



NATIONAL HEALTH FREEDOM ACTION

July 2012

SUMMER OVERVIEW

**Join In Protecting Health Freedom!
State and Federal Actions Needed!**

Bills and Initiatives to Support for Health Freedom:

[Click Here](#) to Read the 2012
Comprehensive **State** Session
Summary Update

[Click Here](#) to Read the 2012
Comprehensive **Federal**
Summary Update

November 2012's California Proposition #37 is our HOPE FOR THE FUTURE on mandatory GMO labeling, given that fifty countries including the European Union and Japan have laws mandating that genetically engineered foods be labeled, but the United States does not have such a requirement. [Take Action Here:](#)

http://nationalhealthfreedom.org/nhfa/Alerts/CA_GMOlabelAlert_032112.htm and [Read More](#)

Public opinion polls indicate that over 90 percent of American voters support the labeling of genetically engineered foods.

On June 11, 2012 CA Secretary of State announced that the *California Right To Know Genetically Engineered Food Act* qualified to be on the November 6 ballot and news of the proposition number, #37, was released in early July! So, vote "Yes on 37!" They are building their professional staff behind the scenes and are gearing up for the win in November. Volunteers submitted physical signatures in excess of the 560,000 necessary for a successful Ballot Initiative by the deadline of April 22, 2012 and grateful food freedom activists across the country hope that **success in California will set the trend for consumers' right to know of GMOs nationwide.**

Note: The Committee for the Right to Know submitted the CA “*Right to Know Act*” Ballot Initiative to the State Attorney General on November 9, 2011. The Committee for the Right to Know “is a grassroots coalition of consumer, public health, environmental organizations, and food companies in California that is seeking the labeling of genetically engineered foods (GMOs).” **Read the Initiative HERE:** <http://d3n8a8pro7vhmx.cloudfront.net/labelgmos/pages/31/attachments/original/CA-Right-to-Know-Initiative12.pdf?1324916176>

Good news in Ohio -- Ohio House Bill No. 259, the “Consumer Health Freedom Bill”, is moving and will protect the provision of complementary and alternative health care services! **Read More**

Introduced June 2011, Ohio HB 259 is moving and will protect consumer access to homeopaths, traditional naturopaths, nutritional consultants, and many other natural health and complementary and alternative practitioners providing services that do not rise to the level of concern requiring state licensure. After a fifth hearing by the House Committee on Health and Aging, H.B. 259 was recommended for passage and sent to the floor of the House where it passed by a vote of 66 to 29 on May 24, 2012. Now H.B. 259 will be considered by the Senate beginning with the Senate Committee on Health, Human Services and Aging. Practitioners practicing under H.B. 259 would need to avoid a list of prohibited conduct included in the bill and provide proper disclosures to their clients, i.e., the fact that they’re not licensed, certified, or registered by the state of Ohio as a health care professional or “they’re not....by the state of Ohio to practice such services. Eight other states previously passed this type of bill, including Minnesota, California, Rhode Island, Louisiana, Idaho, Oklahoma, New Mexico, and a limited one for homeopathy in Arizona. The Ohio bill is available here: http://www.legislature.state.oh.us/BillText129/129_HB_259_I_Y.pdf

Michigan House Bill No. 4789, the “Michigan Consumer Health Freedom Law” needs a hearing. **Read More**

Michigan Natural Health Coalition and Michigan health freedom advocates are working hard to garner enough support for H.B. 4789 (introduced June 2011) to get it a public hearing. The bill will protect access to complementary and alternative practitioners, such as nutritional consultants, homeopaths and traditional naturopaths, who abide by the bill's guidelines. Bill available here:
<http://www.legislature.mi.gov/documents/2011-2012/billintroduced/House/pdf/2011-HIB-4789.pdf>

Wisconsin Senate Bill 280, the “Wisconsin Consumer Choice and Wellness Legislation”, (introduced November 2011) is set to be reintroduced this coming session. [Read More](#)

Wisconsin Health Freedom Coalition, with the support of additional health freedom groups, is working hard to prepare for the upcoming 2013 session. Their bill, like Ohio's and Michigan's, will protect consumer access to complementary and alternative health care practitioners practicing within the parameters of the bill. Wisconsin advocates continue to work to block restrictive dietician licensure bills and look forward to enactment of the Wisconsin Consumer Choice and Wellness Legislation to protect them from such monopolistic legislation.

Food Freedom Legislation – Raw Milk:

Minnesota's “Raw Milk Access Bills”, Minnesota House File 255 and Senate File 147, stimulated a great floor debate in both the Minnesota House and Senate. [Read More](#)

Minnesota Natural Health – Legal Reform Project and National Health Freedom Action jumped into the access-to-raw-milk conversation with both feet in 2011 and they continue their work in 2012 on their groundbreaking proposed legislation for protection of raw milk sales delivery in direct farm-to-consumer contracts! The law in Minnesota, one of the states that protects consumer access to raw milk, requires pasteurization of all milk sold however it contains an exception that ensures Minnesotans can continue the centuries-old practice of securing raw milk directly from the farm. But,

despite the exception, armed officers raided Minnesota farmers and consumers regarding the issue of delivery. Minnesota farmers have been known to deliver orders directly to consumers, sometimes via drop-sites, and this has been the basis for some of the raids.

By April 2012 the raw milk bills had not made it through committee so, on April 4, 2012, Minnesota Senator Sean Nienow introduced an amendment to the Agricultural Omnibus bill on the floor of the Senate, the language of which would have provided similar protection for raw milk deliveries as SF 147. After some debate, the Senate voted 32 to 26 against the amendment. Minnesota Natural Health – Legal Reform Project and National Health Freedom Action continue to work side by side to promote legislation that will protect the delivery of raw milk products by farmers to their private customers in a direct farm-to-consumer contract.

More on State Raw Milk including: a Rally for freedom to access raw milk in Wisconsin; a two day event of the Raw Milk Freedom Riders in Minnesota; and MN courthouse demonstrations supporting MN farmer Alvin Schlangen. [Read More](#)

On March 2, 2012, activists from across the country rallied in Wisconsin around a Wisconsin Dairy Farmer, Vernon Hershberger, who is facing criminal charges from the State of Wisconsin relating to production and distribution of milk and other foods. Hershberger functions under a model that is a contractual arrangement with consumer leaseholders and so he does not consider himself to be involved in “commerce”. Key leaders came to the rally including: Michael Schmidt, a Canadian organic farmer, who ended a 36 day hunger fast in October 2011, promoting freedom to access raw milk; David Gumpert, author of the “Raw Milk Revolution”; Mel Olson, a co-founder of Raw Milk Food Freedom Riders; and many other strong health freedom advocates.

On May 13 and 14, 2012, the Raw Milk Freedom Riders held a two day Event in Support of Food Freedom to protect Minnesotans’ right to access nutrient-dense foods. Minnesota farmer and founder of Freedom Farms Coop, Alvin Schlangen, faces jail time for four misdemeanor charges for picking up unpasteurized milk from an Amish dairy

farm and delivering it to his private buying club members. The charges are for allegedly handling food without a permit, mislabeling food, and handling unprocessed, fresh milk - all of which are crimes according to the Minnesota Department of Agriculture (MDA). Schlangen's trial in Hennepin County District Court was supposed to start in May but it was rescheduled for early July. Schlangen is also charged with six misdemeanor counts in Stearns County.

Prior to the Schlangen brief court proceedings in May, approximately 150 demonstrators gathered outside the Hennepin County Courthouse in Minneapolis to hear Minnesota food rights participants, along with Canadian farmer Michael Schmidt, demand that regulators and prosecutors stop their campaign against private contracts for nutrient dense foods in the state.

Additionally, community members who serve as organizers and distribution points for the club received warning letters explaining that the MDA is conducting investigations against them and that, if they continue to help provide fresh food to club members, they will face prosecution.

The US federal front for raw milk: Includes a challenge of the law prohibiting the transport of unpasteurized milk across state lines; and demonstrations by Raw Milk Freedom Riders. [Read More](#)

Representative Ron Paul introduced H.R. 1830, authorizing the interstate traffic of unpasteurized milk and milk products. The bill is alive in 2012 and was referred to the House Committee on Energy and Commerce, and then to the Subcommittee on Health. The bill gained additional sponsorship earlier this year by Mrs. Myrick and Mr. Rigell.

Citizens across the country are protesting the raids on interstate sales of raw milk. On November 1, 2011, the **Raw Milk Freedom Riders**, a caravan of brave raw milk moms, demonstrated by purchasing raw milk in Pennsylvania and driving across state

lines into Maryland where they rallied in front of the FDA headquarters. The Raw Milk Freedom Riders continue their work and sponsored the March 2012 Rally in support of the Wisconsin dairy farmer, Hershberger. The country's unrest on food freedom issues grows as "big agriculture" controls an increasing percentage of the food supply. National organizations, such as **Farm-to-Consumer Legal Defense Fund and the Weston A. Price Foundation**, are leaders in the effort and are working with health freedom advocates across the country to protect access to nutrient-rich, local, organic and unprocessed foods.

On May 22, 2012, Sen. Rand Paul (KY) introduced legislation to reduce harassment of raw dairy farmers and consumers. Seeking to amend S.3187, the FDA Safety and Innovation Act, Rand's amendment, S.A. 2143, would prohibit FDA employees from carrying firearms and making arrests without warrants. Unfortunately, a motion to table S.A. 2143 was agreed to in the Senate by a vote of 78 – 15 on May 25, 2012.

More on States working for GMO-Labeling: As of June 2012, over 20 states have introduced legislation to require labeling of foods containing or produced with GMOs, aka genetically engineered (GE) foods, in some fashion or another. [Read More](#)

The bills introduced in WA, VT, CT, and OR are similar and would fill the gap in consumer knowledge by requiring that:

- Processed foods that contain GMO derived ingredients be labeled as containing genetically engineered food
- Foods about to come on the market that are wholly themselves a genetically modified organism (Corn-on-the-cobb, Salmon) be clearly labeled as genetically engineered
- The labeling, advertising and marketing of genetically engineered foods using terms such as "natural," "naturally made," "naturally grown," or "all natural" is misleading to consumers and therefore GMO products cannot be labeled as such.

The GMO Right 2 Know March went forward and "Between October 1st and October 16th

of 2011, Marchers from across the world walked over 300 miles from New York City to the White House, in Washington, DC, to demand labeling of all Genetically Engineered Foods in America, in what has come to be called the **GMO Right 2Know March.**”

Connecticut introduced House Bill No. 5117; “An Act Concerning Genetically-Engineered Foods” (introduced February 16, 2012): This bill would require the labeling of foods containing GMOs. H.B. 5117 was favorably passed out of the Joint House and Senate Environmental Committee on March 21, 2012 and sent to the House floor where it will likely be assigned to other committees before moving back to the House Floor and over to the Senate. **H.B. 5117 would place the burden of disclosure on the manufacturers using the ingredients of concern by requiring a label for GMO containing foods. Currently there is no law requiring the labeling of foods containing or produced with genetically modified organisms.** Without such disclosures mandated by law, manufacturers may voluntarily inform consumers of products containing GMOs but are choosing not to do so. To alleviate the void in information, consumer-friendly manufacturers and independent organizations assume the burden of labeling products without GMOs as “GMO-free”. Bill available here: <http://www.cga.ct.gov/2012/TOB/H/2012HB-05117-R00-HB.htm>

Vermont introduced House Bill No. 722; mandating labeling of GMO foods (introduced February 1, 2012): On March 27, 2012, the House Committee on Agriculture held a hearing on the bill and Vermont health freedom advocates are anxiously awaiting a vote. H.B. 722, like CT’s bill, grants consumers the right to know of the presence of GMOs. Bill available here <http://www.leg.state.vt.us/docs/2012/bills/Intro/H-722.pdf>

More on State GMO-Labeling: New Jersey House Bill No. 1367 and Rhode Island House Bill No. 7494 also mandate labeling of GMO foods remain alive this session, the latter of which was recommended it be held for further study on March 14, 2012, by the Rhode Island House Health, Education and Welfare Committee. Additional states introduced GMO-Label related legislation this session, including **Hawaii, Iowa, Minnesota, Missouri, North Carolina, Tennessee, Virginia, Washington and West Virginia**

And on the US federal front for supporting GMO-Labeling: The citizen petition to require labeling of genetically modified foods, filed with the Food and Drug Administration (FDA) on October 19, 2011 by the Center for Food Safety on behalf of the “Just Label It” campaign, continues to draw public support. [**Read More**](#)

At the time this is going to print, over 600,000 people have submitted comments supporting mandatory labeling. Further, a bipartisan group of 55 members of Congress, 45 House members and 10 senators, joined in supporting the petition and urged the U.S. Food and Drug Administration to require the labeling of genetically engineered (GE) foods; read the letter here: <http://www.centerforfoodsafety.org/wp-content/uploads/2012/03/Final-Signed-GE-Labeling-Letter.pdf>

Public comments can be submitted in multiple ways:

ONLINE: www.regulations.gov/#!submitComment;D=FDA-2011-P-0723-0001

FAX: 301-827-6870

MAIL: Division of Dockets Management, Food and Drug Administration, 5630 Fishers Lane, Room 1061,

HFA-305, Rockville, MD 20852

GMO Seeds, Plant and Animals – Contracts and Causes of Action: Vermont and West Virginia address these important issues. [**Read More**](#)

Vermont’s House Bill No. 733, introduced by Representative Eldred French in 2012, establishes a cause of action in trespass against the manufacturer of a genetically engineered seed or genetically engineered plant part when such seed or plant part enters the property of a person engaged in an agricultural activity and causes damages and provides that indemnification clauses in seed contracts are against public policy and are void and unenforceable.

West Virginia House Bill No. 2180, introduced by Representative Mike Manypenny in 2012, creates the Genetically Engineered Crop and Animal Farmer Protection Act, which

requires genetically engineered seeds to be so labeled and establishes measures to be taken to avoid cross pollination of genetically engineered plants and seeds, while also providing for civil and citizen suits.

Monopolistic State Occupational Licensing

Bills to **Oppose**

A number of bills recently introduced in state legislatures are monopolistic in their approach and put in jeopardy many natural health practitioners who are practicing the healing arts: the monopolistic licensing bills do not contain proper exemptions for natural health care practitioners. [**Read More**](#)

Monopolistic occupational licensing bills, often attempt to gain exclusive rights to practice for a small group of practitioners, **such as Dietitians or Naturopathic Physicians**, and criminally ban the right to practice and the use of particular titles by all other practitioners who do not attend a particular type of school. Dietitian licensing bills often attempt to prohibit citizens who are not licensed Dietitians from advising or recommending anything regarding nutritional health. Naturopathic Medicine licensing bills prohibit unlicensed traditional naturopaths and other complementary and alternative practitioners from practicing or using the title “naturopath”. Although advocates of licensure claim putting others out of business is not their intent, the legal language of their bills speaks otherwise and health freedom advocates work hard to defeat or properly amend these types of bills to exempt unlicensed practitioners from their licensing mandates.

Spring 2012 Examples of monopolistic practitioner bills activity:

Colorado HB 1060, a restrictive Dietitian Licensing bill, successfully blocked and tabled by Colorado Sunshine Health Freedom Foundation, Colorado Springs Citizens for Health Freedom, National Health Freedom Action, Colorado Coalition for Natural Health, and

many other Colorado citizen organizations and activists in Feb 2012; **South Dakota HB 1170**, an overly broad and restrictive Complementary professions licensure Board bill, successfully blocked and tabled by South Dakota citizens Feb 2012; **Virginia HB 345** restrictive monopolistic Dietitian Licensing bill successfully tabled by Virginian's for Health Freedom, Feb 2012; **Hawaii HB 2570** Dietitian Licensing bill can no longer move in 2012 because it did not meet the Committee cross over deadline; **Indiana HB 1137**, a Dietitian Licensing bill no longer active this session due to committee schedules; **Iowa HB 507**, a broad Naturopathic Physician Licensing bill that did not contain proper protective exemptions for traditional naturopaths and complementary and alternative health care practitioners and slowed down as Iowa legislators encouraged all parties at odds to come to agreement in the summer; and a number of additional bills being tracked by National Health Freedom Action in order to alert consumers to act including: **Illinois SB 2936** Dietitian Nutrition Licensing; **Illinois S.B. 3922**, Naturopathic Medical Practice Act (introduced on 05/25/2012); **Michigan H.B. 5594**, licensure of naturopathic physicians (introduced on 05/03/2012); **New Jersey SB 833** Dietitian/Nutrition Licensing; **New York SB 3556/AB 5666** Dietitian Licensing; **New York SB1803/AB 3057** Naturopathic Physician Licensing; **Maryland HB 180** Naturopathic Physician Licensing; and **West Virginia HB 4045** Dietitian Licensing Bill.

Federal Bills to **Support** for Health Freedom

Exciting federal bills have been introduced to protect access to dietary supplements and to protect freedom of speech regarding the relation of nutritious foods and dietary supplements to health. [**Read More**](#)

Protecting Dietary Supplements: H.R. 3380, the “Dietary Supplement Protection Act”! This bill, **sponsored by Rep. Dan Burton**, and referred to the Committee on Energy and Commerce, Subcommittee on Health, will immediately protect thousands of dietary supplements put in jeopardy by the FDA’s recent document outlining their

outlandish new expectations of manufacturer of new dietary ingredients. According to the National Health Federation drafters, the bill is specifically drafted to “...to counter the FDA’s infamous new Draft Guidance on New Dietary Ingredients (NDIs).” and “Simply but powerfully, DSPA amends DSHEA by moving forward the grandfathering date to 2007, from 1994, thereby putting many thousands of safe, time-tested products immediately out of range of the NDI Draft Guidance.”

Protect First Amendment Free Speech: H. R. 2908, introduced by Rep. Ron Paul, in Sept. 2011, this bill will protect the First Amendment rights of individuals to share their experiences and perceptions of the effects of foods and dietary supplements. The bill, entitled “**Testimonial Free Speech Act**”, was referred to the Committee on Energy and Commerce, Subcommittee on Health.

Protect the Right to Say What Works: H. R. 2044, introduced by Rep. Ron Paul, in May 2011, the “**Health Freedom Act**” will amend the Federal Food, Drug, and Cosmetic Act concerning the restrictions on claims about the effects of foods and dietary supplements on health-related conditions and disease. The bill was referred to the Committee on Energy and Commerce, Subcommittee on Health.

Keep Burden of Proof on Government: H. R. 2045, introduced by Rep. Ron Paul, in May 2011, would amend the Federal Trade Commission Act concerning the improper placement of the burden of proof on manufacturers in false advertising cases involving dietary supplements and dietary ingredients in the “**Freedom of Health Speech Act**”. The bill was referred to the Committee on Energy and Commerce, Subcommittee on Commerce, Manufacturing, and Trade.

Free Up Raw Milk Interstate: H. R. 1830, introduced by Rep. Ron Paul, in May 2011, would authorize the interstate traffic of unpasteurized milk and milk products that are packaged for direct human consumption. The bill was referred to the Committee on Energy and Commerce, Subcommittee on Health.

Label Genetically Modified Foods: H. R. 3553 was introduced on December 2, 2011, by **Rep. Kucinich** to require that food containing, or produced with, genetically engineered materials be labeled accordingly. The bill, which has 25 cosponsors, was referred to the Committee on Agriculture and the Committee on Energy and Commerce. Rep. Kucinich introduced a similar bill in 2010, H.R. 5577 (for himself, Mr. DeFazio, Mr. Frank, Mr. Grijalva, Mr. McDermott, Mr. Stark, and Ms. Woolsey), as he has every year since 2003.



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