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Democracy and Pharmaceutical Fascism PAGE 12

Twenty-One Ways to Change the World PAGE 10

An Early Christmas Present PAGE 30

**Board Member Introspective –
Carla Sánchez-Anderson** PAGE 22

Eat, Drink, and Be Buried

Aspartame is a
Carcinogen and
California May Soon
Declare It as Such

*A Report on
the California
Prop-65 Meeting
on Aspartame*

PAGE 16



Democracy And Pharmaceutical Fascism

Why is official Denmark so afraid of two simple and well-documented Indian herbs, which have been known and used safely for thousands of years and available in all other EU countries?

BY MORTEN KRABBE, NHF ADVISORY BOARD MEMBER

DENMARK has both democracy and pharmaceutical fascism. Most people think of Denmark as a small, harmonious country with strong democratic values, advanced environmental solutions, and equality among its people. Most Danish people also think of themselves that way – *unless* they are working with nutritional supplements and herbal medicines. Then, they realize that your democratic rights and protection suddenly vanish and the state of Denmark turns into a third-world, banana-republic country applying all sorts of dirty tricks to try to drive you out of business. Suddenly your democratic rights do not exist anymore and you are living in a jungle regime with terror and war with no justice – especially if you work with, produce, import, or trade nutritional or herbal products based upon Ayurvedic and Chinese medicines. Then you are beyond the pale of justice and legal rights in Denmark.

Personally, I was just hit with a large fine of \$6000 (plus about the same amount incurred in court expenses) for “selling dangerous herbs.” First, I lost a local court case brought against me by the government; and, then, I lost again in High Court after having appealed my lower-court judgment from last year. It was a bitter legal fight and I lost at every round. But more than that, the Danish public lost.



“Dangerous” Herbs Used Safely for Centuries

The two “dangerous” herbs that have been the cause of my legal misery are **Ashwaganda** (also known as India’s ginseng) and **Tribulus Terrestris** (which is widely used in both Indian and Chinese herbal medicines). Very well-known, long-used and extensively documented herbs, these healthful and safe herbs are legal to sell and use in all European Union (EU) countries

except Denmark. And even though I brought massive documentation to prove the safety of the herbs in both local court and High Court, the courts’ minds were not about to be changed. Apparently, you cannot expect fair and impartial justice in Danish courts.

Ashwaganda is an “elite” herbal medicine and one of the most revered herbs acting as a tonic adaptogen. Ashwaganda’s reputed power lies in its anti-aging action. Promoting mental health, it has been proven

to heal damaged neurons. Among other things, it is valuable in dementia and Alzheimer's, improving memory and cognition. For physical health, it augments resistance against disease and environmental factors. Not only this but Ashwaganda revitalizes the body, nourishing and strengthening the nervous system. It is also useful for bone health, particularly in tandem with traditional cancer therapies preventing bone marrow depression and preventing damage to vital organs where chemotherapy is used. These are only the short list of uses that Ashwaganda performs in the body. No wonder it is a target for removal from the market. Think of how many drugs Ashwaganda's use alone could replace.

Tribulus Terrestris has historically been used to treat infertility and enhance sexual performance, particularly where erectile dysfunction is present. Like Ashwaganda, there are so many uses for Tribulus that cross so many of the body's systems that it is nearly impossible to provide even a "short-list" of its merits. Tribulus strengthens heart-muscle contractions, increases testosterone levels, improves sex drive, mood and confidence, regulates insulin and lipids, and prevents kidney stones. It affects kidney, liver, and the immune system, and even increases red and white blood cells. Again, the benefits are so vast that it is no wonder it has been targeted for removal.

My supporting documentation comes from a very reputable German doctor, with an international Ph.D., who consults for the EU Commission in questions about the safety and efficacy of herbal medicines. Additionally, I presented documentation showing that these herbs are legal and sold in all other EU countries, not to mention in most other countries of the World. Unfortunately, though, none of this was taken into consideration as a valuable proof of safety by the two courts.

On its part, and as support for its case against me, the Danish Food Agency (FVST) had cobbled together some make-shift documentation from the Danish Technical University (DTU). The Agency of course



had the "burden" of proving that these two herbs are dangerous for human consumption despite their widespread use around the World. So, it focused upon the assertion that these herbs could – *potentially* – damage the liver, kidneys, and nervous system over time. But their documentation was, and is, fatally flawed. Nothing but hot air, it was neither scientifically conducted nor substantiated by any international literature. It was basically nothing more than scientific manipulation and fraud based upon in-house, biased junk science.

Two years ago we reported the government's bogus documentation to the Danish national scientific body known as UVVU, which is supposed to deal with scientific fraud whenever it is detected in Danish institutions. But UVVU denied our request to look into the DTU documentation, offering all kinds of creative excuses for not doing so. So much for the so-called scientific integrity of Danish "science" and regulatory bodies, which are supposed to be "science based."

In my situation, the two courts based their verdicts only on the documentation from DTU and, quite typically, have not questioned its lack of quality at all. This was so clearly obvious in both cases that I feel that the verdict had already been decided upon before I even entered the courtroom.

The Tail That Wags the Dog

Why is official Denmark so afraid of two simple and well-documented Indian herbs, which have been known and used safely for thousands of years and available in all other EU countries? Rationally, it just does not make sense, since it is hard to see any harm or threat to anybody. My personal theory is

that this fear is based upon two main factors.

First of all, Denmark has a tradition, sustained for many decades now, of hostility against dietary supplements. This hostility stems in large part from a government/parliamentary decision that goes back to the early 1900s to protect a perceived national interest – that is, protecting the financial interests of the Danish and international pharmaceutical industry, but camouflaged as "protection and safety" for the consumer. Pharma is our second largest industry. Moreover, Denmark has invested billions of kroners during the past ten years to try to turn its North Zealand region into a new Klondike for biotech.

It is clear that with the international expansions and success of the Danish pharmaceutical companies, Denmark has become very ambitious and wants to attract even more pharmaceutical business to the country. On top of that, the country's ambition is to make the Danish Medicines Agency *the* primary organ in Europe for medicine approval. One way of trying to make the country more attractive as a base for pharmaceuticals and regulatory oversight is to remove and destroy any kind of free-market competition from health-giving supplements through the application of the strongest anti-supplement regulations within the EU. So, even though the supplement business in Denmark barely does more than 1 billion Danish kroners (DKK) a year in total sales (and of which herbs are only a small part), for some strange reason it still seems to be considered a big threat to the pharmaceutical industry. It is about \$150 million, about the same as the annual sales turnover for bottled water in Denmark or just one-third of the annual sales conducted in the illegal Danish hash/marijuana market.

A second, possible reason is that the pharmaceutical industry in the later years has run a bit dry on new successful drug patents, mostly because of harmful side effects; so, they have started to look into the herbals themselves. Interestingly, this coincides with India asking Codex Alimentarius to establish a committee to set standards for

culinary herbs and spices, many of which are used medicinally. Before the year 2000, supplements and herbal medicines were not really taken seriously in Denmark by the governing bodies. In fact, if a patient even dared to mention taking supplements to his or her doctor, the doctor would laugh right in such patients' faces.

Additional anti-supplement impetus came with the new EU medicines directive, becoming particularly active in 2006. But all kinds of restrictive measures had already started to hit the supplement industry in 2003 and 2004 in preparation for the EU directive. In the beginning and even before the new medicines directive had taken effect, it was the Danish Medicines Agency that was busily banning supplements using all kinds of bizarre excuses not supported by law or science.

Now the Danish Medicines Agency has delegated that task to the Food Agency, which plays the part of the "bad guys" in this unfolding dark-comedy act. Except that they are the bad guys! First, they created a special taskforce called the *Kosttilskudsgruppen* (the Supplement Unit), charged with tightly regulating and hassling the supplement industry, including importers, traders and therapists working with supplements. The official status of supplements in Denmark is as a low-risk business, but we are now treated as a high-risk one for no obvious reason.

Then, to add insult to injury, in 2011, the Danish Parliament decided that the supplement industry itself should pay for the extra control and hassle that it enjoys from the Food Agency. A new tax – solely for the supplement industry – was invented so that, since 2011, we have been obligated to pay \$2000 a year just for the privilege to exist and approximately \$150 for each registered product. No other industry in Denmark pays such a tax. So, we are truly an unwanted industry. Last year, however, the fee was cut in half.

Compare This with Sweden

In Sweden, conditions are very differ-

ent. There you can produce, import, and sell most dietary supplements. Some years ago I went to visit a Swedish factory for herbal supplements. The management told me about the nice and constructive dialogues and friendly visits from the Swedish Medicine Agency. I almost couldn't believe what I heard there. To my knowledge, nobody in the same position in Denmark has ever had that experience.

Why then such a big difference between two culturally equivalent countries, just separated by a bridge and a small strip of water? First and foremost, Sweden simply does not have a very large pharmaceutical industry. Then, too, a major problem in Denmark is that its outsized pharmaceutical industry has infiltrated the governing bodies of our public and monopolistic State healthcare system. It is my impression that it is often the same people, who rotate between being employees in the industry and civil servants in the Medicine Agency and Health Ministry. There are no safe, ethical boundaries between the industry, its financial interests, and the public bodies that give advice to the politicians and plan and execute the structure of our healthcare. According to Mussolini, fascism starts when the industry merges with the State in a form of corporatism. One would think that he knew a little something about the subject.

When the Danish Food Agency started its anti-herbal campaign and attacks in 2010-2011, I was one of those caught up in its dragnet. *Kosttilskudsgruppen* suddenly demanded that I withdraw nine of my products, that is, those containing the two herbs *Ashwaganda* and *Tribulus Terrestris*. At first they could not even show me any documentation to support their position and arguments about the danger they supposedly presented. Three weeks later, though, I received a couple of pages without any scientific substance whatsoever. They just claimed these two herbs to be dangerous, potentially causing harm to liver, kidney, lungs, and the central nervous system. It would have been humorous had the charges not been so serious.

The strange thing is that before this at-

tack even happened, I was a board member and chairman of an organization trying to establish a constructive dialogue with our representatives in the Danish Parliament so as to improve our conditions. After about two years of meetings with politicians, most of whom were unaware of the situation and really without any interest in our challenges, we finally succeeded in securing a meeting with the Food Minister in the late Summer of 2010. We presented the grave situation facing the supplement business, but there was no meeting of the minds at all. Shortly after that meeting, coincidentally, the Food Agency launched a forceful campaign banning most Ayurvedic and Chinese supplements and medicines. Many importers, traders, and therapists had their products taken into custody (i.e., stolen) and destroyed, while they received huge (for them) administrative fines of \$2000-4000 directly from the Food Agency without any trial. Unfortunately, many – out of shock and fear – chose to pay the fines, stop their businesses, and just get on with their lives, doing other things. Only a few of us have chosen to fight for our rights, some have won in court and some have lost, as I have.

Is Denmark as free of corruption as most Danish people would like to think? Thinking back on it, a Serbian nurse I met at a birthday party a while ago, put it this way, "In my old country, we called things like this corruption. In Denmark, it is called networking." She now lives in Copenhagen, working as a therapist instead. 🔥

Morten Krabbe is an Ayurvedic practitioner in Copenhagen, Denmark, producing, importing, and distributing Ayurvedic products and is a member of the NHF Advisory Board. His website is www.human-balance.dk.

