

# **Pan-WHO was Behind the Biggest Vitamin Recall in History?**

**A three Part Feature Article on who was behind the world's largest recall.  
Originally written in April 2003 – re-released with update May 2007 - By Eve  
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## **Part 1**

April 28<sup>th</sup>, 2003 was a cool autumn day in Australia. To the average Aussie it seemed a day like any other. Most tuned into the 6 o'clock news, aware that history was being made in other countries with SARS and the U.S. invasion of Iraq. But few were aware that something of historical importance was unfolding in the "Lucky Country". To seasoned observers who saw it coming it was nothing short of breathtaking when the near mortal blow to health freedom was finally struck, and for a while, dissenting voices were stunned into silence. Many pundits expected other countries to be the more likely targets but like any interesting social experiment, there was an elegant logic behind the choice. Australians were historically spared the great upheavals of the twentieth century. They seemed more trusting, less suspicious of political and corporate agendas than their counterparts in the northern hemisphere or in Europe where entire populations still recall the spin-doctoring of totalitarian governments under the guise of this or that benefit for the public good.

The largest, quickest and most comprehensive recall of health care products in world history occurred in Australia following an announcement on Monday April 29<sup>th</sup> by the TGA that they had served Pan Pharmaceuticals with an order to suspend its operations for a six month period. The company supplied 75% of Australia's complementary healthcare products such as nutritional supplements in the form of vitamins, minerals, omega oils, and herbal products. Pan also supplied a range of over-the-counter and other drugs, which were sold under various brand names by other companies. Jim Selim, the founder and CEO of Pan is an Egyptian born pharmacist who by all accounts has a passionate belief in natural products and expert knowledge of herbs and supplements. Selim had single handedly built up his company and within 20 years was the largest supplier of complementary health products in Australia. His astonishing success catapulted him onto the world stage as the fourth largest manufacturer of natural health products. Along with this distinction came some unwanted attention from the multi-national pharmaceutical industry, which had been lobbying against natural health supplements and products because of the significant erosion they made into drug company profits.

Studies show that 60% of consumers have spent some of their health dollars on supplements and natural remedies. Many use natural products to maintain good health or facilitate recovery from various conditions after orthodox medicine has failed, as it often does in the case of chronic illness. Doctors trained in nutritional medicine as well as qualified naturopaths, use supplements therapeutically as an adjunct to orthodox treatments or as wholistic treatments. The science behind natural medicine has been widely denied by orthodox medicine and is largely kept out of medical student's curricula. However nutrients have been used and studied for thousands of

years and there is a large body of valid scientific evidence that shows therapeutic nutrients are highly effective in treating a wide range of conditions. Most health consumers take supplements because they perceive a health benefit and are not even aware that there is solid science behind nutritional therapies. This research is little mentioned in the media, which nearly always portrays nutritional therapies as being solely practiced by unqualified quacks. Media disinformation is issued directly from pharmaceutical company public relations departments on a daily basis through journalists and industry-sponsored doctors embedded in the media and other key positions. (8) This has been occurring for over 40 years and is well documented in the chemical industry archives, documents released through litigation. (7)

Much of the public confusion on the issue results from drug industry misinformation, which frequently refers to nutrient supplements as medicines or even drugs. Nutrients are not drugs. Humans require dozens of essential nutrients such as vitamins and minerals and antioxidants to stay alive and healthy. The body knows how to use these and eliminates the excess as it has done for millions of years. The need for supplements has increased recently, after it has been shown that plant-based foods are now grown on barren and demineralised soils, which do not supply plants with optimum nutrients. Humans then eat nutritionally deficient plants. Orthodox doctors claim the standard western diet contains all we need and additional supplements are 'flushed down the toilet'. This view appears to be myopic or at least poorly informed, given that 75% of all Australian deaths are a result of lifestyle factors. This includes poor diet and the resulting nutritional deficiencies.

On the other hand, drugs are mostly synthetic chemicals. There are many drugs that are life saving and beneficial when prescribed responsibly. But the massive proliferation of drugs has given rise to a statistic, which the multi-national pharmaceutical industry attempts to hide. Dangerous or inappropriate pharmaceutical drug treatments and medical interventions have now become the third leading cause of death.

The "problem" for the pharmaceutical industry is twofold. Healthy people avoid consuming pharmaceuticals. Illness generates profits to drug companies, mainly through their exclusive sale of patented drugs. Wellness and preventative medicine has been less profitable for the multinational drug industry because smaller companies like Pan and many other vitamin companies formulate and sell most of the world's nutritional and vitamin products. Nutrients and herbs are naturally occurring substances and therefore cannot be patented unless their structure is changed through genetic engineering or chemical processes. Pharmaceutical industry PR departments and industry-funded scientists have been behind unnecessary herb and vitamin scares, citing lack of uniformity or actual danger to persons who take supplements. Subsequently some natural products have been withdrawn from sale while massive drug and biotech multi-nationals work behind the scenes to chemically alter and patent natural substances as pharmaceuticals. In Australia alone the increasing popularity of natural products has deprived the global pharmaceutical market of 2 billion dollars annually. This has brought in its wake an accelerating clampdown on complementary medicine (using natural products). The drug industry is worth trillions of dollars worldwide and it has some powerful friends.

In January 2003, the TGA moved to recall Travacalm, Pan's over-the-counter travel sickness tablet when it was tested and found to be defective. After the January recall, Pan discovered a problem with one of its analysts whom the company claimed was responsible for the lapse in quality control over the defective product. The company dismissed the analyst, and set out to correct the problem with its recalled product, while continuing to manufacture its other unaffected product lines. So far the protocol followed normal procedure for a recall, a commonplace occurrence even in the multi-national pharmaceutical industry.

However, neither Jim Selim nor Pan's board members anticipated the special attention they were about to receive from the TGA. The company had become used to the regular TGA inspections in the previous few years and neither Pan nor the TGA found any serious cause for concern. In fact, Pan's vitamin and herb factory had been inspected more often and more rigorously than the Australian-based operations of multi-national pharmaceutical drug companies. However, after January the TGA conducted a number of audit raids on Pan which foreshadowed trouble. In April, the TGA shut down Pan's entire operation and slapped a class 1 recall over 1369 Pan products which were unrelated to Travacalm. This involved mostly vitamins, minerals and herbal products, which the company supplied to over 75% of the complementary health care market. The regulator cited serious concerns as to the quality, safety or effectiveness of these natural remedies. Class 1 recalls are only issued when it has been shown that the product is likely to cause serious, irreversible health damage or death. By its extreme action of issuing a class 1 recall, the TGA indicated to the general public that the calcium tablet or vitamin C or Echinacea or chamomile or any other of the 1369 natural products they had been taking without any problems, are now expected to cause death or irreversible health damage. Many consumers questioned this logic when they had experienced no adverse health effects from the supplements they had already taken. Those whose suspicions were aroused were even more surprised that the TGA had not given specific information about the nature of the problem with the products. Then Mayne Health, a large health care company whom Pan supplied with health care products, stated that their company had regularly conducted their own rigorous testing of Pan's product and had not found a cause for concern. The TGA offered no explanation as to why an independent distributor of Pan's products could find no problem on testing when the regulator claimed there was a life-threatening problem.

During the week of the shock announcement, the TGA left its responsibilities as a provider of accurate and useful public information, to the daily tabloids who rushed to fill the information vacuum with headlines such as; *Honeymoon Ruined*, *Babies in Danger*, *It's a Sick Business*, *Bad Medicine*. By the end of the week the TGA had still not explained the specific problem and which of the vitamin company's products were affected and in what way. Instead it stood by as the press had a field day whipping up the story while the more vulnerable consumers of health care products, elderly people and young mothers, panicked and imagined all types of horrific scenarios. The interim week saw a run on 750 health food stores which reported an influx of panicked customers demanding refunds for all manner of products, even those they'd fully consumed, and those that were out of date. Some demanded money for taxi fares. The TGA remained tight lipped about the offending substance that had allegedly rendered these supplements life threatening overnight. Instead, the regulator issued numerous

public announcements stating that; “drugs and pharmaceuticals are perfectly safe and persons should keep on taking them”. The NSW State Premier chimed in with his own message to that effect.

By the end of the week the dailies continued running weekend feature stories about the grave dangers of taking vitamins. The conundrum sent freelance and independent researchers scurrying to their computers to research product recalls. A short search of the FDA drug recall list and medico-legal websites, list thousands of recalls, adverse events and warnings pertaining to drug and chemical products manufactured by multi-national drug and chemical companies. Many of the listed products are known to be either dangerous or toxic to humans and even carcinogenic. Multi-national drug company recalls are rarely given much press, and have never been given as much negative media attention as Pan had received. Even more incredibly, no large multi-national company has ever been shut down by a government regulator after one of its products has been recalled, even if deaths have occurred as a result of using the drug or chemical. This discovery was guaranteed to make any independent journalist even more curious about the TGA and the vitamin company.

In the second week, Pan stocks plummeted and other companies scrambled to fill the manufacturing gap while their share prices surfed a rising wave. The mainstream media had settled into the role of investigators and de-facto TGA spokespersons, breathlessly informing the public of the “facts” behind the “vitamin scandal”. “Snake Oil Jim Quits..” screamed the tabloids, while the “prestigious” Sydney Morning Herald ran the story; “Tangled Tale of Lucky Jim”, a vicious little expose` of Selim’s daughter and her 1997 battle with drugs. Any parent would consider it a tragedy to watch their child suffer from the disease of addiction, let alone have it published in the newspaper. The journalists Mercer and Stevenson used a psychologist’s report to speculate on Jim Selim’s shortcomings as a parent. Hardly a need-to-know issue for the Australian public who had still not been informed as to the results of the regulator’s testing of the 1369 urgently recalled products. Not surprisingly, Jim Selim voluntarily resigned as CEO from his own company, amidst one of the most vicious tabloid vilification campaigns in the history of the Australian press.

While grannies thought they had been poisoned, Australia’s investigative journalists wrote about interviews with disgruntled employees who thought they should have had longer breaks and the production should have been slower at the vitamin factory. The dailies stated opinion as gospel while offering no real facts from the TGA. While the thinking public waited for the facts, young mothers still thought they had poisoned their babies. The tabloids made fun of Jim Selim and columnists wrote ditties about vitamins and herbs being “eye of newt”. Embedded industry-sponsored TV journalists worked feverishly behind the scenes to spin horror exposés about herbs and vitamins that were screened within a week of the breaking news. And still no one had suffered any adverse effects from having taken vitamins. Embedded “experts” emerged from the closet with their editorials, published under the guise of objective articles. Still the TGA remained silent about the exact reason why the natural products were classed as being capable of causing death. Pundits assumed TGA was checking all recalled products just as they had checked Travacalm and made public the exact nature of the problem.

By the end of the week Jim Selim, once a man with a zest for life, had been forced to leave his home after journalists crawled all over his garden by day and night. They interviewed his neighbours, one of whom complained that the Selim family had visitors who banged the gate when they left. The other complaint was about the noise when the family swam in their pool. The facts gleaned by the reader from this in-depth investigative journalism were that the Selims had friends and they indulged in occasional exercise. By week's end the Selim family retreated to parts unknown, amidst Jim's friend's concerns that "he is in a very bad way."

At the end of the second week following the world's largest recall, the TGA had still released no results of their product testing to Australian consumers or the thousands of businesses that relied on accurate information. But many of the 5000 or so Australian health food store proprietors were about to start the cascade into insolvency. To hasten the process, they were forced by the consumer watchdog ACCC to issue consumer refunds when they had no guarantee of reimbursement by the now ailing manufacturer. Health food shops were left saddled with the difference between the wholesale and retail price, which they had to find out of their own pockets. With their backs to the wall they still had precious little by way of an explanation. However, TGA did issue clear instructions to clear shelves of recalled product. Now, virtually overnight natural products disappeared leaving many shops bare.

The largest mountain of vitamins, minerals, oils and herbs in the world was hurriedly designated for destruction by the Australian Government in a special location and using a special process usually reserved for toxic waste. The 'evidence' was destroyed. The TGA has still not informed the public as to why their natural products were classified as being deadly, when no one had previously suffered adverse effects. The regulator has released no test results. It is not known if tests were ever conducted. When the mountain of vitamins finally rests in its mass grave, incinerated and entombed as the remains of what the Australian government regards as toxic waste, we will never know. And the epitaph on the headstone could well read; "Here Lies Health Freedom".

Among the mystery and intrigue surrounding this historical event, one thing appears to be certain. Had any test shown a lethal toxicity supporting a class 1 recall, the TGA would have told us by now.

Unlike some issues that rest in peace, the ghost of this recall will haunt the government for years to come. The story of the recall started years ago in a bustling European city. But first, a little more about the regulator.

## **Part 2**

### **TGA "Protecting the Health and Safety of All Australians"**

Like its US FDA counterpart, the Australian TGA states that it "is obligated to take action where there is concern in relation to the quality, safety and effectiveness of medicines." The regulator also oversees the safety of chemical products as well as consumer items and medicines. The TGA states its role is to "...protect the health and

safety of all Australians.” However, an audit of the regulator’s performance reveals an astonishing picture.

### **TGA Regulating Chemicals**

In 1999 a woman lodged a complaint with the TGA about a chemical product that she had used, as directed on the label. Using this product had caused her to be violently ill and she required hospital treatment. She was pregnant at the time of the toxic exposure. Serious health effects became apparent as a result of the poisoning, affecting both the woman and her child for many years. Both were subsequently diagnosed with chemical poisoning by two Australian doctors and one U.S. specialist physician. She reported this to the then director of the Chemicals and Non-prescription Medicines Branch of the TGA, Mr. Graham Peachey. The director replied to her complaint, claiming that all chemicals are rigorously tested and regulated by Australian government departments. He maintained that her claim that this chemical product had caused serious illness was a result of “a strong interaction with personal belief factors”. By this, he dismissed her complaint, alleging that she was imagining the (medically diagnosed) serious effects the chemical exposure had on herself and her child. The woman wrote back enquiring as to what kind of testing is done by the regulators on toxic chemicals that are manufactured by large multi-national companies and that stream directly onto the Australian market. She received no reply. She later found out that no independent testing of any kind is done on these products before they reach the consumer. Meanwhile she encountered others who’d had similar experiences with the same chemical and other toxic consumer products. She discovered that they too had written letters of complaint to the TGA, and they had received the same response. She joined a support group for chemically injured persons, and became the group’s newsletter editor. Soon she was inundated with letters from persons who related the identical or similar responses from the TGA after they had lodged complaints to the regulator about harmful effects from toxic chemicals in consumer products. Intrigued, she investigated these allegations and found that the TGA had dismissed all of them. None of these dozens (and possibly thousands) of complaints alleging serious and sometimes life threatening effects on consumers by various chemical products were ever investigated by the TGA. The multi-national chemical manufacturers were never held accountable and the TGA never co-operated with calls to start an adverse events register for chemical products despite years of lobbying by individuals, advocates and support groups.

### **TGA Regulating Drugs**

Like its U.S. FDA counterpart, the TGA regulates and approves drugs. Ten years ago in 1994 there were 157.5 million prescriptions issued annually. That figure has now increased exponentially as hundreds of new drugs have come on line. It would be reasonable to assume that a large part of the huge modern TGA building in Canberra would be devoted to ensuring public safety through monitoring of potent pharmaceutical drugs. However more oversight committees and manpower is devoted to herbs and vitamins. Why? A quick overview of just one drug regulating example will yield some disturbing answers and raise even more questions.

In the mid 1980’s GlaxoSmithKline marketed bupropion as an antidepressant, released under the brand name of Wellbutrin and later Zyban. In 1986 bupropion was briefly

withdrawn due to the high rate of convulsions associated with its use, and later inexplicably returned to the marketplace. By 2002 bupropion was recognised as the third most common cause of drug related seizures with cocaine found to be the number one cause (2). Bupropion is often placed in the same category as Prozac type drugs, but its exact mode of action remains unclear after many years of study. Since 1998, statistics indicated some serious adverse effects were occurring among patients taking the drug. Complaints were flowing in to Health Canada, to the UK regulator and to the manufacturer, GlaxoSmithKline. The company had received 1127 adverse reports about the drug from Canada alone between May 1998 and May 28, 2001. This included 19 deaths. Meanwhile the Medicines Control Agency, UK's version of the FDA/TGA, reported 3,457 adverse reaction reports to the drug including 18 deaths. Since then there have been 7,500 adverse reactions and 58 deaths in the UK up to April 2002.

In 2000, GlaxoSmithKline lodged an application to the TGA to approve bupropion, to be marketed in its new guise, not as an antidepressant, but as an anti smoking drug called Zyban. By then the drug had collected a number of skeletons in its closet. The drug had enjoyed another life as a weight loss pill, and was written up in an Obesity Journal as being a fat buster, since loss of appetite had been determined in 3% of the side effects reported while in use as an antidepressant. However, the "research" was far from ethical, as it was commissioned and paid for by the drug's manufacturer. (3,4) Shortly after the pharmaceutical giant lodged its drug application to the TGA in Canberra the regulator commenced its stringent "pre-market evaluation" of bupropion, now known as Zyban. The registration process involved an in depth assessment of the drug, its efficacy, and safety. The regulator was required to review the adverse effects including convulsions and death associated with the drug's use overseas, figures that were by then readily available. While the TGA was still busy "protecting the health and safety of all Australians" with its rigorous safety assessment of the drug, the global death toll was still escalating. By mid 2002 the manufacturer had already received reports of 245 deaths associated with the use of this drug. (5)

After the TGA experts finished their stringent review of bupropion, now Zyban, the drug enjoyed the approval of the Australian regulator. It was introduced into Australia late in 2000, and extensively promoted to doctors as an anti smoking drug (1).

The Australian Zyban experience proved to be tragically identical to the reported overseas experience. Not long after TGA approved its use in Australia serious reports of adverse reactions started to pour into the TGA's adverse drug reactions advisory committee ADRAC. Since Zyban's approval, 1237 reports of adverse reactions linked to Zyban, have been reported to the TGA, including: 74 episodes of convulsions/twitching, psychiatric effects such as depression and anxiety, serious skin rashes including a serum sickness type syndrome, impotence, chest pain. And 18 Australians died. (1)

When complaints came into the adverse drug advisory committee about Pan's Travacalm after persons experienced sedative and other side effects from the product, the TGA applied a class 1 recall, even though there were no irreversible effects or deaths. (Class 2 recall is in case of adverse events that are reversible or mild, and class 3 recalls are reserved when no serious adverse events are expected to occur) Oddly the vitamins

included in this recent haul attracted a Class 1 recall when no effects at all had been reported.

However, despite the high numbers of adverse events and deaths, the TGA had no serious concerns about the safety of Zyban. To protect the health and safety of all Australians the regulator will review “each report with a fatal outcome” through its ADRAC (adverse drug reactions advisory committee), which meets every six to seven weeks and “is keeping the drug’s safety under close review.” The committee’s experts are not certain as to whether the deaths and serious side effects are caused by the drug or are “coincidental.” (1)

While the TGA is still “reviewing” and “monitoring” the ever-increasing death toll linked to an apparently dangerous drug, it has acted immediately to affect a class 1 recall of a calcium supplement, which it recalls “Due to serious concerns”. Calcium is a naturally occurring mineral that is required for good health on a daily basis, and no one has ever died from it. Closely followed by a class 1 recall of 1369 other natural supplements.

Zyban is still available in Australia. It is not the only dangerous drug widely prescribed and approved by the TGA. 10,000 fatal events occur annually in Australia, attributed to medical procedures and drug associated deaths. Most of these deaths could have been avoided if the regulator recalled the drugs that caused deaths and left the vitamins and nutrients essential to life available to the public.

The disturbing questions raised by this paradox must now be answered.

### **Part 3**

#### **WHO owns the TGA?**

Each year delegates gather in a European city to convene the Codex Alimentarius Commission. The first commission was convened in 1963 as a joint effort between the UN and the WHO (world health organization). Since that time the Codex delegates have overwhelmingly been represented by large multi national pharmaceutical companies and government regulating authorities including the FDA and TGA. The delegates are determining an eight-step guideline that is already being implemented in many countries of the world. The Codex guidelines are intended to prevent the further sale of supplements and herbs and to regulate them as drugs to be manufactured solely by drug companies. In accord with the Codex guidelines, supplements are being slowly withdrawn from the public domain.

There are no representatives of small vitamin manufacturers and retailers at Codex meetings and health supplement consumers are not represented, as they are not eligible to attend. There is no press allowed during these meetings. Each successive meeting at the Codex commission advances the coming agenda to set worldwide guidelines on vitamins, supplements and herbs. The full restriction of supplements and herbs is enacted as an eight-step process and begins with seemingly innocent changes that the regulator adopts at first. Finally each country is brought closer to full harmonisation when the consumer can no longer access supplements or herbs, (except the watered

down doses now contained in pharmaceutical company products who have developed their own supplement lines).

The guidelines include the setting of recommended daily intake (RDI) levels of supplements, which are set so low as to make therapeutic doses or prophylactic doses of supplements impossible and technically illegal. Iceland, Sweden, Norway and Denmark have already harmonised beyond step 5. Once harmonised, the codex 'recommendation' becomes enshrined in that country's statutes and laws are strictly observed. One Scandinavian vitamin supplier was chased by the federal police for supplying vitamin C tablets that exceeded 200 mg. The amount of vitamin C contained in three oranges had made this man a criminal. Canada has recently harmonised with Codex, with its regulator withdrawing nearly half of the stocks in health food stores overnight. Possession of one popular supplement DHEA in Canada now attracts the same penalties as crack cocaine. The Canadian regulator is empowered to classify any substance as a drug and it makes no difference if that substance is a food that has been consumed for thousands of years and is perfectly safe. That product can be recalled or removed from the market.

As Codex continues its march, herbs are increasingly classed as drugs with restricted access. Germany has already complied fully by regulating all supplements and herbs as drugs. In a country with an age-old tradition of natural medicine, no one can freely access these products now. This is designed to assist drug companies in their technology of PharmaPrinting, which produces versions of herbs that will be standardised and patented by drug companies and approved by government regulators as drugs. In a press release six years ago, the WHO has announced its collaboration with PharmaPrint, a California based Biotech Company, which has already started to standardise useful herbs such as Gingko, St. John's Wort, Valerian and many others.

(9)

Once the altered versions are patented, the useful natural Herbs will then be banned and removed from the public domain, even for garden use. There has already been a Federal police raid carried out on a couple in northern NSW who planted a Chinese herb in their garden to use as tea. (10)

The TGA is in the process of pressuring New Zealand to adopt similar restrictive standards as are currently in Australia. Graham Peachey, the one time director of the chemicals and non-prescription medicines branch of the TGA has taken over the task of persuading NZ to harmonise to the same level as Australia. That includes the prohibition of any therapeutic claim made with respect to nutritional supplements, even if there exist medical studies to support those claims. So far NZ has resisted moves in that direction, placing value on health freedom for its citizens. However, failure to implement these Codex standards can result in sanctions against governments by the WTO.

There is a fortune to be made by multinational drug companies solely controlling the manufacture and sale of all life sustaining natural products. Many doctors and health freedom advocates are deeply disturbed by these events. Dr. Matthias Rath, a medical specialist in nutritional medicine demonstrated that nutritional supplements reversed many conditions including heart disease. He states. "If the Codex Commission is

allowed to obstruct the eradication of heart disease by restricting access to nutritional supplements, more than 12 million people world-wide will continue to die every year from premature heart attacks and strokes. Within the next generation alone, this would result in over 300 million premature deaths, more than in all the wars of mankind together.”

Codex has been a well-kept secret for many years. However, lately word has spread and thousands of health conscious and informed people are protesting against the disappearance of health freedom. People are demanding their right to stay healthy in open demonstrations around the world. For countries that have already harmonised, it is too late to reverse this blow to health freedom in the near future. However, greater awareness is gathering strength globally and those with agendas are running out of time to implement their total control over God’s garden and over the citizens of those countries that haven’t yet fully harmonised.

### **Back to Pan**

It seems an extraordinary stroke of luck for the TGA that half the supplement stocks have been swept away into a toxic waste incinerator while the media manufactures public consent for the regulator to clamp down on the vitamin industry with tighter controls. “Clean up the industry” the public demands. “Standardise herbs”. “Tighten up the regulations”, demand those who know nothing of the global agenda, and the same cry is heard from those who know the plan. Many senior TGA officials have deep ties to WHO. News of Pan travels fast. It was posted in Geneva the day after it was announced to Australians.

We would be well advised to watch the developments from now on. And to speak up while we still can. We are nearing midnight, just a few short steps away from “harmonising” with the needs of a very powerful cadre of individuals. It was Benito Mussolini who said, “Fascism should more appropriately be called corporatism because it is a merger of state and corporate power. “

In the lucky country people still believe Benito lived a long time ago in a land far away.

### **Update 2007**

The TGA kept Mr. Selim tightly wrapped in red tape and litigation for the past four years, accusing him of a litany of charges, including breaching his manufacturing licence. His case was heard in the Supreme Court of NSW in April 2007, almost four years to the day when the regulator shut him down.

Most of the TGA’s charges were so unfounded they didn’t even make it to hearing. The two charges that made it to court were thrown out.. Senator Allison of the Australian Democrats has said; *“The unprecedented recall had a devastating effect on small businesses and shook public confidence in complementary health”* *”The very least those who have suffered deserve is an apology.”* The Senator was one of the very few who had working knowledge of the Pan – Codex affair. Other politicians merely sent out TGA ‘information’ flyers to voters who wrote to them about their concerns.

Whether Mr. Selim or the hundreds of business owners who went to the wall with him will ever receive an apology is as yet unknown but unlikely. However – the facts remain: The pharmaceutical industry has been rid of its largest and other private competitors. There are now many ads on TV for big pharma brand supplements. The laws before Parliament are being passed to enable the regulator to become a corporate entity, incredibly, on the back of an international treaty (JTA). This puts the regulator “corporation” into an international jurisdiction – the same jurisdiction as CODEX.

### **The Good News – People Power**

Even though the regulating climate appears hazardous to the privately owned and operated supplement industry, there continues to be a phenomenal increase in health product sales through network marketing. There are over 2000 companies in the US alone with sales of over 28 billion annually. In Australia one person in twenty is a distributor/consumer for a MLM health product. There is clearly a strong demand for quality health products despite the pharmaceutical industry having done away with big competitors and made supplements available in supermarkets.

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#### About Eve Hillary

**Eve Hillary is based in Sydney. She a health practitioner, medical writer and researcher into issues pertaining to the health care industry and environmental health. She specializes in documenting the human impact of the politics of multinational medical and biotech corporations, covering issues such as emerging epidemics, gene pollution, chemical pollution, government regulators and the role of the media.**

**She is the author of Children of a Toxic Harvest: An Environmental Autobiography, and numerous articles relating to environmental health issues. Her most recent book is Health Betrayal; Staying away from the sickness industry. She is also a public speaker.**

**Eve has spent 25 years in health care where she has observed the medical industry at first hand from the inside.**

**Knowledge is power, and Eve’s primary objective is to return this power to the individuals whose lives depend on it. She uncompromisingly believes that knowing the facts about health care is a right that belongs to the public.**

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