IN THE MATTER OF

A RULEMAKING PROCEEDING
CONCERNING LAETRILE

AFFIDAVIT OF JAMES HARVEY YOUNG, Ph.D.

County of DeKalb
STATE OF GEORGIA

Prompted by my following of the laetrile story in the public prints and by my reading of some other affidavits earlier presented in this proceeding, I submit this affidavit in which I seek to place laetrile within the broad pattern of the history of American health quackery, most especially the part of that pattern relating to cancer. I write as a social, intellectual, and medical historian whose research efforts for the last thirty years have been devoted principally to the theme of health quackery in America. This research has resulted in the publication of numerous articles and of two books, The Toadstool Millionaires (Princeton University Press, 1961) and The Medical Messiahs (Princeton University Press, 1967), which together trace the theme of health quackery, its critique and regulation, through American history. I am a professor of history at Emory University in Atlanta, Georgia, having taught at Emory since 1941. My Curriculum Vitae is attached hereto as Exhibit I.

Cancer quackery appeared in America during colonial times, one example being the alleged "Chinese Stones" vended by a purported Frenchman, Francis Torres, who hawked his cure from town to town. During the nineteenth century, an alert physician, Caleb Tichnor, bemoaned the breed of cancer quack, offering his "secret specific" to the panicked citizenry who, "like a drowning person grasping at straws, seize upon the frail hope that is offered by the hand of ignorant charlatanry." "Dr. Johnson's Mild Combination Treatment for Cancer"
offered the first serious legal challenge to the 1906 Pure Food and Drugs Act, requiring the Congress to enact the Sherley Amendment of 1912. At this same time, Dr. Arthur J. Cramp of the American Medical Association devoted fifty pages in his first Nostrums and Quackery volume to a detailed account of ten major cancer "cures" deceiving the American people. Compiling a third volume in 1936, Dr. Cramp pointed to twenty-nine purported cancer cures, stating that "hardly a week has passed when the Bureau of Investigation of the American Medical Association has not received one or more letters in which the writers stated that they had discovered, or had in their possession, a 'sure cure' for cancer."

Nor has cancer quackery diminished as the twentieth century has progressed. Indeed, with the decline of contagious diseases, due mainly to the chemotherapeutic revolution, and the consequent rise of cancer into second place as a cause of death, cancer quackery has expanded. The 1971 edition of Unproven Methods of Cancer Management, published by the American Cancer Society, described fifty-four promotions offering hope to cancer sufferers but deemed devoid of value by the ACS. The 1976 edition of Unproven Methods of Cancer Management cites in its appendix seventy-one such methods. This work and American Cancer Society analyses of the methods listed in it are attached herewith as Exhibit 2. Three of these promotions reached mammoth proportions: the ministrations of Harry Hoxsey, krebiozen, and laetrile.

In seeking to persuade the ailing public to buy their wares, quacks have accumulated a broad assortment of clever lures. This pattern of appeals, as of the nineteenth century, I discussed in a chapter of The Toadstool Millionaires. Inasmuch any lure, however ancient, that still catches a victim remains alive, a vast accumulation of quackish approaches continues available for any new promoter of a pseudoscientific product to adopt. I should like to sketch here some of the major postures developed during the history of quackery, especially of cancer quackery, and indicate that the promotion of laetrile has not neglected them.
A major stance of quacks throughout history has been to pretend to don the mantle of science while at the same time traducing the reputable scientists of their day. One turn-of-the-century cancer quack, trafficking on public interest in radium, marketed a purported "radium containing fluid," Radol, that in fact, as a critic wrote, contained "exactly as much radium as dishwater does." Later William Koch of Detroit began his swindle by saying he had discovered the germ of cancer and had devised an antitoxin which could cure it. More recently, Harry Hoxsey used another ancient ruse, issuing explanations of the cause of cancer and of the mode of cure he claimed his medicaments employed, all couched in what passed for the abstruse language of high science. Impressive and plausible to the layman, such arcane explanations, to true scientific specialists, came off as nonsensical balderdash. Yet, while pretending to write like such medical specialists, Hoxsey put them at the head of his parade of villains, terming them "rats" and worse, and scorning their therapy. "X-ray and radium," wrote Hoxsey's medical director, "have no place in the treatment of cancer . . . . They further upset basic cell metabolism rather than do anything to correct it."

The promoters of laetrile have presented a sequence of shifting theories to explain the alleged anti-cancer modality of amygdalin, theories couched in the style of the modern research paper, which may well impress the uncomprehending reader. To reputable scientific specialists, however, the explanations in behalf of laetrile's biochemical efficacy are false and absurd. David M. Greenberg presents one such critique in "The Vitamin Fraud in Cancer Quackery," Western Journal of Medicine, 122: 345-48, April 1975. Yet, like many of their unorthodox predecessors, laetrile's champions castigate orthodox biomedical scientists. In one speech, Ernesto Contreras Rodriguez, M.D., who at his Mexican hospital treats cancer patients with laetrile, wrapped himself in the cloak of Hippocrates and condemned orthodox practitioners as "close minded and fanatic people." To Mike Cuthbert, a lay leader in the laetrile movement, "Modern medicine
has a hermetic, monolithic mind set against the vitamin theory of cancer."

While condemning the generality of the orthodox medical profession, promoters of unorthodox wares make much of orthodox scientists who join their ranks. Hoxsey worked hard to recruit M.D.s who would praise his methods. Krebiozen owed a great deal of its luster in the lay mind to the mysterious advocacy given it by Dr. Andrew Ivy, one of the nation's leading scientists. And laetrile's promoters have profited from the outspoken support tendered by Dean Burk, a biochemist retired from a high research position in the National Cancer Institute.

The Galileo ploy often appears when quacks strive to make themselves seem scientific while fending off criticism from the ranks of established science. The establishment, so runs the argument, is too obtuse to recognize a momentous scientific discovery; many scientists and explorers, ahead of their time, have suffered ridicule and persecution from their contemporaries only to be vindicated in the future. In 1951, at the trial of a woman who sold a so-called Radio Therapeutic Instrument, falsely claiming it could cure cancer of the breast, her attorney trotted out Columbus and Harvey, Semmelweiss and Mitchell, in her defense. Laetrile promoters have tried the same gambit. The text of a filmstrip, "World without Cancer," presents the theory of Ernst T. Krebs, Jr., that cancer is a vitamin deficiency disease and laetrile is cancer-curing vitamin B-17. To combat criticism of this view by medical scientists, the filmstrip likens Krebs to Columbus, Galileo, Vesalius, Harvey, Semmelweiss, and the Wright brothers, implying that in due course Krebs like these worthies will be accorded acclaim.

Despite the scientific pretense of the pseudoscientific article, the main reliance of unorthodox promoters rests on the anecdotal evidence of testimonials from laymen, and the main channel of reaching an audience is through the mass media. In earlier days newspaper advertising trumpeted the promise of cancer cures, bolstered by the faces and words of grateful testifiers, not infrequently already
dead of the disease. More recently, the pamphlet and the paperback book, protected by the first amendment's guarantee of freedom of speech, have carried similar contents. In preparing for legal action against Harry Hoxsey's enterprise, the Food and Drug Administration investigated the writers of all the testimonials which Hoxsey had printed in behalf of his "internal" cancer treatment. Hoxsey's claimed cures, the FDA demonstrated in court, fell into three classes. Either the patients had never had cancer, although treated for it at Hoxsey's Dallas clinic. Or they had been cured of cancer by proper surgical or radiation treatment before consulting Hoxsey. Or they had had cancer and either still were thus afflicted or else had died. This evidence substantiated the scientific inadequacy of anecdotal evidence, no matter how sincere the testimony.

Laetrile, like all other major recent pseudoscientific ventures, has relied heavily on popular journalism. Besides paperback volumes, like Glenn D. Kittler's Laetrile: Control for Cancer, and Mike Cuthbert's Vitamin B-17: Forbidden Weapon against Cancer, many favorable articles have appeared in the journalism of medical unorthodoxy and in the sensationalist press. In such pro-laetrile journalism anecdotal case histories are a stock feature.

An even more powerful force than the printed word in the creation and perpetuation of faith in laetrile has been word of mouth. Fanatical loyalty to the unorthodox approach among a body of believers has characterized several pseudomedical crusades of recent decades, including those espousing Hoxsey's methods and krebiozen. One basic element in such a phenomenon was noted by Oliver Wendell Holmes in 1842: "There is a class of minds much more ready to believe that which is at first sight incredible, and because it is incredible, than what is generally thought reasonable." There seems also to be a class of minds preferring the unorthodox to the generally agreed upon. The panic and desire for hope produced by cancer in its victims and their families also set up a situation leading to ready and firm commitment to unorthodoxy. From such
groups, organizations can be formed whose members work with great zeal in behalf of the cause. So it is with laetrile. Organizations established in its behalf include the International Association of Cancer Victims and Friends, the Cancer Control Society, and the Committee for Freedom of Choice in Cancer Therapy. Laetrile's avid supporters distribute literature, petition the Congress, support pro-laetrile litigation, and promote laetrile to cancer sufferers and their families in face to face conversation. In an interview published in the Atlanta Constitution on November 22, 1975, a young woman spoke of her mother as a "fulltime crusader for Laetrile." There are numerous others diligently at work whose names do not appear in print. Some members of the network, charges in court suggest, smuggle laetrile into the United States from Mexico and distribute it widely.

Organized crusades in support of single unorthodox modalities ally themselves together for mutual support. In 1959 at a naturopathic convention in Chicago, Harry Hoxsey spoke on "Who Are the Real Cancer Quacks and May God Have Mercy on Their Souls." Also addressing the convention was Fred J. Hart, who was then still vending his falsely labeled health gadgetry despite a court order. Hart had been the moving spirit in creating a new group among those promoting unorthodox health wares, the National Health Federation, which he himself served as president. One of Hoxsey's lawyers held for a time the post of NHF legal representative in Washington. At membership rallies Hart pleaded for funds to help Hoxsey carry on his fight with the Food and Drug Administration, and Hoxsey asserted that he was giving the royalties from his autobiography to help finance the NHF.

Although Hart is now dead, the National Health Federation flourishes and offers laetrile backers its staunch support. At a 1973 eastern convention of the NHF, for example, a pro-laetrile movie was shown which had been made by the International Association of Cancer Victims and Friends. An NHF governor has edited pamphlets supporting laetrile, and the president of the Cancer Control
Society has served on the NHF governing board. The NHF Bulletin has published articles boosting laetrile.

Another affiliation sometimes found in the promotional pattern of unorthodox remedies is that with ultraconservative political figures. Gerald K. Winrod, a right-wing personage so extreme he provided Sinclair Lewis with his prototype of the American Nazi in It Can't Happen Here, helped publicize Koch's specific cancer remedy, Glyoxylide. Later Winrod praised Hoxsey's Dallas clinic in the pages of his magazine, in pamphlets, in a book, and in radio addresses. Hoxsey also drew support from a very conservative organization called the American Rally, being nominated as its 1956 candidate for the vice-presidency of the nation. In the pro-laetrile organizations, a number of leaders have been members of the John Birch Society. One such Birch Society member, Larry McDonald, not only spoke at numerous meetings espousing laetrile, but, being a physician, prescribed laetrile in his practice. McDonald's stature as an advocate increased immeasurably when he was elected from Georgia as a member of the United States House of Representatives.

Seeking sympathetic allies in places of political power has been part of the pattern of pseudoscientific promotion even before the marketers of a patent medicine called Peruna, early in this century, managed to get testimonials from many members of the Congress. Hoxsey's presidential running mate on the American Rally ticket was a United States Senator, and other Senators pushed Hoxsey's interests. Krebiozen benefitted from the fact that Senator Paul Douglas had formerly been a professional colleague at the University of Chicago of Andrew Ivy. That producers of unorthodox health wares have some influence in the present Congress is indicated by a pending bill removing the stipulation, enacted in 1962, that the efficacy of new drugs must be established before going onto the market.

The pattern of appeals employed by quackery through history has included
a wide variety of methods to enlist interest and faith. A new scientific miracle has been found, it is claimed, despite the skepticism of orthodox scientists. The miracle treatment is easy and pleasant, compared with the frightening therapies wielded by orthodoxy, the surgical knife, harsh chemical drugs, poisonous radiation. And the odds on the miracle's success are infinitely higher. The quack usually stresses his humanitarianism, including his alleged moderate charges, in contrast with the greed and high fees of "the High Priests of Medicine." Besides such explicit assertions, most largescale pseudoscientific operations seek to promote hope among their would-be customers by wrapping their wares in reassuring symbolism. Fashions shift as a society's pillars of faith change. The marvels of an alleged new scientific breakthrough, for example, require different toning in the temper of different times: during the late eighteenth century, before the acceleration of science; during the late nineteenth century days of belief in inevitable progress engineered by science; and today, when the tremendous expansion of science and its application has brought much to delight in and a great deal to fear.

During the pietistic nineteenth century, religion proved to be a mighty fortress in which nostrum makers took refuge. Testimonials from ministers ranked at the summit of prestige. A purveyor of a kidney remedy confronted readers of his advertisements with his own grim visage, lifted arm, and elevated finger. "If the Sign of the Cross Were to Be Destroyed," he trumpeted, "the Next Best Sign Would Be 'The Index Finger Pointing Heavenward!'" Quackery has not abandoned religion, although it seems less prominent than it used to be. A pseudoreligious front, the Christian Medical Research League, was set up to market Koch's Glyoxylide.

Symbols of patriotism have abounded in quack advertising. Early the American eagle was much used; nostrum makers have wrapped pills and potions in the flag; and Uncle Sam has uttered countless testimonials. During the Spanish-American War, a pamphlet cover displayed a soldier and a sailor flanking a
man-sized bottle of Peruna, the legend reading, "The Three Safeguards of Our Country." Early in his career, Hoxsey staged a day in his own honor in a small Illinois town to boost the fame of his cancer treatment. The event had all the trappings—a band, an assembly of veterans—of a Fourth of July celebration. A local minister delivered an oration imbued with patriotic zeal. "I love my country," he told the crowd, "because its heroes are such characters as George Washington, Abraham Lincoln, Woodrow Wilson, who love to serve and not to rule. I love Hoxsey because he does not want to rule the world but serve the world." Toward the end of Hoxsey's career, he was introduced to the superpatriots of the American Rally with the words, "The spirit of Lincoln is here tonight."

"Freedom" is certainly one of the most treasured words in the American lexicon, and the manipulation of this word by unorthodox health promoters has constituted their major symbolic campaign during the past quarter century. National Health Federation publications became a major vehicle in this crusade. Reputable physicians, biomedical scientists, and government officials concerned with health were cast in the role of tyrannous villains, conspiring for selfish reasons to suppress the truth about the proper pursuit of health and to deny the citizenry their right of access to purported miracle cures. The medical profession, the drug industry, the food manufacturers (who added "poisons" to their cans), according to the Federation's journal, were all allied against the people. "The House of Rockefeller" owned "the drug, food, milk, serum, news and money trusts," and it owned the presidency too. (Dwight Eisenhower held that office at the time of this quotation.) The Food and Drug Commissioner, as NHF founder Fred Hart put it, "has to do what the medical trust tells him or he'd lose his job and he wouldn't like to wash dishes for a living." The Federation, many of whose key members had lost cases in court initiated by the FDA against their illegal devices, food supplements, and other wares, aimed at making the FDA
"a servant of the people; rather than leaving it as it now is—a ruthless enemy, as tiranical [sic] in its actions as any Russian bureaucrat." The cover of the Federation's magazine in which this statement appeared appealed to freedom, and sought to ally Lincoln with its cause, carrying his picture—and Washington's too—with the caption, "They Too Fought for Liberty Against Great Odds."

Hoxsey used the same pitch in behalf of his cancer clinic. The people's right to pick the treatment of their choice, he said, was being suppressed by a villainous and greedy conspiracy. He and his allies, including the National Health Federation, spurred the sending to Congress of petitions bearing hundreds of thousands of names pleading for freedom of choice in the marketplace of health. Many common citizens, under the impact of this propaganda, came to share the point of view expressed by one woman in a letter to the FDA: "I do not trust the government any more."

During the late 1950s and 1960s the Congress did not heed this twisted appeal for freedom by the unorthodox. Rather, seeking to improve public protection from the risk of insufficiently tested medications like thalidomide, the Congress, in the wake of probing hearings by Senator Estes Kefauver, amended in 1962 basic food and drug legislation to require that no new drug might be marketed until it had been proved not only safe, as the 1938 law required, but also effective in combatting disease.

In the renewed campaign of our own day on the part of the medically unorthodox, profiting from enlarged suspicion of government generated by the Watergate atmosphere, "freedom" has come to demand a reversal of 1962. The people, it is argued, must possess the freedom to buy whatever remedies they wish, whether or not the careful methods of modern medical science determine such therapies are helpful in treating disease.

Such arguments are the main weapons in the arsenal of laetrile's defenders. The Committee for Freedom of Choice in Cancer Therapy asserts that access of a
cancer sufferer to an unproven remedy is a Constitutional right. Frank Salamen, one of the founders of the group, sees "at stake" a "strong principle of human freedom from unconstitutional governmental interference." Often the argument gains subtle persuasiveness, as in the introduction to the pro-laetrile film strip, "World without Cancer": "We are not prescribing any course of treatment. We endorse nothing but freedom of choice." Contributions made to the Committee for Freedom of Choice in Cancer Therapy "will be put to work in the battle for personal freedom."

In petitions to Congress and in appeals to the courts, such an argument seems to have a sort of special-case persuasiveness when made in behalf of a frightened terminal cancer patient. What difference, it is argued, can it make if freedom be given to a physician to prescribe laetrile, just for its placebo effect, when a dying man, believing from the propaganda in its efficacy, pleads for such a course? The answer, taking into account the general public welfare, rests, as many reputable cancer experts have made abundantly clear, on the camel's nose perspective. To quote Sidney L. Arje and Lois V. Smith of the American Cancer Society from their chapter on "The Cruellest Killers" in *The Health Robbers*:

"The psychological 'benefit' of worthless remedies in apparently hopeless cases is far outweighed by the disastrous results of using such products instead of effective treatment." Permitting laetrile's use in terminal cases gives it a credence among the public at large that will expand its use in early cases, for people will prefer taking a "vitamin" to confronting the surgeon's knife. Vitamin B-17 (laetrile) will not save a life, but surgery often does. This expanded "freedom" emboldens the whole tribe of the unorthodox to push harder to secure the repeal of the Kefauver law's efficacy provision. Such a direction for "freedom" leads only toward the license of those ancient days, when "the toadstool millionaires," preaching religion and spouting patriotism, operating without restraint, fleeced and often killed their gullible victims. That is a fate from
which seven decades of constructive legislation, beginning with the Pure Food and Drugs Act of 1906, has somewhat rescued the nation. Complex, modern, industrial, urbanized society, with standards of medical judgment far more precise than those existing in the nineteenth century, can not afford to let the nation's health concerns be governed by a distorted definition of that great symbol, "freedom," which would return piratical anarchy to the realm of health.

James Harvey Young, Ph.D.

Subscribed and sworn to be the said James Harvey Young, Ph.D., this 11th day of April 1977
James Harvey Young, Professor of History, Emory University, Atlanta, Georgia 30322

Professor Young's scholarly field is American social, intellectual, and medical history, and his research has mainly concerned the history of food and drug regulation in the United States. In two books, *The Toadstool Millionaires* (1961) and *The Medical Messiahs* (1967), he has traced the theme of health quackery through American history. The Toadstool Millionaires received the Edward Kremers Award for distinguished historical writing from the American Institute of the History of Pharmacy. The Medical Messiahs was issued in a special paperback edition by Consumers Union, and was translated and published in Germany. In another book, *American Self-Dosage Medicines* (1974), Professor Young discussed especially the recent regulatory history of proprietary medicines. He has written numerous articles.

Born in Brooklyn, New York, in 1915, Professor Young received the B.A. degree from Knox College (1937), the M.A. (1938) and Ph.D. (1941) degrees from the University of Illinois. Knox College awarded him the honorary degree of Doctor of Humane Letters in 1971. He is married and has two sons.

Professor Young has spent his academic career, beginning in 1941, at Emory University. He served as chairman of the Department of History for seven years. He has held fellowships from the Fund for the Advancement of Education, the Social Science Research Council, and the John Simon Guggenheim Memorial Foundation, and a research grant from the U. S. Public Health Service. He is a member of Phi Beta Kappa, Sigma Xi, and Phi Kappa Phi.

Among his professional activities, Professor Young has been a member of the Food and Drug Administration's National Food and Drug Advisory Council; of the History of Life Sciences Study Section of the National Institutes of Health; of the Consumer Task Force of the White House Conference on Food, Nutrition, and Health; and of the Board of Consultants of the National Endowment for the Humanities.
JAMES HARVEY YOUNG

Born, Brooklyn, New York, 1915; married, two sons.

B.A., Knox College, 1937; L.H.D., 1971
M.A., University of Illinois, 1938; Ph.D., 1941
Sc.D. Rush University, 1976

Positions

Instructor to Professor of History, Emory University, 1941-
Chairman, Department of History, 1958-66
Visiting Associate Professor, Columbia University, 1949-50

Honorary Societies

Phi Beta Kappa, Sigma Xi, Phi Kappa Phi, Omicron Delta Kappa, Delta Sigma Rho

Post-Doctoral Fellowships

Faculty Fellowship, Fund for the Advancement of Education, 1954-55
Social Science Research Fellowship, 1960-61
U.S. Public Health Service Grant, 1960-65
John Simon Guggenheim Memorial Foundation Fellowship, 1966-67

Professional Committees

Member, National Food and Drug Advisory Council, 1964-67
Director, National Library of Medicine project to make oral
history tapes relating to the Food and Drug Administration, 1967-70
Member, Consumer Task Force, White House Conference on Food,
Nutrition, and Health, 1969
Member, History of Life Sciences Study Section, National
Institutes of Health, 1970-73
Member, Board of Consultants, National Endowment for the
Humanities, 1975-
Member, Editorial Board, Journal of Southern History
Member, Program Committee, Organization of American Historians
Member, Program Committee, Nominating Committee, and Council, Southern Historical Association
Member, Membership Committee, Program Committee, Nominating
Committee, Garrison Lecture Committee, and Council, American Association for the History of Medicine
Regional Associate for Georgia, American Council of Learned Societies
Member, American Association of University Professors committee on academic freedom in Southern institutions of higher education
Chairman, Committee on the Beveridge Award and the Dunning Prize, American Historical Association
Member, Committee on the Parkman Prize, Society of American Historians
Awards
Edward Kremers Award, American Institute of the History of Pharmacy, 1964
Literary Achievement Award, Georgia Writers Association, 1968
Thomas Jefferson Award, Emory University, 1969

Campus Activities
Chairman, Curriculum Committee, Emory College
Member, Executive Committee, Graduate School
Chairman, 50th Anniversary Committee
President, Gamma Chapter of Phi Beta Kappa
Chairman, Graduate Candidacy Committee
Chairman, University Senate
Chairman, Honorary Degrees Committee

Papers Read
American Association for the History of Medicine
American Institute of the History of Pharmacy
Conference of Postal Inspectors
Johns Hopkins Conference on Drugs in Our Society
Organization of American Historians
Southern Historical Association
American Pharmaceutical Association
American Sociological Association
Economic History Society
AMA National Conference on Rural Health
Tufts University Medical School
Cleveland Medical Library Association
Oral History Association
National Library of Medicine and the Josiah Macy, Jr. Foundation
Conference on the History of Drug Control
Fourth National Congress on Health Quackery
Swedish Nutrition Foundation Symposium on Food Cultism and Nutrition Quackery
Johns Hopkins University Medical School
Harvard University Medical School
Indiana University Medical School
National Library of Medicine
American Society of Anesthesiologists
National Archives Conference on Research in the Administration of Public Policy
Logan Clendening Lecture, Kansas University Medical Center
University of Wisconsin Symposium on Medicine without Doctors
The William Henry Welch-Isabel Hampton Robb Centennial Symposium, Johns Hopkins University
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"A Woman Abolitionist Views the South," Georgia Historical Quarterly, 32 (1948), 341-51.

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"The Hadacol Phenomenon," Emory University Quarterly, 7 (1951), 72-86.


"Disease in Broad Dimension: A Review Article," *Social Science and Medicine*, 2 (1968), 91-94.

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