

CODEX – THE SICKNESS INDUSTRY’S LAST STAND

An Overview in the Pacific Region
An Investigative full length feature Article
By Eve Hillary
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Part One

Preamble

What is CODEX? (34) In short it is an annual World Health Organisation (WHO) sponsored gathering of delegates in Europe, many of them trans-national pharmaceutical corporations who are primarily focused on increasing their market share, by pushing their desired and arbitrary regulatory “standards” into a global standard and forcing it onto the smaller local supplement industry, all in the name of “international regulatory excellence”. The Codex Committee is also bound by the World Trade Organisation (WTO) treaties. The WTO is a global commercial police that ensures countries are required to purchase from trans-national corporations in favour of their own locally produced goods, in the name of “lowering trade barriers”. This WHO/WTO joint effort called CODEX is in the process of wiping out local supplement companies and natural health care practices, to bring in more drug based medicine, in what is euphemistically known as “creating a level playing field”, while primarily giving the public a misleading impression that someone in the World Health Organisation (WTO) is looking after its health and safety. CODEX recommendations are then adopted by regulators such as the Australian TGA or the US FDA by various direct or indirect means that end up as Acts and amendments that are passed into law by Parliaments or Congress, usually without public debate.

In 2002 I unveiled Codex to a Brisbane, Australia audience of 300 people. Only 3 knew anything about it - the same three I'd spoken with before the lecture. I then wrote a chapter on CODEX in my book “Health Betrayal”. Primary documents about CODEX is not easy to find. (34) And there remains deliberate misinformation emanating from government sources with close ties to trans-national corporations. Meanwhile, the Australian regulator, the TGA (Therapeutic Goods Administration) is deeply involved in the corporate agenda as this article will track. The Australian Health Minister, Mr. Abbott, has recently called a Sydney talkback radio program to “reassure” the presenter and listening audience that CODEX is not an issue in Australia. At the same time there has been no effort on the part of the government to publicly reveal the extraordinary events that have delivered Australia into corporate governance in health care. This includes the very real possibility that many cheap and effective natural remedies may no longer be available to the public after July 1 when drastic changes that have never been openly debated, are set to be implemented by Parliament anytime within the next 12 months.

It is my intention to reveal the fact that trans-national pharmaceutical corporations have already assumed the role of government at least where health care is concerned. I intend to highlight what steps have already been taken by corporate interests to move Australia and New Zealand toward CODEX and toward international corporate governance in the Asia Pacific region. This being true, it would alter the basic premise and agreement which Australian governance was founded upon – Democracy. This agreement cannot be altered except with the informed consent of the majority and only after public debate and referendum. It is my educated guess that most Australians want democracy for themselves and that they would want to preserve it for future generations. It is my guess that Australians do not want to be governed by trans-national corporations. It is my intention to allow these issues to be debated, understood and corrected by the electors, the only legitimate proprietors of government at this time.

Short History – Key Data

When debating regulatory matters I believe it is essential to bear in mind that the supplement industry and the drug industry are fundamentally different industries. The natural supplement industry and its related discipline, natural health care is thousands of years old with a proven tradition. For example, Nostradamus used compressed rose petal pastilles, rich in vitamin C to treat his patients suffering from bubonic plague. Many of his patients survived the dreaded disease, and Nostradamus himself, who took the pastilles never succumbed to the illness.

The modern supplement industry has been traditionally locally owned by private or family companies and evolved around its own proven quality and safety standards. Traditionally using cheap and naturally sourced raw ingredients, the supplement industry has an enviable product safety record. In addition an entire branch of natural and nutritional medicine has developed over the centuries with a long tradition of safety and a large body of scientific evidence in support of its efficacy. A little known fact is that literally thousands of peer-reviewed studies exist to support the success of natural and nutritional approaches to medicine. (36,37,38,39,40) There exist many conditions that can only be significantly remedied by nutritional medicine.

The pharmaceutical industry as we know it, on the other hand, only started in earnest about 60 years ago. Many drugs have been so recently synthesised that their side effects will not be known for some years to come. Pharmaceutical corporations rely on patented artificial chemical drugs to generate most of their profits. Aggressive drug company marketing and image management has created the impression that drugs are essential to health, when in fact deaths from adverse drug reactions make up the fourth highest cause of death in the US. Still stinging from the market share lost through consumers opting for natural supplements, the trans-national pharmaceutical corporations have influenced the regulators to regulate supplements as drugs when in fact vitamins and minerals are not drugs but essential to all humans on a daily basis.

There are many conditions caused when sufficient nutrients are not supplied to the body each day, but there is no such thing as a drug deficiency.

Author's Note

I'm a health writer. I track the sickness industry. I watch while powerful vested interests infiltrate governments of sovereign nations. Lately I'd been busy with some other issues and nearly missed a hat trick that was being performed by Australian politicians that would remove freedom of choice from the community. I discovered it just in time when an article came across my desk entitled "The Codex threat to Australia – fact or fiction?" written by Raymond Khoury who sourced his information from a few government websites. He opined that the Codex issue was merely hype and nonsense and nothing much for Aussies or anybody else in the world to worry about. His article was published by the Australian Traditional Medicine Society (ATMS), an organisation that represents 10,000 complementary health practitioners who expect their professional association to provide them with clear information about supplements, their stock in trade.

Later I discovered the article's author, Mr. Khoury was the editor of the ATMS Journal for natural therapists, while at the same time he regularly sat on a TGA committee called the Interim Advertising Council. While it is unfair to hold Mr. Khoury responsible for the determinations of this committee it is noteworthy that this TGA committee has, along with several pharmaceutical front organisations such as the Medicines Australia and the Self-Medication Industry set up an official advertising code that so blatantly serves drug company corporate interests that even the AMA objects to it on the grounds that "the process is occurring against a backdrop of enormous pressure...from pharmaceutical companies and others to open up to direct consumer advertising". (24, 20)

Getting Health Care into Perspective – Understanding CODEX

It's official. US research shows that inappropriate and dangerous medical treatments and adverse drug reactions are now the number one cause of death (4). To some it was no surprise. It seemed an inevitable outcome from the 1980's when health care was taken over by "health care" corporations and the pharmaceutical industry, when the bottom line in health care became profit instead of sending the patient home well and drug free, if possible. (13)

There are still no Parliamentary enquiries into the deaths of 18,000 Australians each year, killed by inappropriate doctoring and prescribed pharmaceutical drugs that are licensed by the TGA (the Australian regulator). The cause of these avoidable deaths has been known by the government for over ten years when Dr. Runciman made it known in a report he prepared to the government in 1995. And yet nothing has been done about it. This makes these unnecessary deaths a deliberate act on the part of the perpetrators, the medical and pharmaceutical corporations and the Australian government. This act is the equivalent of deliberately exterminating all living beings from an entire large sized Australian country town each year. (1,2,3). This killing for profit has knowingly continued for the past 10 years.

In addition to the death toll, 50,000 Australians are maimed and disabled, not by their diseases, but by the "health care system" which includes; bad doctoring and serious or permanent damage from drugs that were licensed by the TGA. Yet there are no outraged politicians giving undertakings on the Senate steps to find the culprits, to stop the criminality of it. This appears astonishing, since 187 Australians are unnecessarily killed and maimed each day – that's seven Australians killed or maimed per hour by conventional health care - more Australians than were ever killed in all the wars. By the time you have read this another Australian will die or be disabled by inappropriate medical treatment or an adverse reaction from a drug that was licensed and approved by the TGA. No memorials are erected to these victims. (1,2,3)

Where is Mainstream Media?

A few years ago the media conducted a feeding frenzy about an unfortunate person who died allegedly of an allergic reaction to royal jelly, a highly nutritious food that worker bees feed to the hive queen bee. (Unfortunately

many more fatal allergic reactions occur annually than ever before, to both synthetic and to natural substances, due to the fact that general immunological health is declining through environmental degradation.) The person had ingested both the jelly and a meat sausage before the allergic reaction occurred, one that could equally have been caused by the preservative in the sausage. However, the TGA launched a lengthy investigation into the royal jelly, and required Royal Jelly to carry a health warning on the label. The sausage, of course was not investigated, nor allocated a health hazard label, one that the fatty, preserved product could arguably deserve, since the nitrite preservatives in sausages are responsible for many serious or fatal allergic reactions.

To salvage any remaining integrity the media would need to start presenting honest reports about the serious damage done to victims of the pharmaceutical and conventional health care corporations. Instead it runs the occasional unfounded vitamin scare about the purported dangers of vitamin C or Echinacea.

WHO is the TGA?

The TGA (therapeutic goods administration) is the Australian “regulator” of drugs, chemicals, medical devices and now nutritional supplements and herbs which it calls “complementary medicines”. The TGA is a statutory body, created by an act of Parliament over 20 years ago on behalf of the Australian community. Its motto is “to ensure the safety of all Australians”.

Despite hundreds of letters from concerned citizens and chemically injured persons, the TGA has continued to allow chemicals onto the market which are shown to have toxic effects on humans even when used as directed.

In addition the TGA has licensed pharmaceutical drugs such as Zyban, Vioxx and mercury laden vaccines among others, despite available data about the potentially serious and fatal effects these drugs have on humans. The TGA still allows the drugs that cause a large proportion of the 18,000 deaths and 50,000 serious injuries through adverse drug reactions while on the other hand it has compiled a large data base on its regulation of natural substances including vitamins, minerals, and even honey and olive oil, listing them as medicines.

The TGA has taken over the regulation of nutrients which have traditionally been produced by a separate and unique industry and are not part of the pharmaceutical industry (because nutrients are not drugs, they are essential to all humans). Most health conscious persons now take supplements because it is known that food produced by modern agriculture is depleted in essential nutrients. TGA now regulates nutrients as drugs requiring clinical trials. There is no point to conducting “clinical trials” to determine whether persons need calcium or any other essential nutrient since it has been a long established fact that humans need all essential nutrients daily. The sole advantage in regarding nutrients as drugs is that the drug industry then stands to have exclusive control of all supplement manufacturing, sales and distribution.

The TGA maintains close ties to the World Health Organisation (WHO) and to the Codex Commission. Domestically, it convenes various committees upon which sit well known representatives of pharmaceutical interests and pharmaceutical front organisations. (19,20,21) TGA regularly consults with and places on its committees representatives of pharmaceutical and food companies such as Proctor and Gamble, Unilever, Johnson & Johnson, Roche, Eli Lilly, Glaxo, Pfizer, Wyeth and many other multinational drug corporations. Without Australians’ knowledge or consent, the TGA routinely places corporations in positions of power when making decisions about Australian’s health. (23) It could be argued that any decision arising from this improper relationship could well be a legal nullity.

TGA Targets Pan

Globally there was one privately owned large supplier of ingredients for the manufacture of nutritional supplements that was big enough to be in direct competition with trans-national pharmaceutical corporations. The supply chain of nutritionals and drugs has been fiercely coveted by the multi-national pharmaceutical corporations such as Roche, Merck and Wyeth, to name just a few. But Sydney based Pan Pharmaceuticals was a privately owned company, and a relatively big player that supplied most of Australia and a portion of the world market with ingredients for the formulation of nutritional supplements and a large variety of natural supplement products.

In April 2003 the TGA raided Pan Pharmaceuticals, giving the grounds that the company’s travel sickness product had included a faulty batch. The company had already voluntarily recalled it and was addressing the problem as was customary in the industry. However, TGA handled Pan far differently from the way it had dealt with any multi-national drug company. The regulator immediately forced Pan to shut down and within a few days recalled over 1600 natural supplement products with which nothing was found amiss on the routine testing that had occurred just previously. (5) The regulator created chaos among consumers and retailers alike as the TGA recall escalated into the largest recall of natural products in history, all the more extraordinary since there had been no complaints about the company’s supplements prior to the recall.

Moreover, the vitamin and mineral supplements, which had caused no known ill effects, were classed by the TGA as necessitating a class 1 recall, meaning the regulator claimed the natural products would “cause death or permanent injury”. The TGA however, provided no evidence that any vitamin or mineral, and in particular Pan’s had ever caused death or disability. This TGA mischief created wide spread anxiety about nutritional supplements in the public mind. A feat that would have cost the Pharmaceutical industry public relations machine millions of dollars, was thus done overnight by the TGA “regulator”. The ruse terrified scores of little old ladies who thought their calcium tablet would kill them and demanded a refund from their health food store, but it failed to impress those who already knew about the war on alternative and complementary health. And it particularly aroused suspicion in those who relied on logical data to come to their conclusions.

What this deception did, however, was to reveal the TGA double standard in favour of drugs from drug giants and against natural products that were produced by Australian companies who were big enough to cut into multinational drug company market shares. Meanwhile, any evidence contained in the recalled vitamins and minerals, disappeared without a bubble when the regulator destroyed a vast mountain of natural supplements at an unknown location.

TGA bias was particularly evident by the manner in which the regulator conducted future recalls. Interestingly, the regulator conducted a class 2 recall on VIOXX; a drug manufactured by drug giant Merck - a drug which did cause 55,000 confirmed deaths and over 180,000 confirmed injuries to Americans alone. A Class 2 recall meant the TGA believed the “defects could cause illness...but are not class one” That meant that the regulator claimed the drug could not kill or disable anyone, which was an obvious and self evident falsehood that put the community at risk. (6).

If Pan was shut down after nobody complained about its supplement line or suffered a single problem, then it would be reasonable for trans-national Merck to be shut down for selling a drug that killed tens of thousands of Americans alone. This has not been the case and the TGA has not even conducted an investigation into how many Australians or New Zealanders might have been killed by the Drug Vioxx to which it issued a licence.

Within days of the raid, the hapless Pan company and its founder were embroiled in official red tape and TGA forced Pan to close its doors permanently. Shortly after the TGA raid, someone called in KPMG, the liquidator, so fast, that the owner, Jim Selim was removed from his own company with the velocity of a speeding bullet and the manufacturing plant and company was sold lock stock and barrel, in only six months for a pittance, (a likely world record for a liquidator). The Pan company that Mr. Selim had built up over 20 years, worth over 500 million dollars was sold for only 20 million within a few months of the TGA raid. (10) Interestingly, KPMG is a multinational power broker based in Switzerland that deals in accounting, mergers, liquidation and interestingly, also in chemicals and pharmaceuticals. KPMG’s specialty however, is offering financial advice and other consultant “services” to the pharmaceutical industry. (8).

Over the ensuing 2 years the TGA has kept Mr. Selim busy in a gruelling round of court battles while the liquidator, KPMG continued to pick the carcass clean. Recently, KPMG filed a statement of claim against Mr. Selim for the amount of 300 million over the collapse of Pan brought about by the TGA. (10)

Since the Pan debacle, the beleaguered but apparently spirited former owner of Pan intended to start another business in Viet Nam as a manufacturer of health products there but TGA and now ASIC (the Australian company watchdog) is attempting to stop his manufacturing licence in Viet Nam, alleging irregularities in the paperwork. Interestingly, most of the big pharmaceutical companies such as Novartis, Pfizer and GlaxoSmithKline have now set up offices in Vietnam. (9, 10).

TGA on Post Pan Rampage

After the TGA disposed of Pan, it systematically ran through other small Australian vitamin and supplement manufacturers like a dose of Epsom salts in a frenzy of “inspections” and “regulatory activities”.

Small Australian-owned supplement manufacturers allege TGA used a variety of intimidatory methods against them including the halting of manufacturing operations and near impossible requirements that mainly cost over \$500,000 to implement. NZ Health Trust reports “recent reports out of Australia...include comments such as compliance costs having increased by 800% for one firm, another has had to spend an extra \$2 million in compliance costs, another still faces a \$1.86 million bill to upgrade their computer systems as now required.” TGA officials allegedly demanded proprietors sign confidentiality agreements and other agreements demanding that the proprietor will not hold TGA liable for the loss of their business after such “regulating activities”. (11) Australian supplement companies remain silent after TGA’s “inspections”. Many are bound by agreements and none wanted their names revealed for fear of a fresh round of “TGA regulatory activities”. Although a few are now considering legal action regardless, an enquiry into TGA corruption should get these witnesses testifying with considerable help from a subpoena.

The TGA had routinely inspected the Australian supplement industry in the 2 years before it sent Pan to the wall, and did not suspend a single manufacturer's license. But after Pan, dozens of manufacturers were driven out of business and over 12 Australian supplement companies "voluntarily" turned in their manufacturing licenses and went to the wall after TGA scoured through their business again. (All the manufacturers had already passed previous years' rigorous TGA inspections.) (18, 11) Those who could afford it just paid the money and did what was required of them to stay in business for the time being. Other manufacturers sold out for fire sale prices. Following this obvious witch hunt, many natural product lines remain out of stock in Australia and many nutritional supplements have been permanently discontinued as have the smaller Australian companies who made them.

TGA and Drug Corporations Set up Committee

In May 2003, only a month after TGA gutted Pan, the regulator issued a public statement alleging that "concerns" had been raised about the quality of complementary medicines (supplements) and indeed even the competency of complementary practitioners (naturopaths). All this after: 1. the defective travel sickness pill was a drug and not a supplement and had been removed. 2. the company had been closed, and dismantled, 3. none of the 1600 Pan dietary supplements were found to have caused any problems, and 4. no naturopath or alternative practitioner had killed or harmed anyone with supplements (However, in the time it takes to read this far another 4 Australians have been killed or seriously injured by dangerous medical procedures or pharmaceutical drugs licensed by the TGA.)

Ignoring all the evidence to the contrary, the TGA stated on its website; "In May 2003, to reassure the public and maintain confidence in Australia's reputation as a supplier of high quality and safe medicines, the Australian Government established the Expert Committee on Complementary Medicines in the Health System (the 'Expert Committee')"

The TGA "expert" committee designated to investigate supplements on behalf of the Australian public, includes pharmaceutically orientated individuals and several pharmaceutical front organisations such as the Self Medication Industry (ASMI) which represents Bayer, Pfizer, Merck, Glaxo, Schering and Wyeth among other trans-national pharmaceutical corporations. (12) Brazenly, the expert committee also includes the Vice President of manufacturing operations in the Asia Pacific Region of Wyeth, a multinational that markets drugs, vaccines and also nutrient supplements including raw ingredients to supplements. (12) Incredibly, Wyeth, was in direct competition to the products and raw ingredients that Pan supplied in the Asia Pacific region, just before TGA raided Pan. Wyeth has a huge Asia Pacific base of operation and is aggressively expanding its corporate territory. (16) Interestingly, Wyeth's profits plunged a few months before the TGA shut down Pan and the drug giant was only saved a substantial loss that quarter by its small but profitable range of vitamin products. (17,14, 15).

The TGA "expert" committee, stacked with corporate representatives has been working on creating more TGA legislation governing the control and regulations of supplements. In a stunning display of corporate governance over Australians, it has recently released fifty more expert recommendations that have resulted in 107 pages of proposed amendments to the TGA Act which would increase the powers of the TGA to "regulate" even more stringently. This would give TGA police powers and the power to impose criminal charges and penalties on Australian supplement manufacturers. All this when there has never been a problem with supplements.

Since late 2004, the TGA Amendment Bill of 2005 has been floated around the Australian Parliament, but not yet tabled. The Bill has been thus far difficult to source because it has been the apparent intention of government to obscure this document from public view as it is noted in prominent type on front page the draft copy; " DRAFT - IN -CONFIDENCE This draft is supplied in confidence and should be given appropriate protection. " This Bill proposes stiff criminal charges including a half a million dollar fine against anyone who does not report even a purported mild adverse reaction to a natural remedy or a supplement. Since deaths from supplements are virtually unheard of, it is not difficult to imagine the official abuses, and persecutions against natural practitioners and products inherent in such legislation, when the pharmaceutical industry death tolls remain unchecked. The only beneficiaries of the proposed Bill appear to be the Pharmaceutical corporations, probably a broad indication of the identity of its originators. This Bill is intended to make it a potential criminal offence for anyone to order any supplements from overseas.

So far there has been no public debate about passing legislation that gives police powers to the TGA and by extension, the pharmaceutical corporations that have become a part of the regulator.

Fortunately all interested Australians can now access this proposed bill on the website listed below at reference nos. 41, 42.

Considering the improper methods used to originate and pass TGA legislation the Australian Public may wish to contact their Members of Parliament and demand they say NO to passing the Therapeutic Goods Amendment Bill of 2005.

Part Two

The Agenda

Without Australians' knowledge or consent the TGA gave multinational drug companies the power to expand into and monopolise Australian markets and shake out the Australian competition. This was done under the guise of protecting the Australian public health when there is nothing more than a trade war going on. As in most wars, people also die in trade wars, and another Australian has died as you read this because the TGA and its drug corporation allies are suppressing supplements and health information about the efficacy of supplements. This enables drug companies to destroy and take over the supplement market while continuing to profit from many particularly dangerous drugs that are known to kill and disable humans.

Remarkably, despite the shakeout, many small fry companies did survive and while the little Aussie battlers were still taking a breath, the TGA and its allies swung into action on an urgent agenda. The years 2003 to 2004 were distinguished by unprecedented changes to the structure of the regulator and the rising dominance of the pharmaceutically based health care industry. It was the beginning of both merging offshore into a massively powerful corporate structure – one that would whistle to the tune of CODEX.

In short, the regulator was becoming a corporation and being moved off shore into an international jurisdiction – out of the reach of litigation and away from the Australian and New Zealand voters – into CODEX jurisdiction. (45)

Part three will explore how this agenda was carried out.

Part Three

The Treaty Not Many Knew About

In the months after the Pan debacle, persons unknown to the Australian electorate drafted an international treaty between Australia and New Zealand called "Agreement Between the Government of Australia and the Government of New Zealand for the Establishment of a Joint Scheme for the Regulation of Therapeutic products", (known as the JTA treaty for short).

This treaty was signed on December 10, 2003 by the health Ministers of both countries without any public debate and without the consent or consultation with Australian or New Zealand Electors. The JTA treaty is intended to form the "legal" foundation for a massive new regulatory agency.

The JTA treaty was intended to come into full effect on July 1, 2005. IT has been postponed to a date on or anytime prior to July 1 2006 if Australians do not stop this enactment process by telling their Parliamentary representatives and the Australian Health Minister that they are NOT to pass any enactment legislation pertaining to activating this treaty. Many are already questioning whether any legislation that is passed by stealth has a legitimate force of law in a democracy, and that legislation passed in this manner is a legal nullity and subject to automatic repeal.

The "Agency" Not Many Knew About

The JTA treaty is intended to be the purported "legal" foundation upon which a monstrously powerful "world class" regulatory "agency" has been created. Known as the "Agency" or "the Trans-Tasman Joint agency" it would do away with the TGA as a statutory entity, which was at least theoretically accountable to Australian Electors. The new "agency" would also absorb Medsafe the New Zealand regulator within its tangled corporate structure. With those two entities nullified the newly born mammoth "Agency", scheduled to come into effect on or before July 1, 2006 is in fact structurally an off shore corporate business set to be run by a chairman of the board, a managing director, two persons with "regulating experience" and a person with "broad experience in commercial matters". This Agency potentially creates a corporate partnership between the regulator and the trans-national corporations, which removes it a further step from the Australian and New Zealand elector and into the direct jurisdiction of the World Health Organization global regulator CODEX. (18)

These drastic changes have been conducted in such a secret manner that even Dr. Robyn Napier the AMA representative said of it; "the process has largely occurred without the knowledge of the public."

HARM-onizing Kiwi Cousins

Trans-Tasman harmonizing means to force the Australian “regulatory standards” onto New Zealand’s supplement industry which up until recently enjoyed relative prosperity and freedom. “Harmonization”, creates the same WTO global standards in each country that are vital to the interests of trans-national pharmaceutical corporations.

For several years now it seemed as though Australia had been the designated vitamin police in the South Pacific region. However, immediately after Pan was disposed of, extra plane loads of gray be-suited men from the TGA were flown across the Tasman at tax payer’s expense to do to the KIWI (43) industry what TGA was doing to the Australian supplement industry – making way for the big drug corporations. Like a squad of mafia hit men, the TGA visited upon New Zealand’s supplement industry its new “international standards in regulatory excellence” and sent their vitamin businesses to the wall as they “regulated” their way through Kiwi companies. New Zealanders did not appreciate Australian HARMonizing efforts, as their many websites and activists indicate. Australians, however, were not alerted by the mainstream media. They remained largely unaware of the issue while the TGA cooked up yet another scheme, the trans-Tasman advertising agency.

The Trans-Tasman Advertising Scheme Not Many Knew About

In mid 2003 the Pan carcass was barely cold but the TGA remained a hotbed of activity. With so much big business coming together under the JTA treaty and its “Trans-Tasman joint Agency”, TGA embarked on a new round of committees that ensured the panopoly of corporations would have a collective voice in the media to advertise their goods. New “standards” had to be urgently drafted up by the TGA and its pharmaceutical corporation partners that would come to be known as the “Therapeutic Products Advertising Code”.

To many Australian electors it might still seem unusual for its official regulator to collaborate with media moguls and drug executives and create an advertising agency, but that is what happened in mid 2003, when one of the first of a series of many consultation meetings took place with the “stakeholders”. The trans-Tasman advertising scheme had among its attending delegates representatives from Unilever, Johnson & Johnson, Pfizer, ReckitBenckiser, Procter and Gamble, and Roche. (19, 20). Later in the year a similar meeting was convened at the Sydney Masonic hall and attended by many delegates including from Eli Lilly, News Ltd, Boots, various advertising agencies, Faulding, Astra Zeneca, Baxter, Glaxo, Boehringer Ingelheim, Fairfax, Merk, Novartis, Schering Plough, Pfizer, Roche and of course who else but Wyeth. [Further explanatory note in reference number (21)]

Dr. Robyn Napier of the AMA, normally an ultra conservative organization, stated in her submission to a Parliamentary committee on April 30, 2004; “the process is occurring against a backdrop of enormous pressure on a number of fronts, including: (pressure) from pharmaceutical companies...to open up direct consumer advertising. To down schedule medicines to categories where direct consumer advertising is possible.” (24) (The AMA was unhappy about this but did not cite patient safety concerns such as the new advertising code allowing a confused grandparent or a vulnerable teenager to purchase prescription drugs directly from the chemist.)

It seemed the trans-national pharmaceutical corporations were finally able to write their own advertising “code of ethics” allowing them to advertise their prescription drugs over the media. This necessitated that prescription drugs would be down regulated to become over the counter drugs. At the same time the code was also drafted in such a way as to tighten up regulations on supplement advertising making it virtually impossible to even mention a positive health effect from a vitamin in public.

The Front Organisations

According to an inside industry source, the media advertising of the therapeutic products advertising code is managed by pharmaceutical front organizations such as ASMI, the Australian chapter of the Self Medication Industry which directly represents the interests of over a dozen trans-national pharmaceutical companies such as Pfizer, Merck, Roche, Glaxo and Wyeth (as well as a number of smaller companies).

Some time ago I noticed that a world wide dietary supplement trade organization called the Council for Responsible Nutrition (CRN) seemed to pop up regularly on Codex committees in Europe and it also wafted around the Aussie TGA. The CRN has chapters in most developed countries and takes a lead role in advising governments on issues such as nutritional supplements. It represents over 100 companies in the “dietary supplement industry”.

The international CRN's membership includes multinational corporations such as: Eastman chemical company, BASF, Bayer corporation, Monsanto and the ever present Wyeth pharmaceutical company whose interests are represented by the organisation. (26,27,44)

The CODEX They Tell You Isn't Real

The public constantly sends me information asking me to comment on it. Recently a flurry of official information updates have landed on my desk from the Complementary Healthcare Council (CHC), Mr. Khoury and from the TGA. Others such as Stephen Myers have written scathing articles disputing the information contained in this article. In the first paragraph of his article entitled "Codex, Cabals and conspiracies", Mr. Myers claims there is no pharmaceutical influence in the TGA. Mr. Myers claims this when he is in fact a member of the "TGA expert committee" along with the Vice President of Wyeth Drug company who sits on the same committee with Mr. Myers.

These updates and articles continue to be widely disseminated to multi level marketing groups, practitioners, manufacturers and the community despite the fact that they do not address the issues raised by this author's article, but rather confuse or misrepresent data that is vital to the future of manufacturers, practitioners and the public alike.

In essence, the information releases allege: CODEX is only about food and not about supplements. The public is being ill informed about CODEX and confused by persons on the internet with "alarmist views" who "do not fully understand how Codex works". It says the only Codex representative Australia has is from the fisheries department and he doesn't make decisions about supplements, (only fish). And no one in Australia is sitting on any Codex committee and if they were they have nothing to do with vitamins and supplements. Only about food. Nothing about supplements... (29) In extra warnings in bold letters the updates urge all members to be cautious of CODEX information from the internet and other forums, claiming it may be "inaccurate", "alarmist" and "ill informed" and the ramblings of conspiracy theorists.

I read the updates and "articles" and immediately suffer from a bad case of deja`vue. I could have sworn they were all written by one and the same person and merely recycled.

Most notably professional organizations have a duty of care to accurately inform at least 100,000 individuals in the supplement trade who depend on correct data for their livelihoods yet none have yet corrected their data despite the primary documents upon which this article is based now being available to the general public.

None of the releases or articles so far has tackled the true implications of the creation of an offshore corporate regulator in an international jurisdiction. For it would no longer matter whether supplements are regulated as drugs by the TGA since the TGA itself will be no longer in existence once the new regulator is moved out of this country and in the international jurisdiction of CODEX. The regulator would then have protection from legal liability in the event that its decisions caused damages to anyone. A perhaps understandable reason for the rush with which these changes have been pushed through and the absence of informed community debate.

AUSSIIES Deep in CODEX

For many years now a few lucky Australians have been sent on a yearly trip to participate in the WHO CODEX committee in Europe. They are sent by their government, which officially denies Codex exists in the context of supplements. In November 2003 an Australian delegation landed in Bonn, Germany. The three day CODEX meeting was to be hosted by the Federal Republic of Germany.

Inside the stark German Government building the 25th session was being convened of the "CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES" by the authoritarian President and Chairman Herr Rolf Grossklauss. (There was no one from the Aussie fisheries department present in the Australian delegation.) The session was well attended by 225 delegates and advisors representing 48 member countries, including Australia and representatives from 29 organisations and trans-national corporations.

Herr Toepner from the German Federal Ministry opened the meeting with a short speech reminding the delegates of the purpose of the Codex committee; "to protect the health of consumers, to ensure 'fair trade practices' and the committee's important responsibilities under the WTO". (WTO is the global trade police ensuring trade barriers fall and local competition is leveled so that global corporations can take over national markets, in the name of "world class regulatory standards" and "fair trade practices".)

Herr Toepner apparently stressed the same message given to the delegates at TGA/FSANZ head quarters, for they made an heroic effort to further the agenda of supplement restriction at the CODEX meeting. The CODEX

committee Chairman was well pleased with their work. The funereal looking Herr Grossklaus gratefully accepted the Australian proposal to apply a "risk" analysis to nutritional supplements. The committee once again expressed its appreciation to the; "Delegation of Australia for its work in this important area and agreed that a 'risk-based approach' should be followed for the establishment of upper limits for nutrients," as stated the 2003 CODEX minutes report. That meant the Committee was currently working on placing a restriction on world wide supplement consumers. The Australian delegation agreed with the Chairman that the next 2004 Codex "session should be kept informed of the progress achieved by WHO in order to facilitate its further work on vitamins and minerals." (Author's translation of meaning of this is in footnote 33)

Moreover, the CODEX observer from the Council for Responsible Nutrition agreed wholeheartedly - Probably much to the approval of its members Bayer, BASF, Monsanto and of course, Wyeth.

Among the CODEX participants that year, there were at least eleven multinational food and pharmaceutical companies including of course, Nestle and Roche. However, three delegations alone were from Wyeth. The 2003 CODEX must have been considered such a success that the Australian delegate, Ms. Janine Lewis, Principal nutritionist, returned with another delegate the following year, Ms. Jane Allen, Senior nutritionist. Both are employees of the Food standards Australia and New Zealand FSANZ, a TGA related department which has joint committees with the TGA. The two departments share personnel, resources and curiously similar agendas. Interestingly, Val Johanson, formerly of CHC states in her bio that she; "held positions in the Australian Public Service as head of food standards at Federal level and she also established the Therapeutic Goods Administration's surveillance unit, which she headed for almost four years. Positions currently held include; member of the Complementary Medicines Evaluation Committee, Chair of the Therapeutic Goods Advertising Code Council, Head of the International Herbal Regulatory Task Force of the International Alliance of Dietary Supplement Associations".

There is much confusion deliberately generated by the regulator and its corporate partners to obscure the real agendas. Is Australia's participation in CODEX about food or supplements? (therapeutic goods). The answer is both. This is what a law link had to say about the legal interface between foods and supplements after the changes to the Therapeutic Goods Act that was rammed through after Pan. "Food can now be a therapeutic good. The TGA is now able to designate food items as therapeutic goods. Previously, prescribed foods were not classified as therapeutic goods. Now, where a food product prescribed under the Australia and New Zealand Food Standards Code is designated by TGA as having therapeutic properties, the TGA may declare the product to be a therapeutic good, and therefore as subject to regulation under the Act." (30) That includes vitamins and supplements which the TGA Act regards as medicines and drugs under the title of therapeutic goods. The TGA has this to say about food being classed as medicine; "products which may fit within the definition of either a food or a medicine [supplements] are referred to a joint TGA/FOOD STANDARDS Australia New Zealand (FSANZ) committee which recommends whether the goods should be regulated as a therapeutic good or as food. This means TGA/FSANZ sends delegates to CODEX to get their orders about supplement regulations from overseas.

Conclusion

There is no more point to denying it. Australia is participating in CODEX. But that is not all that has occurred. Starting with Pan in 2003 the TGA and its trans-national pharmaceutical corporation allies waged a hostile take over of the Australian supplement industry. Later that year the Australian government signed a treaty that enabled the TGA and the pharmaceutical corporations to form what amounts to an offshore corporation. This would keep the voters at arms' length and put the monstrous new "Agency" into the direct international jurisdiction of the WHO/WTO and CODEX. As a final blow Australian voters were not even privy to a new TGA amendment bill 2005 about to be tabled that caters to the needs of the drug corporations. All this because a trade war is raging. Bad news about drug deaths is getting out. Drug companies need to take over supplement market to offset their financial losses. The cost of this desperate corporate last stand may well be Democracy and Health Freedom of choice – but only if the community consents to it.

This is a time when the drug industry and our "regulators" are committing some stupid and desperate acts against human rights. Politicians don't look good passing Parliamentary bills, acts and amendments in the dead of night – especially if they arose through improper influences. Remember their names, for it is they who are accountable for their ethics. And it is we who are accountable for the kind of society we have allowed others to create in our name.

In short, the argument whether the TGA regulates supplements as drugs is mute. The TGA will no longer exist this time next year. The plan was ingenious: Don't bring CODEX to Australia – but deliver Australia to CODEX on the back of an international treaty.

Australians and New Zealanders who value their lives and freedom of choice can join and support Eve Hillary's Health Freedom – CODEX campaign and attend the briefing seminars to stop the Trans Tasman Agency in the Pacific Region. For more information log onto: www.evehillary.org

References and Endnotes

- (1) "Health horror revealed" by Samantha Maiden published in the Hobart Mercury 31 July 2001
Wilson RM, Runciman WB, Gibberd RW, et al. The Quality in Australian Health Care Study. Med J Aust 1995; 163: 458-471.
- (2) O'Hara D, Carson NJ. Reporting of adverse events in hospitals in Victoria 1994-1995. Med J Aust 1997; 166: 460-463.
- (3) National Expert Advisory Group on Safety and Quality in Australian Health Care. Interim report – Commitment to quality enhancement. July 1998.
- (4) This figure is based on analysis of data from the Nutritional Institute of America (NIA)...assessing 2001 data showed that iatrogenic (caused by doctors and drugs) disease caused 783,936 deaths in contrast with 699,697 deaths from heart disease and 553,251 from cancer. The NIA report– "Death by Medicine," authored by Gary Null, Ph.D., Martin Feldman, MD, Debora Rasio, MS and Dorothy Smith, Ph.D. – followed a US Agency for Healthcare Research study published in the Journal of the American Medical Association (JAMA).
- (5) Pan-WHO was Behind the Biggest Vitamin Recall in History?
A three Part Feature Article on who was behind the world's largest recall. Filed May 12, 2003 By Eve Hillary www.evehillary.org
- (6) <http://www.tga.gov.au/recalls/2004/vioxx.htm>
- (7) <http://www.4-men.org/mens-health/vioxx-recall.html>
Dr. Graham also told the Senate Finance Committee that Vioxx may have caused 55,000 deaths alone, more than the 28,000 projected by the FDA. Graham also indicated Vioxx may have caused as many as 160,000 heart attacks, strokes and deaths, combined.
- (8) Internet website KPMG Graduate Recruitment
KPMG. AUDIT. TAX. ADVISORY. bright minds ... company specialising in sales of foods and pharmaceutical products that has branches through the country. ...
www.kpmgcareers.co.uk/GraduateRecruitment/WhatWeExpect/TestYourself/business_challenge.cfm - 34k
- (9) OTC Healthcare in Vietnam ... Most of the leading international pharmaceutical companies such as Novartis, Pfizer and GlaxoSmithKline have set up representative offices in Vietnam ...
www.euromonitor.com/OTC_Healthcare_in_Vietnam - 32k -
- (10) "Pan Boss on Notice" by Jennifer Sexton March 18, 2005 The Australian Newspaper
- (11) This author interviewed several manufacturers, none of whom have given permission to use their names for fear of further problems with the TGA
- (12) <http://www.tga.gov.au/docs/html/cmreport.htm>
- (13) "Corporate Casualties" an article by Eve Hillary www.evehillary.org
- (14) <http://www.biopharmalink.com/companies/1224.htm> Wyeth
- (15) <http://www.devicelink.com/expo/nu04/exhibitinfo.html>
- (16) <http://investintaiwan.nat.gov.tw/en/opp/cases/wyeth.html>
- (17) <http://www.nutraingredients-usa.com/news/news-ng.asp?id=24522-vitamins-buoy-wyeth>
- (18) From Senate documents:
http://66.102.7.104/search?q=cache:Tw0OYiAk9XcJ:www.aph.gov.au/Senate/committee/clac_ctte/estimates/bud_0304/vol6doha_feb04.pdf++Mr.ross-johnston+vice+president++manufacturing+operations+asia+pacific,+wyeth&hl=en
- (19) As stated in the JTA treaty page 8.
<http://www.jtaproject.com/Downloads/Key%20Documents/TreatyText.pdf>
- (20) <http://www.tga.health.gov.au/tta/advtt.htm>
- (21) The stakeholders meeting was understandably frequented by industry, however, meanwhile the main Advertising Council Committee at the TGA headquarters was infiltrated by the drug industry front organization representing the interests of the multinational industry including ASMI, SMI, the Researched Medicines Industry, Medicines Australia and. These organizations represent the interests of dozens of multinational drug companies. See link <http://www.jtaproject.com/Downloads/Hot%20Topics/IACMeetNov03.pdf>
- (22) <http://www.taxtyranny.ca/images/HTML/Codex/Codex/Codex-15.html>
- (23) List of attendees at the Interim Advertising Council Consultation Meeting Hosted by TGA on July 1, 2003.
- (24) AMA public submission document to the Joint Standing Committee on Treaties inquiry into the Agreement between Australia and New Zealand for the establishment of a Joint Scheme for the regulation of therapeutic products. 30th April, 2004, by Dr. Robyn Napier, Representative of the AMA on Trans Tasman interim advertising council.

- (25) www.codexalimentarius.net/download/report/251/al03_26e.pdf
- (26) <http://proliberty.com/observer/20040111.htm> re CRN
- (27) http://www.crnusa.org/who_omc.html#other
- (28) http://norsearch.scu.edu.au/conferences/nat_safe/conf_speakers.html
- (29) Tech Update from CHC entitled CODEX, the Facts without fiction, signed off by Alan Crosthwaite, Technical director CHC.
- (30) <http://www.findlaw.com.au/articles/default.asp?task=read&id=9120&site=GN>
- (31) www.nzht.co.nz New Zealand health Trust
- (32) <http://www.newmediaexplorer.org/sepp/index.htm> Sep Hasslberger
- (33) (Author's Translation: under that proposed further work on vitamins, a person couldn't make a carrot juice or squeeze an orange juice without being likely to exceed CODEX guidelines for vitamins. This is done so anything exceeding the Committee's low recommended daily intake can be classed as a drug and sold for a huge profit margin in a synthetic form rather than to allow cheap naturally derived supplements made by local manufacturers to be freely available. In Germany where CODEX guidelines are already in place drug companies now exclusively provide miniscule doses of vitamin preparations that must be dispensed by a chemist and are sold for exorbitant prices. Naturopaths and wholistic doctors have been prescribing therapeutic doses and even mega doses of vitamins for over a hundred years with excellent effect. If CODEX recommendations are adopted, the speciality of wholistic health and wholistic medicine may be lost or disregarded for the sake of drug company profits.)
- (34) Codex refers to the Codex Alimentarius Commission, a branch of the World Health Organisation which oversees A CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES. This committee meets annually. Hundreds of delegates attend ranging from representatives from 48 member countries to representatives of giant food and pharmaceutical corporations. Dr. Wong Peng, Director of The Humanitarian Project - Health For All, in Malasia was present at the 2003 Codex committee held in Bonn Germany. In a summary of that meeting Dr. Peng writes: "Driven by the interest of their multinational corporations, particularly from the pharmaceutical and food manufacturing industries, the EU put forward suggestions that will eventually protect the interest of these industries." This Codex committee purports to decide whether or not consumers in the world can have vitamins, minerals and other essential nutrients and how much they can have, and if so, who will provide them.
- (35) When I refer to nutritional supplements and essential nutrients I refer primarily to all the essential nutrients including minerals, vitamins, amino acids, and omega oils that are essential to sustaining a physical human body on a daily basis, without which there would be no health, healing or life. These are not drugs. They are the nutrients everyone must ingest daily to sustain physical health and maintain life in a physical body. These essentials have been found abundantly in food in the past.

However, "modern" agriculture under the influence of multinational chemical companies has been responsible for the depletion of soils from which poor quality foods are grown that are depleted of essential nutrients. To retain their health many people have resorted to taking nutritional supplementation of essential nutrients. In many countries these supplements are now regulated as drugs due to the Codex influence upon the regulators. Essential nutrients are not drugs. They are as essential to life as is oxygen or water. Any excess nutrients are excreted just like oxygen or water.

Author's note;

The proposed Codex restriction on nutrients is dangerous and arguably genocidal. It is the same as if a corporation were to deplete the earth's atmosphere of oxygen and then monopolise and regulate people's supply and intake of "supplemental" oxygen, calling oxygen a "drug" that can only be purchased at an exorbitant price from the corporation that caused the problem in the first place. There is no difference.

- (36) Hundreds of studies are listed in the following tests by Dr. M. Wehrbach including: "Textbook of Nutritional Medicine" by Melvyn. R. Wehrbach MD, assistant clinical Professor School of Medicine, UCLA, Los Angeles, CA. Third Line Press 1999
- (37) "Foundations of Nutritional Medicine" by Melvyn. R. Wehrbach MD, assistant clinical Professor School of Medicine, UCLA, Los Angeles, CA. Third Line Press 1999
- (38) "Nutritional Influences on Illness" Melvyn. R. Wehrbach MD, assistant clinical Professor School of Medicine, UCLA, Los Angeles, CA. Third Line Press 1999
- (39) "Nutritional Influences on Mental Illness" Melvyn. R. Wehrbach MD, assistant clinical Professor School of Medicine, UCLA, Los Angeles, CA. Third Line Press 1999
- (40) "Healing Through Nutrition, a natural approach to Treating 50 common illnesses with diet and Nutrients" Melvyn. R. Wehrbach MD, assistant clinical Professor School of Medicine, UCLA, Los Angeles, CA.
- (41) <http://www.nzhealthtrust.co.nz/documents.html>
- (42) http://www.nzhealthtrust.co.nz/pdf/Therapeutic_Goods_Amendment_Bill_2005.pdf

(43) Kiwi is the name of a flightless bird found in New Zealand, also a slang word meaning New Zealand or New Zealander.

(44) On January 1, 1999 the Australian chapter of the CRN and another trade organization merged to form the Complementary Health Council of Australia CHC a “peak body” that claims to “represent the complementary health care industry in Australia”. Its executive director was Val Johansen at the time who had headed the TGA surveillance unit (28). Now a consultant to industry, she retired from CHC as from mid 2004. Ms Johansen has been ever present in most TGA complementary medicine’s committees and is a member of the Interim Advertising committee which has determined the Trans-Tasman advertising schemes’ advertising “code”. In an article published in the ACNEM Journal in 1999, she claims that the new reforms the regulator has brought in means “growth in the supplement industry” and consumers having access to a wider range of safe complementary health products, as well as balanced and factual information.”

(45) For that to occur, the trans-national pharmaceutical companies needed the following: 1. the world trade organization (WTO) for gaining entry into domestic markets and leveling the competition. 2. World health organization (WHO) Codex committee that sets “standards” for all supplements to be classed as drugs, which eventually will only be allowed to be made synthetically by drug companies in line with “international standards” and not by local manufacturers using inexpensive natural raw ingredients. 3. A corporate structured regulator out of the Elector’s reach who would “regulate” wholly in the interests of the drug companies. 4. An international treaty (Joint trans-Tasman treaty) that would set the foundation for the new international regulator over Australia and New Zealand (the Trans Tasman joint Agency) that would be run as a corporation in partnership with trans-nationals and the TGA and be in the international jurisdiction of CODEX. 5. An advertising agency that would serve the new Trans-Tasman Joint Agency with an advertising code that would “legalize” advertising multinational’s pharmaceutical drugs directly to consumers, while at the same time preventing supplements from being advertised.

Additional Resources and Information

1. <http://www.wrongdiagnosis.com/mistakes/medicat.htm>
2. www.evehillary.org

3. From Senate

documenthttp://66.102.7.104/search?q=cache:Tw0OYiAk9XcJ:www.aph.gov.au/Senate/committee/clac_ctte/estimates/bud_0304/vol6doha_feb04.pdf++Mr.ross-johnston+vice+president++manufacturing+operations+asia+pacific,+wyeth&hl=en particularly interesting Senate record.

(4) <http://www.taxtyranny.ca/images/HTML/Codex/Codex.html> multiple sources and articles on Codex

(5) <http://www.taxtyranny.ca/images/HTML/Codex/Codex/Codex-15.html> Codex minutes

(6) WHO/CODEX document www.codexalimentarius.net/download/report/251/al03_26e.pdf

(6)

http://66.102.7.104/search?q=cache:WG0DccjH9MEJ:www.codexalimentarius.net/download/report/627/al28_26e.pdf+codex+alimentarius+commission+pharmceutical+interests&hl=en Codex Committee Bonn Report

(7) <http://www.iahf.com/20031228a.html> Harmonisation.

(8) NZ health charter commentary http://www.healthcharter.org.nz/images/JTA_Treaty_Sub_2_BLUE.doc.

(9) <ftp://ftp.fao.org/docrep/fao/meeting/008/j1464e.pdf> Codex meeting minutes proposing guidelines for vitamin and mineral supplements – Australian participation.

(10)

<http://66.102.7.104/search?q=cache:k6W8ZTyojK4J:www.tga.gov.au/docs/html/medregs.htm+tga+food+standards&hl=en> Joint TGA/Food standards

(11) http://www.laleva.cc/supplements/berlin02_hass.html good account of Berlin Codex meeting.

(12) <http://www.nzhealthtrust.co.nz/documents.html> Important documents on proposed new TGA Amendment Bill 2005

(13) www.nzht.co.nz New Zealand health Trust CODEX information

(14) <http://www.newmediaexplorer.org/sepp/index.htm> Sep Hasslberger Codex information site.

(15) Click on for copy of JTA Treaty: <http://www.jtaproject.com/Downloads/Key%20Documents/TreatyText.pdf>

(16) Click on for government website about Trans Tasman agency; <http://www.jtaproject.com/Default.asp>

About Eve Hillary

Eve Hillary is a Health Freedom Advocate based in Sydney. She a medical analyst, public speaker and writer on issues pertaining to the health care industry and environmental health.

She is the author of Children of a Toxic Harvest: An Environmental Autobiography, and numerous articles relating to health issues. Her most recent book is Health Betrayal; Staying away from the Sickness Industry.

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

evehillary@smartchat.net.au or eve@evehillary.org

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Thank you to the thousands of people who have supported my Health Freedom Campaign and to those who have been inspired to start their own. I look forward to living on a planet free from the tyranny of corporate government. I look forward to seeing healthy children, free from the ravages of the sickness industry and living in the kind of Democracy I was once fortunate to have glimpsed.

I will be conducting the Health Freedom – Codex campaign and giving Health Freedom Seminars around Australia to brief Australians on the latest information. Please refer to my website www.evehillary.org for the schedule of talks and new breaking news as the CODEX issue unfolds in the Pacific region.

Eve Hillary's Speaking Schedule CODEX- Health Freedom Seminars

More to be listed soon

General Information Contact Eve on 0404074 031

Author's Note

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