



Don Eckelkamp — American Opinion

# A DOCTOR WHO DARED

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■ As you are reading this article an extremely important trial is taking place in San Diego, California. Target of the proceedings is Dr. John Richardson, the courageous physician from the San Francisco Bay area who has done so much to make the public aware of the importance of nutrition in preventing and controlling disease. Although he is accused by the federal

government of conspiracy to smuggle and receive smuggled goods — specifically, the harmless apricot extract Vitamin B-17, also known as Laetrile — there seems little doubt that he is really being tried for having challenged the authority of the Food and Drug Administration in the interest of serving his patients.

On trial with Dr. Richardson is his





**Dr. John Richardson (left) challenged the bureaucracy over a non-toxic substance he believes can control cancer. He has been subjected to four harassment trials, repeated manhandling of himself and his staff, and his license to practice has been removed in absentia by a non-medical consumer board.**

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business manager, Ralph Bowman, and Bob Bradford and Frank Salaman of the Committee For Freedom of Choice in Cancer Therapy. These four are being tried together as part of a so-called "smuggling ring," said to include nineteen persons. The defendants naturally sought to be tried separately, but the government wanted a mass show trial of all nineteen. A judge granted partial severance, and supposedly the others will be brought to court following conclusion of the trial of Richardson, Bowman, Bradford, and Salaman.

Much is at stake in these proceedings. If the prosecution wins and there is no reversal on appeal, no informed doctor will ever again challenge the Medical Establishment with hope of a fair hearing. On the other hand, if Dr. Richardson is exonerated of the absurd charges, it will not only open the way for appropriate use and further study of the inexpensive Vitamin B-17, it will be a major step towards freeing the individual doctor to practice medicine according to his knowledge and conscience without mindless bureaucratic harassment.

The community of interest in the Medical Establishment is obvious. As Dr. Richardson has pointed out, most Americans are aware that generals and admirals retire from the Pentagon and take jobs with key defense

contractors, and that this practice has led to many of the abuses associated with the so-called military-industrial complex. The same game of musical chairs is played among the key components of the Medical Establishment. At the top of the pyramid it is a cozy group.

In the winter of 1975, congressional auditors and the General Accounting Office (G.A.O.) found that more than one hundred fifty officials of the F.D.A. had violated the U.S. Government's "conflict of interest" rules by owning stock in companies regulated by the F.D.A. There is a built-in bias against rocking the boat — especially when it comes to inexpensive nutritional treatments that may not be patented. The Food and Drug Administration sits with the power of life or death over compounds used in the treatment of disease. So officious and strict is it that under current new drug rules it would not have allowed the release of aspirin, penicillin, or even insulin!

For two decades the F.D.A. bureaucrats and allied academics have maintained that B-17 is "utterly worthless" in the treatment of cancer. For these bureaucrats and their "experts" to back off, or even modify their attitude at this point, would not only subject them to well-deserved humiliation, but also virtually destroy



the F.D.A.'s sagging credibility.

Another relative segment of the Medical Establishment is the American Cancer Society. The A.C.S. is now collecting money at the rate of \$110 million a year. Only one-third of its budget goes into cancer research, while fifty-seven cents of every dollar it collects goes for salaries to officers, staff, and administrative expense. Less than five percent ever reaches cancer victims, although the organization has an accumulated surplus of over \$155 million. Among its assets are patents for chemicals used in orthodox cancer therapy.

The A.C.S., like the bureaucrats of the F.D.A., has been extremely hostile to the use of Laetrile and has willfully distorted the known facts about its properties, results of its use, and (particularly) the motives of those doctors who use it.

The cancer-treating business is a twenty billion dollar a year industry in this country. While it is doubtful that any of the people involved in medicine, pharmaceuticals, or the regulatory bodies are deliberately and consciously allowing people to die while ignoring or slandering a vitamin which is believed by some reputable medical authorities to prevent or control cancer, we know that people have an absolutely incredible ability to rationalize when their own self-interest is involved. Those in the tobacco industry defend cigarettes. People in the liquor business defend drinking. And so it goes. Those who see themselves threatened even by the concept of B-17 are naturally skeptics about its efficacy. As Dr. Richardson told the jury in San Diego:

"What it all means is that, by operating in both the private and public sectors, a powerful clique has a hammerlock on research and treatment in the field of cancer. If you are on their team and play the cancer

game their way, you are respectable and you get public recognition with lots of generous grants. If you are not on their team, and persist, you will be vilified as a quack preying upon the suffering of others. You will be harassed by every possible branch of government, with sensationalists in the mass media treating you like some kind of dope peddler. You can imagine how humiliating and infuriating it is to be faced with such an assault and to know that if you and other medical scientists give in to it you could be signing the death warrants of literally millions."

The extent to which the Medical Establishment has persecuted those who have dared to urge use of Vitamin B-17 is beyond all imagination. The incredible torment to which Dr. John Richardson has been subjected would strain the patience and sanity of a saint. But when the Medical Establishment took on John Richardson, they may well have overmatched themselves.

The so-called Great Man theory of history postulates that tides are turned by brave and committed men whose courage and determination compel them to rise against overwhelming odds to provide leadership for causes in which they truly believe. I am convinced that John Richardson is such a man — determined to change the mode of cancer treatment to save lives.

John was born and grew up in Ohio. In high school he starred in football and was elected president of both his junior and senior class. He attended the small but extremely prestigious Hamilton College in New York, playing football and earning his way by delivering laundry in his old Ford flivver. But before the first semester was over the Japanese destroyed the cliché that "trade brings peace" by attacking Pearl Harbor.



**The bewildered doctor recalls how it began: "I knew I could not refuse to treat my nurse's sister without breaking my Hippocratic Oath. . . . What I did not then realize was that I was about to bring down upon myself and my family the vengeance and hatred of a medical machine that felt its authority threatened."**

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The following day young John Richardson joined the United States Marine Corps.

The Marines wanted John to finish the year at Hamilton, and then sent him to Colgate as part of the V-12 Officers Candidate Program. Next it was Parris Island and then on to New River, Quantico, and Camp Pendleton. Now a lieutenant, Richardson was soon on Guam, Saipan, and finally in China. "I was on the Great Wall of China quite a few years before Richard Nixon," the doctor quips.

"It was in China that I first got an inkling that something was wrong politically. We were supposed to protect American interests in Peking against the Communists, but they would not even allow us to go about armed. The punches were already being pulled. It wasn't until I became interested in The John Birch Society that I fully realized the betrayal that was going on in China while I was there."

Following his discharge, Richardson returned to Hamilton where he finished a pre-med course, was accepted at the University of Rochester School of Medicine, and went on to the Mary Imogene Bassett Hospital in a mixed internship, the first Rochester graduate so honored in six years. Performing exceptionally, he received a fellowship in ear, nose, and throat from the Kaiser Hospital in

San Francisco. A brilliant and well-trained physician, he settled down in nearby Albany and began a general practice.

The next few years produced considerable success for the busy doctor. "I could have spent what little free time I had at the country club," he says. "But I began studying Communism, trying to figure out what had gone wrong in China and why." Dr. Richardson joined The John Birch Society and became an active anti-Communist.

It was in the early 1960s when John Richardson first heard about Laetrile. The man who told him about it was Ralph Bowman, now his business manager and a co-defendant in the conspiracy trial. Ralph was working for the American Opinion bookstores, traveling the Western States conducting training sessions for bookstore personnel. While in New Mexico, he had met a cancer victim who claimed her doctors had controlled the disease through use of an extract of apricot pits variously known as Laetrile, amygdalin, or Vitamin B-17. Bowman, an omnivorous reader and compulsively curious, began studying materials on the substance that were prepared by the McNaughton Foundation. When he arrived back in the Bay area he talked to his friend Dr. Richardson about it. Capsulized, the



story of Vitamin B-17 is this:

Orthodox medicine holds that cancer is probably caused by a virus and might be cured by drugs. Scientists have been searching for a cure in this area for decades with little to show for their efforts after expenditure of billions upon billions of dollars. Still, eleven hundred people a day are dying of the disease.

The essence of the Vitamin B-17 approach to cancer rests on these assumptions: There is probably a single real cause of cancer, even though there are multiple "organizers" (including viruses, irritants, and certain chemicals) which can trigger that single cause. Cancer is manifested first by a breakdown in the body's immunological system, and (second) by the absence of a vital food factor in the normal "civilized" diet. The way in which diet relates to the latter, and how it may affect the former, makes cancer a specific vitamin-deficiency disease.

Among other things, modern civilized diets are deficient in nitrilocides, an element that it is speculated helps keep cancer in check within the healthy body. There are areas in the world where these nitrilocides still occur abundantly in the natural diet. In fact, B-17 is found naturally in some thirteen hundred seeds and grasses. Where the normal diet is high in nitrilocides, there is little or no cancer. The American diet used to be high in B-17 because millet was a staple, but as wheat gradually replaced it the incidence of cancer began to rise.

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\*The shortage of space requires us greatly to condense and simplify description of the B-17 process. For details we recommend Mike Culbert's convincing and well-documented book, *Freedom From Cancer*, '76 Press, Seal Beach, California, \$2.95. Also *Laetrile Case Histories: The Richardson Cancer Clinic Experience*, John A. Richardson, American Media, \$5.95.

Laetrile advocates have never claimed that it *cures* cancer. They believe that evidence shows B-17 is a preventative and that in many cases it can be used to control cancer in a stricken victim. The situation is analogous to the diabetic who takes insulin to control his problem. Insulin controls diabetes, it does not cure it.\*

"I studied the available literature on Laetrile," recalls Dr. Richardson. "But there was nothing urgent about it. I took the books with me on weekend vacations. Then a quirk of fate occurred: Our family cat got sick. It turned out he had a malignant tumor in his neck. I arranged to get hold of some Laetrile and began to treat the cat. It showed miraculous improvement and the tumor gradually reduced in size. I had seen enough response to suspect there might be something to Laetrile." So Dr. Richardson began to take a more serious interest in the apricot extract. He contacted Dr. Ernest Krebs Jr. of San Francisco. Dr. Krebs' father had discovered Laetrile, and his biochemist son continued the research.

At about this time John Richardson's nurse, Charlotte Anderson, approached him tearfully with news that her sister, Mildred Seybold, had just been diagnosed by the Kaiser Hospital as suffering a deadly melanoma cancer. The Kaiser doctors wanted to amputate her arm immediately. Mrs. Anderson begged Dr. Richardson to treat her sister with Laetrile.

"It was a big decision," admits the doctor. "I knew that the traditional treatments for cancer, composed of cutting (surgery), burning (radiation), and poisoning (chemotherapy), were too often unsuccessful. I did know that the treating of cancer with Laetrile was frowned upon by the Medical Establishment. But . . . I knew I could not refuse to treat my



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nurse's sister without betraying my Hippocratic Oath and becoming a traitor to my conscience. It was a momentous decision and I knew it. What I did not then realize was that I was about to bring down upon myself and my family the vengeance and hatred of a professional machine that felt its authority threatened."

Happily, Mildred Seybold responded beautifully to the B-17 treatment. The tumor shrank. "Normally," says Dr. Richardson, "a melanoma metastasizes [*spreads*] with deadly speed. That is why the Kaiser doctors wanted to amputate her arm immediately." That cancer has now been under control for seven years. Mrs. Seybold is still taking Laetrile every day, but the cancer has not spread.

After the treatment by Dr. Richardson, Mildred Seybold returned to Kaiser for a checkup. The doctors there were dumbfounded when they found that she was clear of cancer. "Yet," recounts John Richardson, "they still wanted to amputate her arm. She asked them if they would recommend that if they had never seen her before. They said no, but because they had previously discovered cancer, they thought the safe thing to do was to amputate."

Dr. Richardson told me: "I recently saw Mildred at a wedding. She came

up and grabbed both my hands . . . *with both of her hands*. I want to tell you, my friend, that was a very meaningful moment for both of us."

Following the successful treatment of his nurse's sister, and in strict accordance with his own careful investigation, Dr. Richardson became an outspoken advocate of the use of Laetrile. He conducted seminars and workshops for fellow physicians all over the country, and began openly to use Vitamin B-17 in his practice.

At ten a.m. on June 2, 1972, eight men from the California Food and Drug Administration and the Albany Police Department burst into the office of this nationally respected physician waving guns and terrifying his nurses. They were, incredibly, accompanied by a camera crew from a local television station — a new high in bureaucratic arrogance. Apparently the tactic was to destroy the doctor's reputation by making it appear that he was a dangerous criminal preying upon the pain and terror of cancer victims.

The agents were in the doctor's office for nearly five hours, literally turning it upside down in a search for Laetrile. The doctor was not allowed to make any telephone calls, was placed under arrest, and although no Laetrile was found he was taken to jail to be mugged and fingerprinted. The doctor's nurses were also humili-



ated by being forced to spend four hours in a jail cell.

The legal status of Laetrile is confused. But, under California statutes, its use expressly as a treatment for cancer is not approved. Dr. Richardson and two of his nurses, admired and dedicated members of their community, were charged with multiple violations of the California "cancer quackery" statutes, based upon the fact that the doctor had dispensed Laetrile to cancer patients.

Federal regulations here are a riddle wrapped in a mystery inside an enigma. Follow this murky path if you can. Congress has passed no law concerning Laetrile. Ever. And, according to our Constitution, it is only Congress that is to make our laws. But the F.D.A. has either been unconstitutionally delegated the authority to make "law" on its own, or has simply assumed that power. The F.D.A. has by bureaucratic fiat sought to keep Vitamin B-17 out of interstate shipment and prevent its sale as a product. The only federal "law" against Laetrile is not a law at all but a regulatory memorandum from the F.D.A. — an "Import Alert" dated October 7, 1974 — whereby Customs agents were told that Laetrile was either an "unlicensed new drug" or "adulterated in that it is a food additive that is unsafe within the meaning of federal codes."

The California law under which Dr. Richardson was arrested involves using Laetrile specifically to treat cancer. John Richardson's contention was that Laetrile is not a drug but a vitamin — specifically Vitamin B-17 — and that he was using it and other vitamins, minerals, and pancreatic enzymes as part of a complete metabolic treatment. By restoring general health, the body's own immunities would make more efficient whatever treatment of cancer was necessary.

This contention was to be the subject of three ensuing trials.

Dr. Richardson's first trial — if indeed it can be called that — took place in December 1972. Two days before he was to appear in court, John Richardson learned from an inside source that his attorney was betraying his interests by plea bargaining with the judge. Richardson put a stop to it, but was by now at the mercy of a judge who may have believed that he had been doublecrossed. On his court date, Dr. Richardson submitted a large amount of material about Laetrile for the judge to study. That was all there was to it. When this respected physician returned to court a week later he was stunned to hear himself declared guilty of a crime with a potential sentence of three years in jail.

Fortunately for the doctor, he had not waived his right to a jury trial and the unfair ruling was set aside. In February 1974, John Richardson was back in court. This time the trial lasted four grueling weeks only to wind up in a hung jury standing seven to five for acquittal.

But the fighting doctor had by now become a national symbol, and the state would not give up. With the medical bureaucracy determined to put down resistance, the prosecutor was easily convinced to bring Richardson to trial for a third time in June of 1974. Once again the proceedings were dragged out for four endless weeks.

The result was another hung jury. And the angry judge now instructed the prosecutor to stop the harassment of Dr. Richardson. The court told the prosecutor that if he couldn't prove his case in three tries, he couldn't have a fourth. Dr. John Richardson had fought for, and won, his right to use basic metabolic therapy (treatment through diet) in his medical practice.



Richardson hoped that the harassment had ended and that he would be free to devote his time to his patients and the practice of his healing profession. "The trouble is," he observes, "that there are so many government agencies and bureaus that if they really want to get you, they simply pass you around from agency to agency." That way the bureaucracy technically avoids double jeopardy while using the law to crush resistance.

The doctor was next subjected to an audit by the friendly folks at the Internal Revenue Service. As chance would have it, the auditor arbitrarily threw out major deductions for purchases of Vitamin B-17 used in the doctor's practice. It was as if the cost of penicillin administered by a doctor were disallowed as a professional expense. Dr. Richardson stood ready as a matter of principle to take his case to tax court, and to prove his good faith was willing to put the nineteen thousand dollars the income-tax agents claimed he owed in an escrow account pending the outcome of the case. The I.R.S. auditor demanded the money immediately and came within a day of auctioning off the doctor's family home to secure the funds. The day before the auction was to take place, Dr. Richardson served the I.R.S. agent with an affidavit charging him with perjury and, as a slap at Big Government, asking for written permission to pay his income taxes in Federal Reserve notes.\* When it became clear that he would not be intimidated, the doctor's home was not auctioned off and he has not heard from the I.R.S. for two years.

But the gallant physician was not out of the woods by a long shot. The bosses of the medical bureaucracy in California, having failed to destroy the doctor, left the field in favor of the *federales*. On June 14, 1974, an

eight-page "Memorandum" was sent by the F.D.A. to "State and Local Food Officials." It claimed that Laetrile is an "unapproved new drug." This is false on two counts. First, B-17 is a food, not a drug. Second, when the F.D.A. took strict jurisdiction over approving all new drugs in 1962, those drugs already in use were exempted by a grandfather clause from having to meet the new standards. Either way the F.D.A. has no jurisdiction. It has simply assumed jurisdiction without the benefit of law.

Even so, the McNaughton Foundation attempted to secure authorization from the F.D.A. to have the vitamin tested in 1970. At first, B-17 was given an I.N.D. (Investigational New Drug) number. But the I.N.D. was quickly revoked on the basis that the submitted material was inadequate. The Foundation was given but ten days to make up the alleged deficiencies, and when the additional material arrived the F.D.A. declared that it was late and the I.N.D. was permanently revoked. Dr. Dean Burke, an employee of the National Cancer Institute for forty-three years and long head of its Cytochemistry Section, has branded the cancellation of B-17's I.N.D. number as a travesty of justice. Burke reports that the infor-

\*Sections Eight and Ten of the U.S. Constitution say that only gold or silver shall be legal tender within this nation. When Lyndon Johnson cut the dollar away from any gold backing in 1968, it was clearly unconstitutional and was not approved by Congress. Tax strikers have used this to claim they do not owe any taxes because they didn't make any money as constitutionally defined. They have lost those cases as courts have ruled that income does not necessarily have to be in legal money. Dr. Richardson is not a tax striker, but he wanted to see a judge or I.R.S. official give him permission *in writing* to pay his taxes with unbacked Federal Reserve notes. So far, no public servant has been willing to sign his name as authorizing something so at odds with the plain language of the Constitution.



mation provided by the McNaughton Foundation was much more detailed than is the typical case. But the F.D.A. wanted to be able piously to claim that it would love to see hard evidence on the efficacy of Laetrile, but nobody will submit any. In fact the "Memorandum" states: "FDA remains open to receive and consider any competent scientific evidence bearing on the safety and effectiveness of Laetrile. While no presently known evidence justifies any clinical use of the drug, we recognize that we must not prejudice any claimed evidence that the drug is of value, or that clinical trials are justified."

Fine. Will someone please send the F.D.A. a copy of Mike Culbert's *Freedom From Cancer*?

The Food and Drug bureaucrats continue: "... FDA has the deepest sympathy for cancer victims, their families, and all concerned Americans who are anxiously waiting for any scientific breakthrough that promises hope in those cancer cases where no effective treatment is now available. We also point out that the Department is actively encouraging and supporting research to find effective approaches to the prevention, control, and treatment of cancer."

After that pretty speech, in the very next sentence, the F.D.A. bureaucrats urge the states to revoke the license of any doctor using Laetrile in practice. The Memorandum calls for: "*Encouraging local medical licensing authorities to investigate and take appropriate action to deal with use of Laetrile by physicians in their medical practice.*" (Italics in original.)

After their experience with Richardson, the bureaucrats had decided that those doctors using Laetrile were to be stopped or destroyed. Five weeks later, the F.D.A. wrote the State of California's Board of Medical Licensing asking for the removal of Dr.

John Richardson's license. The letter begins with this inflammatory language: "This is a formal complaint concerning what we submit is unlawful, unprofessional, and unethical conduct on the part of John A. Richardson, M.D. . . ." The F.D.A. bureaucrats go on to charge: "... Dr. Richardson has been a party to unlawful traffic in amygdalin. Amygdalin, which is also known as Laetrile, is an unproven cancer remedy [sic]. Representations that it has any established value in the treatment or prevention of cancer are a fraud on the public. Dr. Richardson is selling the drug to cancer victims he claims are his patients."

Continuing, the F.D.A. bureaucrats claim:

*We call the Board's particular attention to the irresponsible and dangerous advice on the treatment of cancer in which Dr. Richardson urges patients to delay surgery and avoid radiation in favor of treatment with Laetrile. This advice, if followed, has an obvious potential for disastrous consequences.*

*For these reasons the Food and Drug Administration respectfully urges that this Board revoke Dr. Richardson's license to practice medicine in California and that his privileges not be reinstated unless and until the Board is satisfied Dr. Richardson will:*

1. Cease violating the Federal Food, Drug, and Cosmetic Act as alleged above;

2. Cease any practice involving use of any [form of Laetrile] . . .

*Moreover, the revocation remedy available to this Board is the most effective and prompt means available to prevent Dr. Richardson from distributing Laetrile, and to provide necessary protection of the public health.*



Here we have a federal agency making unbacked allegations, involving a substance that is not formally illegal, as the basis for destroying a respected physician who refuses to jump when they say hop. But whatever the massa in Washington wants, massa gets. After all, Washington is the place from where all knowledge (and money) flows.

Even the bureaucrats are sometimes shamed, and the wheels of bureaucracy can be made to grind slowly. It was August 1976 before the State of California acted on the F.D.A.'s request that Dr. Richardson be broken. The matter was turned over to the Bureau of Consumer Affairs. Although there are no doctors on this board, the consumerists held a two-week trial *in absentia* and withdrew Dr. Richardson's license to practice medicine in California. Not being one to lie down and let bureaucrats run over him in their track shoes, John Richardson is now suing the members of this Nader-inspired bureau.

While this was going on, James Eddington of the California F.D.A., in violation of the judge's directive that bureaucrats stop harassment of Dr. Richardson, began visiting the relatives of the doctor's deceased patients. Naturally some had not survived. Many turn to Laetrile only as a last resort when other doctors have thrown in the towel and told them they will die within days, weeks, or months. When cancer has destroyed a patient's vital organs, there is no survival with Laetrile or anything else.

Eddington made dramatic charges under a presumed cover of authority and encouraged the bereaved to sue Dr. Richardson, even offering government funds with which to proceed. He next arranged for two of Richardson's four thousand former patients to sue Dr. Richardson, knowing he has not had malpractice insurance for

five years. According to one patient who was contacted by the California Department of Health, in addition to the bureaucrats' encouragement and assistance to sue, a bounty of twenty-five hundred dollars was offered for each successful plaintiff.

This gruesome bit of harassment was not James Eddington's only activity. All through January 1975 he was systematically opening Dr. Richardson's packages and mail. In February, Eddington's raiders hit the Richardson Clinic and raids were made on the homes of the doctor's patients who were receiving maintenance supplies of Laetrile. These patients, some of them gravely ill, lived in Wisconsin, Minnesota, Oregon, Washington, and Alabama. Thus Dr. Richardson was forced to spend further sums of money hiring attorneys in each state when the government refused to consolidate the cases. Hearings were held, but the doctor was not prosecuted. Apparently the bureaucracy was on a fishing expedition to gather "evidence" for use in his current trial. The state prosecutors simply turned their material over to the federal prosecutors.

That something ominous was in the wind became obvious on May 26, 1975, when the *New York Times* carried an extensive front-page article headlined "Coast Ring Smuggles Banned Cancer Drug — Grand Jury Studies Traffic From Mexican And German Laboratories." It was carried by the New York Times News Service and appeared in newspapers across the nation.

The Grand Jury had not, in fact, yet convened! Using information provided by Herbert Hoffman, the U.S. Attorney who led the Grand Jury and who is now the prosecutor, the *Times* declared that Richardson "has been arrested three times for trafficking in laetrile." This, of course, is untrue.



Dr. Richardson was not arrested three times. He had been harassed by three trials involving the same arrest — which was for using Laetrile in his medical practice, not “trafficking” in the substance. Never mind that the juries refused to convict — the *Times* indicated that Dr. Richardson was successful in “escaping conviction on each occasion.” Who can doubt that use of the word “escaping” was meant to convey the impression that he was guilty but slipped out through a loop-hole.

The propaganda blast by the *Times* was full of loaded words and prejudicial phrases. And it came as a complete shock to Dr. Richardson since smuggling had never been mentioned in any of the three harassment trials. The *Times* article avoided any mention of the fact that until the dubious Import Alert memo of October 7, 1974, no one had ever claimed that the importation of Laetrile was illegal.

Over the ensuing months, as his entire staff was subpoenaed to appear before the Federal Grand Jury in San Diego, the Albany doctor became aware that the next effort was to try him as a drug smuggler as if he were a heroin kingpin. The trouble with the Grand Jury concept when the object is harassment is that it is always loaded for the prosecution. Only the prosecutor gets to present evidence. Grand Juries almost always indict when they are asked by the prosecutor to do so since they are assured that the defendant will have his chance in court. When Dr. Richardson's staff returned from San Diego they reported that members of the Grand Jury were shocked to learn from Richardson's people that they did not think they were breaking any law. Prosecutor Hoffman had given them such a one-sided view of Laetrile that the Grand Jury assumed the Richardson Clinic was a quack operation and that the

doctor and his people knew it and were out to fleece terrified and suffering cancer patients.

On May, 28, 1976, Dr. Richardson motored to the state capital in Sacramento where he was scheduled to testify on a bill which would take jurisdiction from the bureaucrats over therapeutic use of foods, herbs, and diet — and thus pave the way to overturning the state's restrictions on Vitamin B-17. As the doctor walked down the hall of the Capitol building looking for the Hearing room, he was grabbed like a criminal by two fed-cops who handcuffed him and hauled him off to a federal prison.

The doctor, along with his business manager Ralph Bowman and seventeen others, had been indicted by the San Diego Federal Grand Jury. Rather than notify the doctor to report to the federal court for arraignment, as is customary, the government had him hauled in manacles from the State Capitol. Not only was he uncereemoniously thrown into a federal prison, he was not even permitted a telephone call. His frantic wife heard about his arrest on the radio, and eventually was successful in tracing him so that bail could be arranged.

Meanwhile, another band of fed-cops was hitting the Richardson Clinic in Albany like the Marines landing at Tarawa. A dozen agents crashed into the clinic looking for Ralph Bowman. When nurse Angela Gilmer asked the agents to wait in the reception room, they threw her against the wall. John Chase, a young medical assistant, saw what was going on and ran to get Bowman. The agents grabbed Chase by the neck and the wrists. He suffered serious bruises on the legs as he blocked one agent's efforts to knee him in the groin. Young Chase had apparently incurred the agents' wrath by asking who they were and what

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they were doing, since they had not identified themselves to him. When he asked one federal agent if he were sworn to uphold the Constitution, the retort was: "Yes, unfortunately."

Ralph Bowman soon emerged, was searched, handcuffed, and removed to U.S. Customs facilities in San Francisco. Though a federal judge had instructed federal officers to permit Bowman to use the telephone, the order was ignored and he was held incommunicado. Dr. Richardson's secretary, Janice Eby, drove to San Francisco to try to arrange Bowman's release. Undoubtedly a lion tamer in a previous incarnation, she burst in on a judge and demanded to know what was going to be done about Mr. Bowman. The shocked judge knew nothing about the Bowman arrest. Apparently the fedcops had been planning to make an example of Bowman by holding him in jail, like Public Enemy Number One, over the Memorial Day weekend. Only because the judge heard what had happened, and personally went to check on the situation, was Ralph Bowman released.

Young Chase had meanwhile been treated at a local hospital for bruises, a cut, and a badly swollen wrist suffered when an agent "began jumping up and down as if trying to break it."

When Dr. Richardson had learned about the Federal Grand Jury hearings in San Diego, he and his business manager double-checked to make sure no laws had been broken. On June 15, 1975, they had attorney Richard Frisk contact the U.S. Customs Service office in San Francisco and ask for a list of proscribed drugs or substances prohibited from importation to the United States. Specifically he asked if the substance Laetrile or amygdalin was proscribed. In a signed affidavit

Frisk states he "was told by three officials in the Customs Service office that there was no proscribed drug or substance list, that laetrile or amygdalin was not on a proscribed list." He "asked them to write . . . a letter to that effect and they refused."

Dr. Richardson also consulted the F.D.A.'s so-called G.R.A.S. Report which lists hundreds of compounds that may be imported into the country. Page 320 of the G.R.A.S. Report, under essential oils, lists bitter almonds and gives as the source *prunus amygdalus batch*, *prunus armeniaca*, or *prunus persica batch*. These are almond, peach, and apricot seeds. So, while the F.D.A. claims that Laetrile cannot be imported, the source from which Laetrile is made is on its own G.R.A.S. list.

An F.D.A. "Talk Paper" number T75-55, dated August 20, 1975, and issued by Edward R. Nida, states: "Last Spring a cancer patient, now deceased, and her husband sued the government asking that an FDA order prohibiting distribution of laetrile be vacated. (No such order exists.)" The parenthesis is in the original.

No such order exists, says the F.D.A., almost four months after it indicted Dr. John Richardson. The only thing anyone has been able to turn up so far that makes the importing of B-17 even questionable is the F.D.A. Import Alert 68, dated October 7, 1974. This memo, you will recall, declares that Laetrile is either a new drug or an adulterated food — which it is not.

But even before this date, and apparently without the benefit of the merest semblance of law, those trying to bring Laetrile into the country were harassed. Customs border guards were led by the F.D.A. to believe the substance was illegal even though there was no law against importing it. However, enforcement was erratic. Many



people were allowed to bring the substance over the border from laboratories in Mexico. And Dr. Richardson has a photocopy of a purchase order for Laetrile, from the Sloan-Kettering Institute for Cancer Research in New York, placed with the Cyto Pharma laboratory of Tijuana. He possesses another copy of a cargo manifest to deliver additional Laetrile to Sloan-Kettering from Dr. Sergio Del Rio, who operates a clinic in Tijuana. These deliveries were passed through Customs.

Most of the Laetrile used by Dr. Richardson in his practice was imported from Germany by the Spectro Foods Corporation of Montclair, New Jersey. Spectro paid a five percent import duty on its Laetrile. Dr. Richardson would like to know why some people can bring Laetrile legally into the country while others cannot.\* He notes that the Constitution requires that all laws be enforced equally.

There can be little doubt that much of the Laetrile entering the United States from Mexico was being smuggled across the border. Here we have the classic Catch-22 situation. Until the Import Alert 68 was issued in October 1974, it was perfectly legal to bring Laetrile into the country. But those who did were often harassed by Customs agents and their B-17 confiscated. Therefore, cancer patients and others trying to help their friends and loved ones were forced to bring the substance across the border without declaring it. Certainly nobody would risk going to jail to avoid paying a measly five percent import duty on an inexpensive vitamin.

But the furor over whether some people were or were not smuggling Laetrile into the country is a red her-

ring as far as Dr. Richardson is concerned. The function of the Richardson Clinic is to dispense Laetrile under medical supervision, not import it. The doctor had nothing to do with obtaining supplies, any more than a surgeon in a hospital orders sheets or cotton swabs. His business manager, Ralph Bowman, was in charge of buying vitamins and all other supplies used by the doctor.

Bowman attests: "I never smuggled anything or arranged to have anything smuggled. There was no need to do so. More was available than I needed to buy. Most of our supplies came through Spectro in New Jersey and they made it a point to let their customers know that they paid duty. I bought other materials from suppliers who brought the vitamins to me in my office just as I buy from Squibb, Merck, and many others. I did not enquire as to whether they paid duty or not anymore than I enquire if the duty has been paid on a Swiss watch I buy from a jeweler."

It is all too obvious that Dr. Richardson and Mr. Bowman are being maliciously prosecuted. The bureaucrats of the F.D.A. simply want to stop the nationally respected Richardson from using B-17 in his practice. He was offered a deal before the case came to trial which would have let him off with a symbolic handslap if he would agree to stop treating his patients with Laetrile. But, to Dr. Richardson, that meant condemning people to death. So he is fighting. He is fighting because he is a fighter, and because he knows it is the right thing to do. Not one to take abuse lying down, Dr. Richardson is suing the prosecutor for violating his civil rights. One would not safely bet against him.

Making the vicious nature of the trial even more clear are two recent decisions by Federal Judge Luther

\*The F.D.A. has recently forced Spectro to stop importing B-17. The bureaucrats accused the company of claiming Laetrile was a cancer cure.



Bohanon of Oklahoma City. Last year, Bohanon ruled in a class-action suit that a terminal cancer patient has the right to bring in Laetrile from Mexico by obtaining a court order. The F.D.A. appealed to the Circuit Court of Appeals and lost. The Appeals Court ruled that the F.D.A. record on attempting to treat Laetrile as an "unlicensed new drug" — and thus susceptible to F.D.A. control over interstate shipment and sale — was "grossly inadequate and consists merely of a conclusionary affidavit of an official of the FDA which in effect declares that it is a new drug because the FDA says it is." The Appeals Court remanded the case back to Bohanon to deal with the bureaucrats of the F.D.A.

Judge Bohanon asked the F.D.A. to produce the records upon which it had based its anti-Laetrile crusade. Now, here is the shocker: *The F.D.A. admitted it had none!*

In an order dated January 4, 1977, the Judge ordered the Food and Drug Administration to develop evidence to prove Laetrile is a "new drug" within one hundred twenty days. The new ruling squarely places the burden of proof on the government. In the meantime, the F.D.A. ban "is without force or effect" for cancer patients who import the substance from Mexico.

The orders Judge Bohanon issued, he said in his memorandum, were taken "in view . . . of the complete absence of any good-faith agency (FDA) record in support of its position in this case, as the record here is not merely incomplete, but virtually non-existent; and in appreciation of the fact that depriving a terminally ill cancer patient of a substance he finds therapeutic, whether such benefit is physical or psychological, creates the very real risk that irreparable injury might be sustained."

So one wonders why the case

against Dr. John Richardson, *et al.*, is proceeding. The answer is obvious. The F.D.A. is willing to fight resistance to its bureaucratic guesses down to the last dead cancer patient.

The government's strategy has been explained to Dr. Richardson by a lawyer formerly high on the staff of the California Attorney General. After reading the indictment, he laughed and said that the technique was obvious. He said he had seen it used many times while in government service: You simply break a man financially by first preventing him from making a living and then draining him with attorneys fees and court costs. The price of defending oneself is simply horrendous. And this is the *fourth time* Dr. John Richardson has been dragged into court over his use of Laetrile. Even when you win, and it is judged that the government really had no case against you, it has cost you months away from your work, many thousands of dollars, and career-shattering publicity.

In his current case, Dr. Richardson is defending himself, having become disgusted with lawyers. "They tell you that the Constitution was all but abolished by the judges long ago and that the only way to survive is to wriggle through the holes in the system," he says. "To me that is like trying to make your chains more comfortable."

This courageous physician thinks it's about time we Americans started fighting back against our bureaucratic oppressors and tormentors. John Richardson is not a conspirator. He is the victim of a conspiracy — a conspiracy of, by, and for the bureaucracy. He intends to go after his persecutors in the legal system and the F.D.A. and try to put those responsible for such criminal outrages behind bars where they belong. When the little dictators are in jail, the rights of all of us will be safer. ■ ■