William Tankersley
President
Council of Better Business Bureaus
1515 Wilson Blvd.
Arlington, Va. 22209

Dear Mr. Tankersley:

I would just like to take this opportunity to thank you for all the assistance you have provided the House Select Committee on Aging and its Subcommittee on Health and Long-Term Care during its extensive four-year investigation into medical and other health-related mail order frauds.

Every year, thousands of older Americans spend millions of dollars in search of miracle cures that never materialize. Often, the victims of medical quackery ignore seeking legitimate medical help until it is too late. Exploratory hearings held by this Committee and its Subcommittee on Health and Long-Term Care reveal that spurious medical promotions of various devices, diets, drugs and purported cure-alls are directed primarily toward the elderly.

You will be interested to know that the Subcommittee on Health and Long-Term Care, which I have the privilege to chair, will be convening hearings in the coming weeks to release to the public its findings relating to medical quackery. To this end, your response to the following questions would be most appreciated.

- 1) How do cases/complaints concerning medical quackery come to the attention of your office?
- 2) What office within your organization is responsible for responding to complaints of medical quackery?
- 3) What action does your office take on such complaints?
- 4) How many cases/complaints of medical quackery were received by your office in 1982? In 1983? How many of these cases/complaints involved victims over the age of 65?

5) Please provide examples indicative of typical cases/complaints which are likely to come to your attention.

6) What features distinguish conventional diagnostic techniques and treatment modalities from those termed "Alternative Methods"?

7) Are there any major differences in the manner in which conventional methods are promoted as opposed to alternative methods? Please describe the differences.

8) Do you believe that medical frauds promoted through the mails are increasing?

9) What does your organization see as its role in the medical quackery area?

10) Please describe any formal and informal relationships between your organization and agencies or other organizations concerned with this issue.

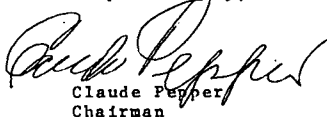
11) In your opinion, is Federal law currently adequate to address these problems? If not, please discuss any suggestions you have to improve enforcement efforts and prevent medical quackery crimes against the elderly.

12) Would you be willing, to testify before the Subcommittee relative to the activities of your organization in this area?

Again, let me thank you for your assistance in the past and your prompt attention to this very important matter. I look forward to your earliest possible response. If you have any questions, please do not hesitate to contact Mr. Bill Halamandaris, Staff Director, at (202) 226-3381.

With kindest regards, and believe me,

Very Sincerely,


Claude Pepper
Chairman

CP:sm1

SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES
CLAUDE PEPPER, CHAIRMAN

MEMORANDUM

June 16, 1981

To Action Line Reporters
From Claude Pepper, Chairman
Re Frauds Against the Elderly

Your assistance in a matter of some importance to the House Select Committee on Aging would be most appreciated.

Our Committee is in the process of investigating the subject of frauds against the elderly. We have found that senior citizens are easy victims for con men who peddle phony stocks, questionable land sales, medical quackery remedies, work at home schemes, phony business opportunities and a host of other schemes. We also have received increasing reports of senior citizens who are victims of pension fraud or medicare/medicaid fraud. There are frequent reports about fraud and abuse within the context of nursing homes or boarding homes and an increasing number of reports about frauds perpetrated against the elderly by their relatives.

We are writing to ask if you have encountered these kinds of frauds and if so, how often. We would appreciate your sharing with us any stories you might have written which relate to consumer frauds perpetrated in whole or in part against the elderly. We would also be interested in any leads which you think our Committee should investigate. Please send us as much material as you can.

In addition, we would like to request that you take a few minutes from your busy day to complete the enclosed questionnaire and return it to us at your earliest possible convenience.

If you have any questions, please contact our Senior Counsel Val J. Halamandaris at 712 House Annex #1, Washington, D.C. 20515, or call (202)225-0451. We will be most grateful for your cooperation in this matter.

SELECT COMMITTEE ON AGING
 U.S. HOUSE OF REPRESENTATIVES
 CLAUDE PEPPER, CHAIRMAN

June 16, 1981

QUESTIONNAIRE TO ACTION LINES REPORTERS

- Do you frequently receive reports or complaints that senior citizens have been victimized by one or more fraudulent schemes? Yes No
- What percentage of the consumer fraud complaints you receive would you guess relate to victims over 60 years of age?
 0-25% 26-50% 51-75% Over 75%
- Would you agree that senior citizens appear to be especially vulnerable to all kinds of consumer fraud? Yes No
- Would you say the incidence of such consumer frauds is --
 (a) increasing at a rapid rate
 (b) increasing slightly
 (c) staying the same
 (d) decreasing
 (e) don't know
- In your opinion, are there more instances of consumer fraud against the elderly than are reported to the media and law enforcement agencies?
 Yes No
- Please rank the following areas of consumer fraud in terms of what is the most important and most numerous kind of fraud perpetrated against consumers and the elderly in particular in your area. Use 1 for the most important, 2 for the second most important and so on with 12 being used to rank the least significant of the issues presented below:

AREA	RANK
HEALTH FRAUD AND QUACKERY	
DECEPTIVE ADVERTISING	
BUSINESS OPPORTUNITY AND INVESTMENT SCHEMES	
AUTOMOBILE RELATED SCHEMES	
LAND FRAUD	
FUNERAL COMPLAINTS	
HOME REPAIR SCHEMES	
PHONY EDUCATION SCHEMES	
INSURANCE FRAUD AND ABUSE	
WORK AT HOME SCHEMES	
MOBILE HOME COMPLAINTS	
NURSING HOME AND BOARDING HOME ABUSES	

- Please enclose clippings of any stories you have written (or transcripts from television coverage) which will give the Committee an idea of your work in this area. We would be especially interested in any examples of pension fraud or abuse you might have.

QUESTIONNAIRE TO ACTION LINE REPORTERS - PAGE 2

8. If you would be willing to testify before the Committee at hearings on one or more of the areas identified above, please indicate below:

I would be willing to testify.
 I would not be willing to testify.

Name and address of person completing this form: _____

We appreciate your cooperation with this request. May we have your response at your earliest possible opportunity.

Please return to: Honorable Claude Pepper, Chairman
Select Committee on Aging
712 House Annex #1
Washington, D.C. 20515

CLAUDE PEPPER, FLA.
CHAIRMAN

DEE ANDREWS, N.C.
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U.S. House of Representatives

SELECT COMMITTEE ON AGING
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

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March 13, 1984

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MATTHEW J. BRADDO, N.J. (EX OFFICIO)

MARK BERDICK, ILL.
MINORITY STAFF DIRECTOR
SUSAN ROLAND
ASSISTANT MINORITY STAFF DIRECTOR

Mr. Robert R. Humphreys
Legal Counsel
The National Arthritis Foundation
1915 Eye Street - Suite 500
Washington, D.C. 20006

Dear Mr. Humphreys:

I would just like to take this opportunity to thank you for all the assistance you have provided the House Select Committee on Aging and its Subcommittee on Health and Long-Term Care during its extensive four-year investigation into medical and other health-related mail order frauds.

Every year, thousands of older Americans spend millions of dollars in search of miracle cures that never materialize. Often, the victims of medical quackery ignore seeking legitimate medical help until it is too late. Exploratory hearings held by this Committee and its Subcommittee on Health & Long-Term Care reveal that spurious medical promotions of various devices, diets, drugs and purported cure-alls are directed primarily toward the elderly.

You will be interested to know that the Subcommittee on Health and Long-Term Care, which I have the privilege to chair, will be convening hearings in the coming weeks to release to the public its findings relating to medical quackery. To this end, your response to the following questions would be most appreciated.

- 1) How do cases/complaints concerning medical quackery come to the attention of your office?
- 2) What office within your organization is responsible for responding to complaints of medical quackery?
- 3) What action does your office take on such complaints?
- 4) How many cases/complaints of medical quackery were received by your organization in 1982? In 1983? How many of these cases/complaints involved victims over the age of 65?
- 5) Please provide examples indicative of typical cases/complaints which are likely to come to your attention.
- 6) What features distinguish conventional diagnostic techniques and treatment modalities from those termed "alternative methods"?

7) Are there any major differences in the manner in which conventional methods are promoted as opposed to alternative methods? Please describe the differences.

8) Do you believe that medical frauds promoted through the mails are increasing?

9) What does your organization see as its role in the medical quackery area?

10) Please describe any formal and informal relationships between your organization and agencies or other organizations concerned with this issue.

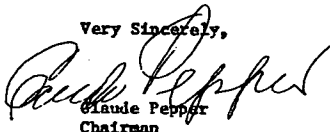
11) In your opinion, is Federal law currently adequate to address these problems? If not, please discuss any suggestions you have to improve enforcement efforts and prevent medical quackery crimes against the elderly.

12) Would you be willing to testify before the Subcommittee relative to the activities of your organization in this area?

Again, let me thank you for your assistance in the past and your prompt attention to this very important matter. I look forward to your earliest possible response. If you have any questions, please do not hesitate to contact Mr. Bill Halamandaris, Staff Director, at (202) 226-3381.

With kindest regards, and believe me,

Very Sincerely,



Claude Pepper
Chairman

CLAUDE PEPPER, FLA.
CHAIRMAN

GLE ANDREWS, N.C.
JAMES J. FLORIO, N.J.
HAROLD E. FORD, TENN.
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U.S. House of Representatives

SELECT COMMITTEE ON AGING
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

715 HOUSE OFFICE BUILDING ANNEX 1

Washington, D.C. 20515

(202) 225-3381

March 13, 1984

RALPH REGULA, OHIO
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ASSISTANT MINORITY STAFF DIRECTOR

Frank J. Jirka, Jr., M.D.
President
American Medical Association
535 North Dearborn Street
Chicago, Illinois 60610

Dear Doctor Jirka:

I would just like to take this opportunity to thank you for all the assistance you have provided the House Select Committee on Aging and its Subcommittee on Health and Long-Term Care during its four-year investigation into medical and other health-related mail order frauds.

Every year, thousands of older Americans spend millions of dollars in search of miracle cures that never materialize. Often, the victims of medical quackery ignore seeking legitimate medical help until it is too late. Exploratory hearings held by this Committee and its Subcommittee on Health and Long-Term Care reveal that spurious medical promotions of various devices, diets, drugs and purported cure-alls are directed primarily toward the elderly.

You will be interested to know that the Subcommittee on Health and Long-Term Care, which I have the privilege to chair, will be convening hearings in the coming weeks to release to the public its findings relating to medical quackery. To this end, your response to the following questions would be most appreciated.

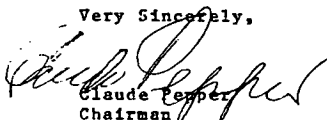
- 1) How do cases/complaints concerning medical quackery come to the attention of your office?
- 2) What office within your organization is responsible for responding to complaints of medical quackery?
- 3) What action does your office take on such complaints?
- 4) How many cases/complaints of medical quackery were received by your office in 1982? In 1983? How many of these cases/complaints involved victims over the age of 65?

- 5) Please provide examples indicative of typical cases/complaints which are likely to come to your attention.
- 6) What features distinguish conventional diagnostic techniques and treatment modalities from those termed "alternative methods"?
- 7) Are there any major differences in the manner in which conventional methods are promoted as opposed to alternative methods? Please describe the differences.
- 8) Do you believe that medical frauds promoted through the mails are increasing?
- 9) What does your organization see as its role in the medical quackery area?
- 10) Please describe any formal and informal relationships between your organization and agencies or other organizations concerned with this issue.
- 11) In your opinion, is Federal law currently adequate to address these problems? If not, please discuss any suggestions you have to improve enforcement efforts and prevent medical quackery crimes against the elderly.
- 12) Would you be willing to testify before the Subcommittee relative to the activities of your organization in this area?

Again, let me thank you for your assistance in the past and your prompt attention to this very important matter. I look forward to your earliest possible response. If you have any questions, please do not hesitate to contact Mr. Bill Halanandaris, Staff Director, at (202) 226-3381.

With kindest regards, and believe me,

Very Sincerely,


Claude Pepper
Chairman

CP:sml

APPENDIX III

A sample of an ad which the Subcommittee responded to follows:

How do you look from behind?



Fat. It sounds ugly. It looks ugly. And lately it has become a subject of tremendous controversy. Some doctors argue that fat is fat. And that cellulite is a creation of the overly weight conscious. But women who see the evidence on the backs of their thighs, knees, and hips know that this simply is not true. In fact, you can be thin and have cellulite.

Cellulite is fat trapped by excess fluids and a buildup of waste products in the cells. One expert says it results from poor eating habits, rapid weight loss and weight gain, and insufficient exercise.

With Formula-12 Creme you have a creme which contains several natural ingredients that penetrate the skin upon application. By carefully massaging Formula-12 Creme into the problem areas, it works directly on the fat cells and helps remove the stored waste products with continued application.

By virtue of being a woman you have more fat and more fat cells than your male counterpart. This is why men don't have cellulite. Formula-12 Creme is the natural, safe, and practical solution for this unattractive problem.

To order, fill in the coupon below or use the postage paid mailer in the center of this magazine.

© 1991 QUEST RESEARCH, INC.

Eliminate Cellulite with Formula 12 Creme.

PLEASE PRINT CLEARLY

FORMULA-12
Study: QUEST RESEARCH, PO. BOX 22499, ATLANTA, GA. 30324

QUANTITY _____ Check or money order. No C.O.D. please.

\$14.95	<small>4oz. creme</small>	<small>(019)</small>	
\$27.95	<small>8oz. creme</small>	<small>(019)</small>	

Total \$ _____

(Add \$3 for postage and handling) \$ _____

Final amount enclosed \$ _____

Credit card customers call toll free 1-800-241-9661 or 1-800-526-8050 Ext. 3600

American Express Carte Blanche MasterCard VISA

Credit Card # _____ Exp. Date _____

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____ PHONE _____

FC-49

APPENDIX IV

A sample of a medical opinion received by the Subcommittee following the expert's analysis of products obtained by the Subcommittee follows:

August 30, 1981

Dear Dr. Schwartz:

As you know, the House Select Committee on Aging is in the process of evaluating a wide panoply of unproven medical treatments, elixirs and devices which are generally sold through the mail and which purport to cure assorted ailments from arthritis to warts. We appreciate your positive response to our previous inquiry in which you indicated you would be willing to help us analyze some of these products even though regrettably our Committee cannot pay for these services. However, we intend to note your cooperation as an expert advisor to our Committee in our report on this subject which we expect to be released in the next few months.

We are herewith transferring to you for your evaluation the following product:

Case: _____

Description: _____

Distributor: _____

We are also enclosing herewith a copy of the advertising used to promote this product so that you can evaluate the representations made against the product itself. Finally, please find a copy of a sample medical opinion which is included to give you some idea of the form in which we would like to receive your response. We would appreciate having our analysis and the product returned to us by October 1, 1981.

Our sincere thanks for your assistance.

With kindest regards.

Very sincerely,

Claude Pepper
Chairman

Dr. Sorell L. Schwartz, Ph.D.
Professor of Pharmacology
Georgetown University of Medicine and Dentistry
Washington, D.C. 20007

Enclosures: Product
Advertisement
Sample Medical Opinion Letter

MEDICAL OPINION FOR THE SELECT COMMITTEE ON AGING
U.S. HOUSE OF REPRESENTATIVES

Case Number: 88

Product: B-Pollen

Distributor: XYZ Products, Ltd., Atlanta Georgia

B-Pollen contains 400 mg of bee pollen. Bee pollen is essentially a protein substance with no nutritional value in the amount of 400 mg. The statement that "B-Pollen has been shown to greatly increase vitality and physical endurance by stimulating the production of more energy" is without theoretical, experimental or clinical support. Similarly, statements that the product "can also improve circulation and even eliminate many allergic symptoms including hayfever" is equally unfounded and unjustified. With the absence of any known pharmacological activity, the claims for B-Pollen are clearly and unequivocally false and misleading.

John Doe, M.D.
Chairman, Pharmacology Department
ABC University

August 30, 1981

Please return the enclosures along with your medical opinion to:

Congressman Claude Pepper
U.S. House of Representatives
Select Committee on Aging
Room 712, House Annex 1
Washington, D.C. 20515

APPENDIX V

A copy of the questionnaire submitted by the Subcommittee to the Kushi Foundation follows:

CLAUDE PEPPER, FLA.
CHAIRMAN

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U.S. House of Representatives

SELECT COMMITTEE ON AGING
SUBCOMMITTEE ON HEALTH AND LONG-TERM CARE

715 HOUSE OFFICE BUILDING ANNEX 1

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February 17, 1984

RALPH REGULA, OHIO
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MICHAEL DVMINE, OHIO
MATTHEW J. RHIALDO, N.J. (EX OFFICIO)

MARK BENEDICT, L.L.B.
MINORITY STAFF DIRECTOR
SUSAN RULLAND
ASSISTANT MINORITY STAFF DIRECTOR

Dear Mr. Tara:

You know I would like to take this opportunity to express my appreciation for the time you took to provide the staff of the Subcommittee on Health and Long-Term Care with information relating to the macrobiotic diet. In order to complete our research and make certain that our information is correct, we would like you to furnish the following additional information:

1. Does the macrobiotic diet reduce the risk of heart attack?

___yes ___no

If yes, could you provide documentation.

2. Does the macrobiotic diet reduce the risk of cancer?

___yes ___no

If yes, could you provide documentation.

3. Is the macrobiotic diet useful in treating cancer?

___yes ___no

If yes, could you provide documentation.

4. If the macrobiotic diet is useful in treating cancer, is it effective without the use of drugs, surgery, or radio-therapy?

___yes ___no

If yes, please document.

5. Can you explain the difference between the macrobiotic diet and a vegetarian or lacto-ova vegetarian diet?

Mr. William Tara
Page 2
February 17, 1984

Again, I appreciate the time you took to visit with my staff and the information you shared with them was certainly well received. We are very supportive of all efforts to prevent disease. The low risk of cancer and heart disease and other diseases among lacto-ova vegetarians is recognized. There is tremendous pressure naturally to discredit much of this important research. Any information that we can use is therefore very important.

Kindest regards, and

Believe me,

Very sincerely,

A handwritten signature in cursive script, appearing to read "Claude Pepper".

Claude Pepper
Chairman

Mr. William Tara
Executive Director
The Kushi Foundation
P.O. Box 568
Brookline Village, MA 02147

CP:bhm

APPENDIX VI

The following is a listing of some of the books reviewed by the Committee in the course of its investigation:

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Check this w/ Bibliog.

BOOKS WRITTEN AND/OR EDITED BY STEPHEN BARRETT, M.D.

THE HEALTH ROBBERS: HOW TO PROTECT YOUR MONEY AND YOUR LIFE (1980)

Classic expose of quackery written by a nationwide team of experts. Covers nutrition quackery, dubious medicine and dentistry, the "holistic" hoax, chiropractic, occult healing, cancer and arthritis quackery, antifuoridation scare tactics, fad diets, medical impostors, cigarette industry deception, faith healing, acupuncture and much more. Foreword by Ann Landers. Hardcover, 395 pp. \$13.00.

VITAMINS AND "HEALTH" FOODS: THE GREAT AMERICAN HUSTLE (1981)

Investigative expose of the health food industry. Facts on laetrile, "hypoglycemia," Shaklee Corporation, B-15, hair analysis, "natural" and "organic" foods, megavitamins, the Feingold Diet, Dr. Lendon Smith, nutrition and the media, how to spot a food quack, wise food selection. Co-authored by Victor Herbert, M.D., J.D. Hardcover, 197 pp. \$12.00.

SHOPPING FOR HEALTH CARE: THE ESSENTIAL GUIDE TO PRODUCTS AND SERVICES

Co-authored by Harold Cornacchia, Ed.D. Covers orthodox and "unorthodox" health services, food faddism, weight control, arthritis and cancer, mental health care, drug products, health devices, health insurance, health care economics, consumer protection, and much more. Softcover, 397 pages. \$10.00.

THE TOOTH ROBBERS--A PRO-FLUORIDATION HANDBOOK (1980)

Contains all you need to know about fluoridation's benefits plus complete instructions and educational materials for promoting it in your community. Co-edited by Sheldon Rovin, D.D.S. Foreword by Benjamin Spock, M.D. Softcover, 140 8½"x11" pages. \$9.00.

DEAR DR. STARE: WHAT SHOULD I EAT? A GUIDE TO SENSIBLE NUTRITION (1982)

Answers to nutrition questions provided by Fredrick J. Stare, M.D. and Virginia Aronson, R.D. Covers vitamins, "health foods," additives, cholesterol, dieting, vegetarianism, diet and disease, sugar facts, "junk foods," wise food selection in humorous but serious style. Excerpts from over 100 letters received by Dr. Stare. Foreword by Lawrence Lamb, M.D. Hardcover, 216 pp. \$14.50.

VITAMINS AND MINERALS: HELP OR HARM? (1983)

Comprehensive referenced discussion of nutrient basics by Charles Marshall, Ph.D. Includes case histories of megavitamin victims; analyses of Linus Pauling's theories, the diet-heart controversy and the NAS report on cancer and diet. Foreword by Dr. William Darby. Hardcover, 288 pp. \$15.

YOUR BASIC GUIDE TO NUTRITION (1983)

Written by Fredrick J. Stare, M.D., and Virginia Aronson, R.D. Covers basic nutrition with emphasis on countering misinformation. Unique chapters catalogue and briefly evaluate the gamut of "health foods" and fad diets. Hardcover, 200 pp. \$12.00

YOUR GUIDE TO PHYSICAL FITNESS (1982)

An excellent guide to improving your endurance, developing muscular strength, shaping your body, reducing body fatness, increasing joint flexibility and developing and testing your own fitness program. By Ellington Darden, Ph.D., of Nautilus Sports/Medical Industries. Hardcover, illustrated, 140 pp. \$10.50.

YOUR GUIDE TO MENTAL HELP (1982)

An overall guide to mental problems and their treatment. Written by John P. Callan, M.D. Hardcover, 144 pp. \$9.50.

INSIDE PSYCHOTHERAPY: THE PATIENT'S HANDBOOK (1983)

A detailed guidebook by Ronald Pies, M.D. Hardcover, 140 pp, \$9.50.

LIFE AFTER 50: YOUR GUIDE TO HEALTH AND HAPPINESS (1983)

An analysis of common medical problems and sound approaches to promoting physical and mental health. By Joseph Alter, M.D., M.P.H. Hardcover, 126 pp. \$11.00.

YOUR GUIDE TO UROLOGY (1982)

Answers to questions about urinary tract infections, kidney stones, prostate disease, male infertility, impotence, vasectomy, bladder disorders and much more. By Charles D. Saunders, M.D. Hardcover, illustrated, 135 pp. \$9.50.

YOUR GUIDE TO FOOT CARE (1983)

Illustrated, comprehensive analysis of self- and professional care of the feet. Hardcover, 180 pp., \$12.00.

RECOMMENDED BOOKS BY OTHER AUTHORS

NUTRITION CULTISM: FACTS AND FICTIONS (1981)

Referenced analysis of nutrition facts and fads with unique reports on laetrile, B-15 and megavitamins. By Victor Herbert, M.D. \$13.00.

THE HONEST HERBAL (1982)

Referenced analysis of 100 herbs and related substances. By Varro E. Tyler, Ph.D., a pharmacy school dean. Hardcover, 263 pp. \$14.50.

AT YOUR OWN RISK: THE CASE AGAINST CHIROPRACTIC (1969)

By Ralph Lee Smith. Out-of-print, not out-of date paperback. \$2.00.

PLEASE PASS THE SALT: A MANUAL FOR LOW-SALT EATERS (1983)

By Nancy Wilson, R.D., and Roger Wilson, M.D. \$15.00.

CARING FOR AGING PARENTS (1981)

Noted psychoanalyst Harold Rashkis, M.D., Ph.D., shows how to make guilt-free decisions about elderly loved ones. \$9.00.

FOR NUTRITION PROFESSIONALS

DIET MODIFICATION: A PRACTICE MANUAL (1982)

By Carmen Roman-Lopez, R.D., M.S., Carol Litoff, B.A., and Donna Israel, B.A., M.Ed. Useful to practitioners and students engaged in menu planning for regular diets, transitional diet, weight-control diets, diabetic diets, and others. Contains protocols for nutritional assessment, exchange lists for packaged and fast foods, tables of weights and measures, and references. Looseleaf, 312 pages, \$23.00. Periodic supplements will be available.

INTRODUCTION TO NUTRITIONAL PHYSIOLOGY (1983)

Textbook that integrates facts on physiology, biochemistry and nutrition. Covers such topics as nutrient acquisition, macronutrients, vitamins, minerals (including laboratory assessment), human fluid dynamics, and electrolytes. By John Cunningham, Ph.D. Hardcover, 400 pages, \$20.00.

Please add \$1.00 for first book and \$.25 for each additional book for postage and handling. Send orders to Lehigh Valley Committee Against Health Fraud, P.O. Box 1602, Allentown, PA 18105.

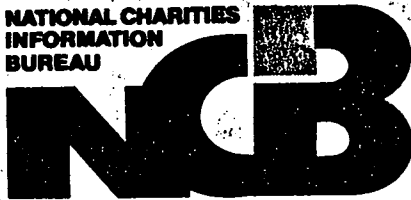
APPENDIX VII

The following is a list of the basic standards in philanthropy provided the Subcommittee by the National Charities Information Bureau:

Wise
Giving

for contributors

NATIONAL CHARITIES
INFORMATION
BUREAU



(formerly National Information Bureau)
19 Union Square West
New York, N.Y. 10003
212-929-6300

This is the NCIB

Since 1918, the National Charities Information Bureau has offered contributors an impartial advisory service reporting on hundreds of organizations that solicit contributions nationally from the general public.

NCIB is a not-for-profit, independent watchdog organization to help keep philanthropies in its field true to the ideals and standards that should characterize all charitable organizations. It has not only exposed flagrant charity abuses but also has not hesitated to question the unethical practices of some of the giants in the field. NCIB represents the point of view of prospective contributors in fulfilling its purpose which is helping charities improve performance and informing contributors about wise giving.

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NCIB Standards Booklet

How NCIB applies its basic standards in evaluating national not-for-profit organizations is described in a 40-page booklet, *NIB Standards in Philanthropy*. A discussion of the considerations on which NCIB bases its comments and conclusions, helpful to users of the *Wise Giving Guide* and NCIB reports, the booklet is also a tool for evaluating agencies which NCIB does not review. A single copy is \$4.00. Quantity rates are available.

Wise giving is important

Americans gave an estimated 59.9 billion dollars to charitable, philanthropic and religious organizations in 1982. Most of these organizations are sound, but unfortunately some are not. A few are outright frauds. Others are guilty of mismanagement or of irresponsible use of contributed funds.

To protect their giving, many thoughtful contributors support voluntary compliance with standards of performance in philanthropy. Accountability to the public can help wise giving.

Are YOUR contribution dollars supporting . . .

- ... an organization which allows affiliates to use uniformed government employees to solicit the public? This practice puts undue pressure on contributors.
- ... an organization whose fund-raising expenses were recently more than 50% of contributions received, and whose available assets were more than 1/2 times its budget for the next year?
- ... an organization which in a recent year had only one in-person meeting of its governing body, which made payments of direct and indirect compensation to members of its Board, and which owed to its Chairman about \$1,000,000 on a demand basis?

NCIB Wise Giving Guide

NCIB's Wise Giving Guide lists the agencies about which NCIB prepares reports and indicates its evaluations of those agencies against NCIB's standards. The Guide is published monthly to provide up-to-date evaluations. Single copies are available free on written request from the NCIB.

An individual or group may purchase a single copy to be sent each month as published for \$20 a year. Quantity rates are also available. (Purchases are not tax deductible as contributions.)

Contributors of over \$100 may request the Wise Giving Guide be sent automatically to them monthly.

NCIB reports

NCIB prepares individual reports about over 300 national, not-for-profit organizations. It evaluates the agencies against NCIB's eight basic standards and where feasible concludes that they meet or do not meet these standards.

NCIB reports are usually four to nine pages in length with NCIB's comment and conclusion on the front page. The body of each report generally contains:

- a brief statement of the agency's origin and purpose
- a description of its program activities
- a listing of its controlling Board and paid staff head
- an analysis of the agency's financial statements
- information on its tax deductibility status, salary ranges and current budget.

NCIB reports about agencies with programs in such fields as:

animal protection • arts • conservation
 economics • education • health • youth
 international relief and development
 legal defense • minorities • social welfare

NCIB does not generally undertake to report about religious, fraternal or political organizations and single or local institutions. However, NCIB reports about the social welfare activities of some of these organizations and institutions which solicit contributions from the general public nationally.

NCIB reports are available to the general public on written request. Up to three NCIB reports may be requested at a time without charge.

Contributors to the NCIB at the General level or higher may receive any number of available reports at a time, by written or telephone request.

**PROTECT YOUR
 PHILANTHROPIC DOLLAR
 SUPPORT THE NCIB**

Basic Standards In Philanthropy

Philanthropic organizations have a high degree of responsibility because of the public trusteeship involved. Compliance with the following standards, with reasonable evidence supplied on request, is considered essential for approval by the NCIB:

1. **BOARD** — An active and responsible governing body, holding regular meetings, whose members have no material conflict of interest and serve without compensation.
2. **PURPOSE** — A clear statement of purpose in the public interest.
3. **PROGRAM** — A program consistent with the organization's stated purpose and its personnel and financial resources, and involving interagency cooperation to avoid duplication of work.
4. **EXPENSES** — Reasonable program, management and fund-raising expenses.
5. **PROMOTION** — Ethical publicity and promotion excluding exaggerated or misleading claims.
6. **FUND-RAISING** — Solicitation of contributions without payment of commissions or undue pressure, such as mailing unordered tickets or merchandise, general telephone solicitation and use of identified government employees as solicitors.
7. **ACCOUNTABILITY** — An annual report available on request that describes program activities and supporting services in relation to expenses and that contains financial statements comprising a balance sheet, a statement of support/revenue and expenses and changes in fund balances, a statement of functional expenses, and notes to financial statements, that are accompanied by the report of an independent public accountant. National organizations operating with affiliates should provide combined or acceptably compiled financial statements prepared in the foregoing manner. For its analysis NCIB may request disclosure of accounting treatment of various items included in the financial statements.
8. **BUDGET** — Detailed annual budget approved by the governing body in a form consistent with annual financial statements.



Contributions to the NCIB

NCIB depends upon annual contributions from large and small givers to finance its work to maintain and improve standards and practices in its field of philanthropy. Supporting accountability in philanthropy should be an integral part of everyone's philanthropic giving. Contributors are asked to give at a level appropriate to their giving for charitable purposes and to their commitment to maintaining standards in philanthropy.

NCIB support comes from individuals, foundations, national and local business corporations, religious organizations, media, chambers of commerce, better business bureaus, government agencies and the United Way of America.

NCIB annual contribution levels are:

General Contributor

Individual	\$25 and over to \$100
Business/Foundation	\$50 and over to \$100
Regular Contributor	over \$100 to \$1,000
Major Contributor	over \$1,000 to \$3,000
Sustaining Contributor	over \$3,000

All NCIB contributors will receive occasional memos and *Wise Giving Bulletins* containing information of interest to concerned givers.

Whatever contribution you are able to make, we warmly welcome your support to help improve the quality of philanthropy through our standard maintenance work.

Contributions to the NCIB are deductible for Federal income tax purposes.

For more detailed information about the NCIB, please ask for a copy of our Annual Report.

New York State residents: You may obtain a copy of the NCIB's latest annual financial report filed with the New York State Department of State by writing to: NCIB, 19 Union Square West, New York, N.Y. 10003 or Office of Charities Registration, N.Y.S. Department of State, 162 Washington Avenue, Albany, N.Y. 12231.