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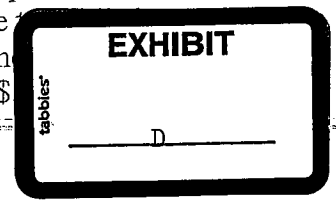
Consumer Health Digest #09-29

Your Weekly Update of News and Reviews
July 16, 2009

Consumer Health Digest is a free weekly e-mail newsletter edited by Stephen Barrett, M.D., and cosponsored by NCAHF and Quackwatch. It summarizes scientific reports; legislative developments; enforcement actions; news reports; Web site evaluations; recommended and nonrecommended books; and other information relevant to consumer protection and consumer decision-making.

Shady clinic and lab under legal assault. CARE Clinics, of Austin Texas, its owner Kazuko Curtin, its subsidiaries, and Chicago-based Doctor's Data have been sued for fraud, negligence, and conspiracy in connection with the treatment of 43-year-old Ronald Stemp, who charges that he was improperly diagnosed and treated over a 10-month period. CARE Clinics specializes in the "biomedical treatment" of children with autism, but it also treats adults. The suit petition states that Stemp originally sought help for memory loss, inability to sleep, difficulty concentrating, and depression. After going through a battery of tests, he was told that he suffered from heavy metal poisoning and should undergo intravenous chelation therapy. The chelation caused Stemp to feel nauseous, lethargic, depressed, constantly drowsy, and weak. He subsequently learned that the diagnosis was incorrect and that the test used to diagnose it—Doctor's Data's urine toxic metals test—is a fraud. Stemp's insurance company was billed for a total of \$180,000. The suit also named the clinic's medical director (Jesus Caquias, M.D.) and Jeff Baker (another employee who is an unlicensed naturopath) as defendants. Caquias, who has been disciplined twice by the Medical Board of Texas, is under investigation for his treatment of other patients, and the clinic (now closed) is under investigation for submitting false insurance claims. A few days after the suit was filed, the FBI and the Internal Revenue Service raided the clinic.

Donald Trump goes MLM. Donald Trump, whom many Americans associate with good entrepreneurial judgment, is now urging people to become distributors in a multilevel marketing company called The Trump Network. In a video on the company's Web site, Trump states that his plan is "designed to lead millions of Americans to better health and financial independence." The company, operating since 1997 as Ideal Health, was renamed The Trump Network several months ago when Trump partnered with the founders. Its flagship product is a "customized" dietary supplement said to be based on the results of a urine hormone test, the PrivaTest. In 2004, Quackwatch criticized the test and many of the company's health claims and noted that the FTC had received seven complaints from people who lost from \$



\$25,000 by investing in questionable television advertising programs. [Barrett S. Ideal Health's PrivaTest: Another scheme to sell you something. Quackwatch, Nov 19, 2004] It will be interesting to see whether Trump's involvement triggers media and regulatory attention to any wrongdoing.

Rite Aid penalized for misleading "cold remedy" claims. The Rite Aid Corporation has agreed to pay \$500,000 to settle FTC charges that it deceptively advertised that its "Germ Defense" tablets and lozenges could prevent, treat, or reduce the severity of colds and the flu. Rite Aid promoted the products by touting their similarity to "Airborne" products. Under the settlement, Rite Aid is required to make refund forms available in its stores on October 1 and consumers will have until December 31 to submit refund requests for up to six packages of Germ Defense. The FTC has also charged Rite Aid's supplier, Improvita Health Products, Inc., with false and deceptive advertising on its Web site and in promotional materials supplied to Rite Aid. [Rite Aid to pay \$500,000 in consumer refunds to settle FTC charges of false and deceptive advertising. FTC news release, July 13, 2009] Court documents state that Germ Defense products contained vitamins A, C, and E; minerals, including zinc; electrolytes; amino acids; and a proprietary blend of herbal extracts, including echinacea; and that a "PM" version promoted for nighttime use also included chamomile and valerian. The formulas purportedly replicated those marketed by Airborne Health, Inc., which settled similar charges in 2008.

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