

ACSH *in action* FALL 2006

PUTTING SCIENCE FIRST

Trans-Foolish

By Dr. Elizabeth M. Whelan

This piece appeared in the September 28, 2006 New York Post:

New York City's Board of Health has voted to virtually ban trans fatty acids (TFAs) in local restaurants. The move is profoundly misguided: It won't make New Yorkers healthier, and may even contribute to the toll of premature death by diverting our attention from the real causes of heart disease.

Simply put, claims about the health risks of TFAs are grossly exaggerated, with recommendations to avoid them having as little scientific basis as saying all of us should purge every grain of salt from our diets.

Yes, high levels of dietary trans fats, derived primarily from partially hydrogenated vegetable oils, can raise levels of LDL, the so-called "bad" cholesterol. But TFAs are only one of several dietary factors that affect blood cholesterol levels.

More important, cholesterol is only one of several factors that may influence the risk of heart disease. Cigarette smoking, high blood pressure, diabetes and obesity all contribute far more to heart disease than any specific dietary ingredient.

Any practicing physician who has treated patients with elevated cholesterol levels will tell you that even the strictest low-fat

diets often result only in modest cholesterol reduction. So how could we expect significant effects from banishing just one type of fat – one that represents only 2% of our total daily calorie intake, and which doesn't contribute more calories than other types of fat?

(For individuals with unhealthy cholesterol levels, the general recommendations are clear: They should choose polyunsaturated or monounsaturated fats – and limit saturated fats or TFAs. And they need to discuss with their physicians the option of cholesterol-lowering drugs.)

Given the scientific facts, why the uproar – and now, the regulatory teeth – over TFAs?

Well, in this new age of public health, authorities are using regulation to try to curb chronic diseases such as heart ailments, diabetes and cancer – much the way they did decades ago to wipe out infectious disease by mandating inoculations, chlorinating water and making such diseases reportable to the government.

The problem is that chronic diseases are primarily linked to lifestyle factors – and government intervention into people's lifestyles is not only intrusive, it simply won't work.

That is, the Board of Health is acting as if TFAs were an imminent health threat – like E.coli in spinach. They're not.

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A QUARTERLY

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HIGHLIGHTING SELECTED

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Blogspot: Will a Dioxin Panel Bring Down EPA's "House of Carcinogens"?

By Dr. Gilbert Ross

This is just one recent article from ACSH's blog, HealthFactsAndFears.com:

A federal panel of experts has, once again, concluded that the evidence linking one of activists' favorite targets, dioxin, to human cancer is inadequate to call it a carcinogen. Further, the National Research Council (NRC) panel castigated the Environmental Protection Agency (EPA) for its methods of evaluating the chemical and basically told the EPA to go back to the drawing board and come up with a better answer. But the panel's rebuke, while on its surface carefully crafted to apply to dioxin, is clearly generalizable to almost every chemical "carcinogen" the EPA and its affiliated agencies have incriminated over the decades.

The real question now is: will the manufacturers of America's safe and useful chemicals — including flame retardants, plasticizers, baby bottle makers, pesticides, and even pharmaceuticals — use the weapon the NRC has unknowingly granted them to fight back against unscientific and expensive regulation to which they have meekly acquiesced in the past?

The long-standing policy at the EPA has been to evaluate chemical toxicity as if even the tiniest, barely measurable dose of a substance might still cause cancer (or other health effects) if it can be shown to do so when fed to rats at high doses. But the NRC panel told the EPA that, in effect, they should join all the other scientists of the twenty-first century in applying the best science, instead of their old, familiar — but usually scientifically irrelevant — formula for these decisions. In simple terms, there is usually a dose of a chemical below which there is no biological effect. Applying this insight, as the NRC told

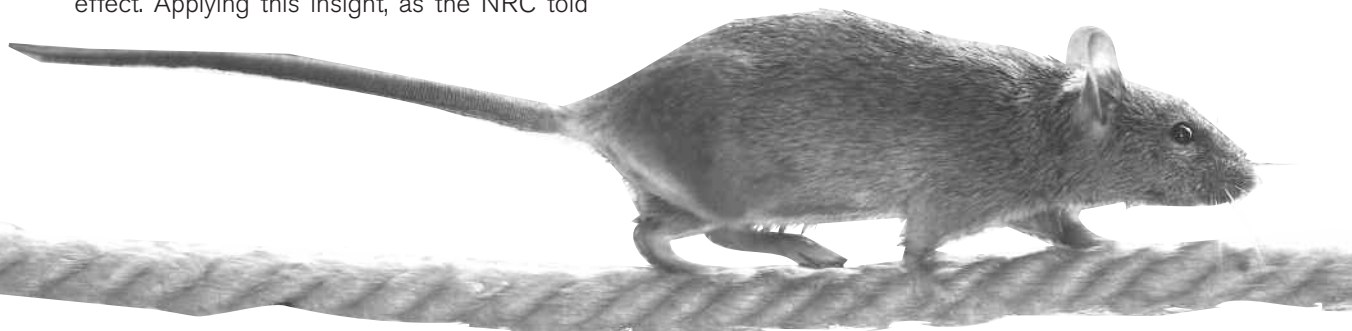
the EPA to do, would very likely result in a much lower toxicity rating for dioxin. So says the chairman of the NRC panel, Dr. David Eaton of the University of Washington's Department of Environmental and Occupational Health Sciences.

Dr. Eaton and his seventeen eminent colleagues noted that the EPA evaluation of the likelihood of dioxin being a human carcinogen was not justified by the assumptions the folks at the EPA made, and that the uncertainties involved in their evaluation were not sufficiently explained to allow the chemical (which is not synthetic but rather a byproduct of many manufacturing processes and combustion) to be deemed a human health threat.

What Dr. Eaton and his colleagues did not state, but can be clearly inferred, is that the EPA policy condemned is the same policy EPA has routinely applied to alleged "carcinogens" — which has resulted in economic chaos among companies and a loss of consumer choice for us all. This needs to change: that's the real message of the dioxin panel to the EPA. Of course, for the change to occur, industry will have to take the lead, by challenging the agency's dictates on tolerable exposures.

Will they? In the past, corporations have "gone along to get along," knowing that fighting the EPA in public is a lose-lose proposition — angering the regulators, consumers, and the media. Now, maybe, using the new mandate of the dioxin "verdict," they will have the willpower to go with the science, and the walls of regulation may start to crumble, at last.

Gilbert Ross, M.D., is Executive and Medical Director of the American Council on Science and Health (ACSH.org, HealthFactsAndFears.com). ♦



A Message from ACSH's President: Take Food Cops' Advice with a Grain of Salt – Until That's Banned, Too

By Dr. Elizabeth M. Whelan

The Center for Science in the Public Interest is one of the groups that inspired the war against trans fats described in my cover article in this newsletter.

CSPI head Dr. Michael Jacobson and his food cops, equipped with a direct line to the mainstream media, tell us almost daily what we should and should not eat, warn us of dire threats in the food supply, and use the threat of litigation and regulation to protect us from ourselves.

–CSPI is currently waging war against dietary fats in general and trans fats in particular. Jacobson characterizes trans fat as a toxin – or poison – and claims that its presence in food causes 50,000 or more deaths from heart disease annually. Always ready with colorful rhetoric, Jacobson refers to the risk of “Kentucky Fried Coronaries.”

–The food police also regularly alarm us about “carcinogens” in food, including saccharin and acrylamide (which forms when high-carbohydrate

foods, like potatoes, are fried or baked). CSPI never notes the fact that the “carcinogen” designation is based on high-dose animal studies that have no relevance for predicting human cancer risk.

–Salt is a dietary killer, CSPI says, accounting for over 150,000 premature deaths each year. Rumor has it that CSPI will soon petition the FDA to remove salt from the list of ingredients that are GRAS (generally recognized as safe).

–CSPI never met a regulation or tax they did not love. How to solve the obesity crisis? Tax soda, ban its sale in schools, mandate that restaurants carry detailed nutrition labels on menus, and sue McDonald's for luring children to eat “fast food” (even though a cheeseburger at home has essentially the same nutritional and caloric profile as a meal at a fast food joint).

And while wringing their meddling hands over obesity, the food police conduct a holy war against olestra, the fat substitute that could safely offer us a full variety of tasty, reduced-calorie foods.

ACSH allows scientists to join consumers in sending a message to CSPI: leave us alone to enjoy our food in peace and serenity. ♦



Donate to ACSH and Be Doubly Effective

There is an easy, effective way to strengthen your impact in the battle against activist scare tactics and hyperbole! Enable your tax-deductible contribution to the American Council on Science and Health to go even farther. Increase your giving power by inquiring about your employer's matching gifts policy. Often, companies will match their employee's charitable contributions dollar for dollar – if not more. Consult with your personnel department to see if your company participates in a matching gift program. If your company does provide you with a matching gift opportunity, ACSH urges you to take full advantage of this often underutilized employee benefit.

Complete your employer's form, enclose your check, and we will take care of the rest. In some cases, companies will even match gifts made by retirees and/or spouses. Your matched contribution will allow our scientists to have a voice on important, timely policy issues. Join your fellow members in making a matched gift today! ♦



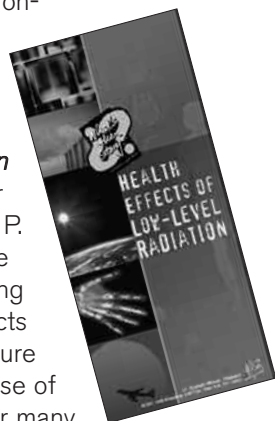
ACSH gets a four-star rating from Charity Navigator!

Major Publications from ACSH (July-September 2006)



Brominated Flame Retardants: A Burning Issue
by William P. Kucewicz. Fire retardants truly save lives. Their use in television cabinets alone is estimated to save 190 lives a year in the United States. In the United Kingdom, where materials used in many home furnishings must be fire-resistant, researchers reckon the regulations have spared about 1,150 lives and prevented almost 13,500 injuries over the course of a decade. Nevertheless, U.S. and European regulators have effectively banned two of the three most prominent PBDE flame retardants. An assortment of states, environmental groups, and foreign governments, moreover, is seeking to ban the third as well, even though there is no credible evidence that the chemical represents a danger to humans or the environment.

What's the Story? Health Effects of Low-Level Radiation
(based on an earlier ACSH report by Dr. P. Andrew Karam). The possibility of suffering adverse health effects as a result of exposure to radiation is a cause of concern and fear for many people. They may think that little is known about the health effects of exposure to radiation and that exposure to even low levels of radiation can be disastrous. Neither of these beliefs is true, and they shouldn't cause people to make unwise decisions such as foregoing beneficial medical procedures that involve radiation. This pamphlet summarizes the scientific facts about the health effects of exposure to low levels of radiation.



Counterfeit Drugs: Coming to a Pharmacy

Counterfeit Drugs: Coming to a Pharmacy Near You (full and condensed versions) by Wyatt Yankus. Counterfeit drugs, including fake, substandard, adulterated or falsely labeled ("misbranded") medicines, have become a real and growing threat to global health. Increasingly sophisticated counterfeiting rings, often involving organized crime, are slipping their fakes into the legitimate drug supply around the world. The problem is especially serious in developing countries, where hundreds of thousands die from ineffective medicines, and millions more from the drug-resistant strains of pathogens such as malaria, HIV/AIDS, and tuberculosis that have been promoted by counterfeits' sub-optimal dosing of antibiotics and anti-viral agents. This important ACSH report – available in a long and short version – outlines the routes by which fake drugs reach consumers and offers ways to mitigate the problem.



A Primer on Dental Care:

Quackery and Quality by John E. Dodes, D.D.S. Experts on dental health fraud suspect that over a billion dollars a year is spent on dubious, unnecessary, and poor-quality dentistry. This situation, plus the fact that the harm done by poor dental care may not become apparent for many years, makes it difficult for consumers to evaluate the quality or the necessity of the treatment they receive. ACSH believes that unnecessary and unscientific dentistry poses a substantial risk for the American public. This report identifies the main problem areas and suggests what can be done about them.



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Journal articles from ACSH:

“A Perspective on the Safety of Cosmetic Products: A Position Paper of the American Council on Science and Health” by Dr. Gilbert Ross in *International Journal of Toxicology*, Vol. 25, No. 4, July-August 2006 (basis of ACSH's pamphlet *What's the Story? Health Claims Against Cosmetics*).

“Not the Next Tobacco; Defense to Obesity Claims” by Joseph P. McMenamin, M.D., J.D. and Andrea D. Tiglio, Ph.D., J.D. in *Food and Drug Law Journal*, Vol. 61, No. 2, 2006 (basis of ACSH's booklet *Foods Are Not Cigarettes*).

“Biomonitoring and Biomarkers: Exposure Assessment Will Never Be the Same” by Dr. Dennis Paustenbach and Dr. David Galbraith in *Environmental Health Perspectives*, August 2006 (basis of ACSH's booklet on *Biomonitoring*). ◆

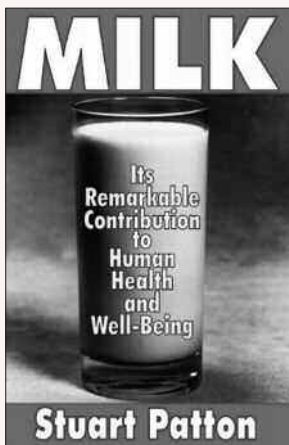
Advisor Profile: Stuart Patton, Ph.D.

By Todd Seavey

With animal rights groups like PETA and the so-called Physicians Committee for Responsible Medicine condemning milk – and an unscientific movement encouraging the drinking of raw instead of pasteurized milk – thank goodness we have ACSH Advisor Dr. Stuart Patton to set the record straight.



Patton's book *Milk: Its Remarkable Contribution to Human Health and Well-Being* is one of many contributions he has made to both technology and the study of biology in a long and illustrious career. Now the Evan Pugh Professor of Agriculture Emeritus of The Pennsylvania State University, Patton is one of the leading lights of dairy science and was influential in making three daily dairy servings a part of national nutrition guidelines.

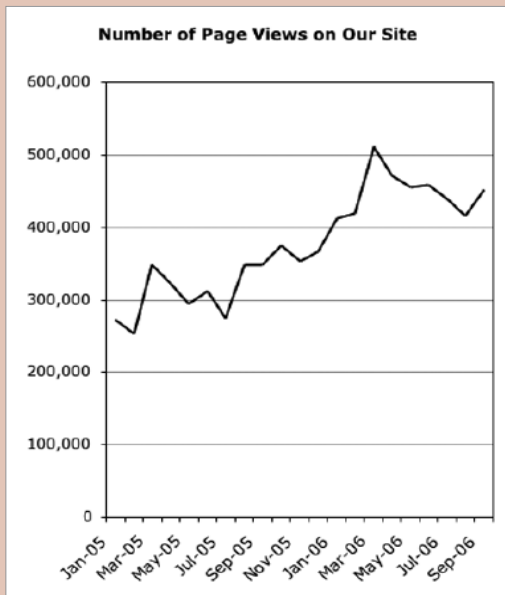


Patton has studied the micro-chemistry of food flavor, employing innovative techniques using mass spectrometers and gas chromatography. His study of milk and lactation has earned him the prestigious Macy-Gyorgy Award from the Society for Research on Human Milk and Lactation.

In *Milk*, prior to which he has written two textbooks and some 200 journal articles, Patton makes the case for milk's benefits in a fashion accessible to the layman. From lipids and heart disease to flavor and cheese-making, Patton skims layers of mystery and obfuscation off milk truth.

Patton is a good example of the sort of expertise that lies behind ACSH's broader defense of science in the face of health scares and hype. ◆

ACSH Sites Flourish



During the months July-September:

- visits to ACSH.org averaged over 213,000 per month, vs. an average of 100,000 per month for 2005;
- visitors to our site TheScoopOnSmoking.org averaged 22,000 per month vs. 12,000 per month in 2005
- reports were downloaded from ACSH.org over 12,000 times
- fifty-five new articles appeared on our blog HealthFactsAndFears
- ten columns and letters to the editor by ACSH staff appeared in various prominent publications ♦

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Trans-Foolish

Second, as the hyperbole about TFAs has escalated — *New York Times* columnist Nicholas Kristof recently claimed, absurdly, that TFAs in Girl Scout cookies have killed more Americans than al Qaeda — physicians and scientists have largely remained mute on the topic. Silence is interpreted as agreement — and the momentum for bans builds.

Third, the food industry has turned the fear of TFAs into a brilliant marketing strategy — trumpeting the “No Trans Fats” claim on labels. Unsuspecting customers will conclude the products are healthier — and maybe even think they are reduced in calories — when in fact there are no health benefits. In fact, all fats, saturated or not, contain 9 calories per gram. There are no caloric savings from replacing TFAs with other fats.

To truly appreciate the hysteria here, consider: What will replace the allegedly malicious TFAs?

In the late 1980s, the “food police” at the Ralph Nader-inspired Center for Science in the Public Interest fomented a frenzy about the beef tallow that fast-food restaurants used to fry potatoes because it contains cholesterol-raising saturated fats — and demanded that they stop it. And what did CSPI recommend to take its place? Partially hydrogenated vegetable oils with TFAs. Now the wheel has turned and CSPI is shamelessly “outraged” over trans fats.

The Board of Health seems to have lost perspective on the important threats to New Yorkers’ health: smoking, obesity, excessive alcohol use and more. And if we ban trans fats, we move one step closer to endorsing the principle that government should determine what we eat and how we should live — even when the data are skimpy and the expected benefits nonexistent. ♦

Elizabeth M. Whelan, Sc.D., MPH, is president of the American Council on Science and Health, which will release a report on trans fats this fall.

Media Spotlight

The media often use editorials or letters written by ACSH experts or quote ACSH experts in articles. Examples from July-Sept. 2006 include:

The Washington Times

THE WALL STREET JOURNAL

The New York Times

- "Trans-Foolish" (from **New York Post**) by ACSH's Dr. Elizabeth Whelan 9/28
- "Something to Chew Over" (from **Wall Street Journal**) by ACSH's Jeff Stier 9/27
- "A Very Risky Idea for FDA" (from **Washington Times**) by Stier 9/27
- "Tobacco Ruling Reopens Debate on Smokeless Products" (from **Financial Times of London**) citing Stier and Brad Rodu 9/26
- "Book Review: 'Counterfeit Drugs'" (from **Pharmaceutical Commerce**) describing ACSH's report (see "Major ACSH Publications" elsewhere in this newsletter) 9/23
- "Coming Clean on Personal Care Products" (**Forbes.com** and numerous TV stations) citing ACSH's report on cosmetics 9/22
- "Law Limits Toxins in Schools" (from **Citizen-Times**) citing ACSH skepticism 9/22
- "Scared? Know the Real Dangers" (from **Daytona News-Journal**) citing ACSH 9/20
- "Let Us Spray [DDT]" (from **Investor's Business Daily**) citing ACSH 9/19
- "Counterfeit Drugs: Coming to a Pharmacy Near You" (from **MedicalProgressToday.com**) describing ACSH's report (see "Major ACSH Publications" elsewhere in this newsletter) 9/15
- "Time-Pressed Parents Can Dish Up Quality Meals" (from **Associated Press**) citing ACSH's Dr. Ruth Kava 9/12
- "'WTC Cough': Time to Draw Breath" (from **Spiked-Online**) by ACSH's Todd Seavey 9/8
- "Malaria Kills Millions – We Have the Cure" (from **Wall Street Journal**) by ACSH's Dr. Gilbert Ross 8/28
- "The Raw Truth About Raw Milk: Following This Fad is Plenty Dangerous" (from **PHXNews.com**) quoting Kava 8/21
- "And Now, Toxic iPods?" (from **Boca Raton News**) quoting Whelan 8/16
- "Superstitions Still Surround Vaccines" (from **Boca Raton News**) quoting Ross 8/9
- "Melanie Shows Kid How Cool Smoking Is" (from **Boston Herald**) citing ACSH 8/8
- "California Judge Rejects Mercury Warning Labels for Tuna" (from **Heartland.org**) quoting Whelan 8/2
- "Soaking the Taxpayers [EPA vs. GE]" (from **NationalReview.com**) by Whelan 8/1
- "Why the 'Eat In Moderation' Advice Is Silly" (from **CommonVoice.com** and **LivinLaVidaLoCarb.blogspot.com**) quoting ACSH's Julianne Chickering 7/24
- "Lifestyle Police Take Away Our Rights" (from **Anchorage Daily News**) quoting Whelan 7/22
- "Energy Drinks: The Liquid Cocaine" (from **GhanaWeb.com**) citing ACSH 7/20
- "A Strange New Weapon [Smokeless Tobacco]" (from **Chicago Tribune**) quoting Ross 7/13
- "Bid to Thin Out NY Fast-Food Outlets" (from **BBC News**) quoting Whelan 7/12
- "Take Food Cops' Advice with a Grain of Salt – Until That's Banned, Too" (from **BusinessandMedia.org**) by Whelan 7/12
- "Smokeless Tobacco Helps Swedes Kick Addiction" (from **Wall Street Journal**) by Ross 7/10
- "Environmental Improvement Board: Petition to Outlaw Aspartame Snubbed" (from **New Mexican**) quoting Kava 7/7
- "Report's All Smoke and Mirrors" (from **New York Daily News**) citing ACSH 7/5
- "DDT Use Is Long Overdue" (from **New York Times**) by Ross 7/4
- "Vaccines and Parental Decision-Making" (from **Washington Times**) citing Whelan 7/2

ACSH staff also make frequent appearances on TV and radio, and the past three months have seen Stier (who now contributes to LegalNews.TV) on **WIBA Radio** 7/28 discussing kids and chemicals, 8/16 discussing EMF fears, and 9/26 discussing World Trade Center ailments, and on **WCBS News at Five** in New York 9/6 dispelling cosmetics fears; ACSH Trustee Dr. Norman Borlaug interviewed 8/9 on **Penn Jillette's radio show**; Ross interviewed about flu on the radio show *Hawk on Health* 9/5; and Whelan and Stier contributing audio commentaries on dirty bombs to

HomelandDefenseWeek.com – plus ACSH hosting and advising visitors from the **Japanese Agriculture and Health Ministries** at our New York offices (this international season also saw a piece by ACSH Founders Circle member Dr. Thomas DeGregori reprinted by France's **Institut Turgot**). In addition, ACSH was mentioned on the gossip website **Gawker.com** and on **MediaBistro.com** 8/17 and contributed many copies of our report on *Counterfeit Drugs* to the 9/17 conference of the *Society for Biomolecular Medicine*, so now we're hip *and* technologically advanced. ♦

ACSH

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