

Ralph Nader Radio Hour Episode 96 Transcript

Steve: From the KPFK Studios in Southern California it's the Ralph Nader Radio Hour.

Kemp Harris: (Music) "Stand up, stand up, you've been sitting way too long..."

Steve: Welcome to the Ralph Nader Radio Hour. My name is Steve Skrovan along with my co-host David Feldman. Hello David.

David: Hello. We have a packed show.

Steve: Yeah, and the man of the hour Ralph Nader. How are you today, Ralph?

Ralph: Good, ready for a terrific show as the listeners will agree, I hope, by the end of it.

Steve: Well, as my colleagues have mentioned and, we do have a jam packed show today, great show, we're going to be talking about of all things vultures. The real kind, not the political kind. With author Elizabeth Royte.

We will also check in with old pal Sid Wolfe who will update us on what's going on with another kind of vulture, Big Pharma. But, first we're going to discuss the latest about what is going on in the auto industry with Clarence Ditlow, one of the foremost if not the foremost expert in the world of auto safety. David?

David: Clarence Ditlow is the Executive Director of the Center for Auto Safety, which was founded by the Consumers Union and Ralph Nader back in 1970. Every year The Center puts out a report called the Car Book which is a comprehensive guide to buying a car. He co-authored with Ralph Nader The Lemon Book about how not to get ripped off purchasing a car. And was also the co-author of Little Secrets of the Auto Industry about the issue of secret warranties.

Clarence Ditlow has been watchdogging the auto industry at The Center since 1976. And, the New York Times describes him as, "The splinter the industry cannot remove from its thumb." Welcome to the Ralph Nader Radio Hour, Clarence Ditlow.

Clarence: Thank you very much. Appreciate it.

Ralph: It's a real treat, Clarence, to have you on the show. People should know Clarence Ditlow, a lawyer and an engineer. Perfectly equipped to oversee and monitor and watchdog the auto industry.

Clarence, in the time we have, I'd like to talk with you about three areas. One: the crimes of Volkswagen in the diesel scandal. Crimes of General Motors and the ignition switch defect and other matters. And, some disturbing news about the Auto Safety Agency in Washington, which was on the upswing in terms of enforcement and demanding recalls.

Let's start with the VW diesel. Can you explain both the quantitative significance of what Volkswagen did, how it did it, how premeditated it was? And, what do you think is going to happen?

Clarence: This is one of the most egregious corporate crimes I have ever seen. When the environmental protection agency set tough new standards for diesel engines, Volkswagen quickly discovered that its technology wouldn't meet the new standards. But, what they did is, instead of sending their engineers to work, designing a new system to clean up the diesel, they sent their engineers to work developing a computer program that would instruct the diesel engine to only work the emission controls during the test procedure. And, when the diesel is out in the real world on the highway, to turn off the emission controls.

So, in order to do this you have to have engineers who deliberately programmed into the computer system a cheat device, which would turn off the emission controls. Clear knowledge. Clear intent. And they got caught.

Ralph: How many vehicles are involved, first, in the United States in the hands of owners now and around the world? What's the response of Volkswagen and the Federal Government?

Clarence: In the U.S. there are nearly 500,000 of these diesels with the cheat devices on them. Across the world there are many millions, as many as 11 million vehicles in every country, polluting the atmosphere, causing adverse health effects. And, one study here in the U.S. said that there be as many as 60 deaths due to this corporate crime by Volkswagen.

Ralph: And, what they're emitting is nitrogen oxides into the air in huge quantities compared to what would have been emitted if they had met the federal emission standard. And, in those nitrogen oxides there is microscopic soot, particulates they are getting in people's lungs. It's not just gaseous. It's actually particulate soot. Isn't it, Clarence Ditlow?

Clarence: That's right. I mean, we're not talking about a petty crime here. What we're talking about is a gross corporate crime. These diesels emit up to 40 times the amount of emissions that they are allowed to. And, it's very fine particulates that are coming out of the diesel. It's nitrogen oxides. And, it's going into the lungs of individuals, and if you're particularly sensitive you are quite likely to suffer disease and illness and ultimately death.

Ralph: And, what motivated VW to do this? It's one of the biggest selling car companies in the world, if not the biggest. Why did they do that? I mean, they are supposed to have German engineers, right? German engineering is supposed to be able to meet government emission standards.

Clarence: Yeah, that's right. I mean, the German engineers originally were going to use a different system similar to what Mercedes had. And, in fact, they would have to license that system, but, then management said, no, we're not going to use this

system. We're going to go to work, and we're going to cheat. That was their solution to it.

I mean, this is clearly, they intended to do this. And, the government in the U.S. the government throughout Europe and the rest of the world should hit the Volkswagen over the head and send the responsible executives to jail. This is not something that a rogue engineer did. This is something that management approved, because, you cannot sell a car unless you get it certified by EPA.

And, top management always looks at that. Because, if it can't sell the car, you're not going to make money. And, the way they made money this time was they cheated.

Ralph: And, so, listeners may be asking two questions, Clarence Ditlow. One is, was there a marketing incentive to do this, to get the business, because they were leaders in diesel cars? And, second, why did it take so many years and tell us how many years it took for anybody to discover this manipulation of the software to evade federal emission standards? And, who finally did discover it? Could you go through that sequence?

Clarence: Yeah, sure. This was a conscious marketing decision to sell the Diesel TDI as a clean environmental vehicle as an alternative to the hybrids that were sold by other companies, particularly Toyota with the Prius. And, it offered better performance and better fuel economy.

So, why buy the little Prius when you can buy a big diesel that has all the power you want that has great fuel economy to beat? And, also, it's a clean machine. So, it was a fraud. It was a fraudulent sales tactic to sell more Volkswagen vehicles. And, what happened it began in 2005 and it didn't catch up to Volkswagen until 2015 when a small group, the international clean car technology group, had contracted with West Virginia University to test the Volkswagen diesels in the real world.

And, actually they were testing other diesels too, because they said, "Wow, these diesels are really clean then we ought to push them." And, in fact what they found out is they were dirty as all get out.

Ralph: And, how far is the government going to go? What are the owners going to get. What kind of penalties? What do you predict here? Civil penalties, criminal penalties, recall, fix? What's going on?

Clarence: If justice prevails there will be criminal penalties for all the Volkswagen engineers and management involved in this deception. But, the Justice Department has already filed a complaint. They're only asking for civil penalties. The penalty is \$37,500 per car on cap, which could be as much as 20 billion dollars.

Ralph: Twenty billion? Yeah, continue.

Clarence: Twenty billion dollars, but, billion as with a capital B.

Ralph: Yeah.

Clarence: And the Attorney Generals in the various States who have filed suit. There are over 300 class actions that have been filed. Owners may very well get the cars bought back if they won. Volkswagen engineers are trying to engineer effects, but the State of California and EPA have already rejected the initial fix that's offered.

The only thing that's fully clear is going to cost Volkswagen billions of dollars to get out. But, that's an injustice in itself. Because, you shouldn't be able to take out the corporate checkbook and say, "How big do you want this check to be to keep our executives out of jail?"

Ralph: Well, let's move on to General Motors on the ignition switch. Can you give a brief description of this? And, what astonished me is why did it takes so long for GM management to find out what was going on? And, indicate how many cars are involved and what's the status of the recall and fix is.

Clarence: In 2001, General Motors was about to introduce the new Saturn Ion and then the Chevrolet Cobalt. And, they wanted to design a new ignition system for that vehicle. And, the engineers came up with two designs. One that was reliable and safe but cost a few pennies more. And, one that cost a few pennies less but wasn't reliable and wasn't safe, because, it would turn off the ignition as you were driving down the road, hit a pothole and the key could joggle to the off position. Your knee could hit it and the key would go to the off position.

And, it wasn't enough that just the engine was turned off the power steering was turned off. And, if you should hit an object the airbag was turned off. So, there have been, admitted by GM, at least 174 deaths to date due to this defect. The Center for Auto Safety believes that the true death count is at least twice that, well over 300 deaths. Management claimed they didn't know about it until 2014.

But, their lawyers were approving settlements for up to 5 million dollars in many of the lawsuits that were filed against the company. So, it's very difficult to believe that once again management didn't know about it, that it was some rogue engineer who came up with this design.

Ralph: But, here was GM bailed out by you, the U.S. taxpayer, billions of dollars. The U.S. Attorney in New York brought a investigation, a criminal investigation against GM for this widespread safety hazard that led to deaths and injuries. What happened?

Clarence: Once again, GM took out the corporate checkbook and said, "How big a check do you want us to write to keep our executives out of jail?" So, on Wall Street it was the banks were too big to fail. At GM, the corporation and the executives were too big to jail. It's a corporate crime that went unpunished.

A peanut butter manufacturer, who caused a few deaths, that individual the CEO is in jail. At GM nobody went to jail. That, in itself, is an injustice.

Ralph: And, what did they pay, 900 million dollars?

Clarence: Yeah, they paid 950 million dollars. So, it's clear that GM said, "Oh, we're not going to sign a check for a billion, but, we'll sign it for 950." I mean, it's amazing that they didn't go for 999 million instead of 950, but I guess they like round numbers.

Ralph: Well, you know many years ago in the 1960's we lost the battle to put criminal penalties in the pioneering auto and highway safety laws. And, the auto companies managed to keep in succeeding years the criminal penalty out. The U.S. Attorney was working on another federal law that provided them with criminal prosecution authority.

But, there is now a bill in the Senate sponsored by Senator Richard Blumenthal of Connecticut and Ed Markey, Senator Ed Markey of Massachusetts, Senator Casey from West Virginia, to put the criminal penalties, not only on the corporation, but, on the executives or the culpable staff of the auto companies into the auto safety bill. What chance do you think that has?

Clarence: Well, unfortunately slim to none. Even while the government was funding General Motors, bailing them out, they were using some of that money to hire lobbyists to lobby against stronger laws. I mean, when the government owned General Motors executives said, "We're going to clean up the act. We're the owners." But, no. It was business as usual.

Ralph: Just to clarify, the government had over 60% of the shares of General Motors as you say. They had a controlling interest, and they blew it. They let management do whatever it wanted, even though the taxpayer in the form of the U.S. Treasury Department in return for the bailout owned over 60%, right?

Clarence: That's absolutely right. And, what you're seeing is all these auto companies together. The thing that they fear the most is criminal penalties. If you put criminal penalties in the Motor Vehicles Safety Act for a knowing violation of the provisions of the law, you would see these auto companies all of a sudden hit the straight and narrow.

But, as long as they can write a check and get out of the situation, where their philosophy is: "There's no problem too big that money can't solve" we're going to continue to have corporate crime in the auto industry.

Ralph: Clarence, I think there's a possibility for generating more pressure in Congress for criminal penalty with the Takata Airbag disaster. Takata is a Japanese Company that supplied defective airbags to millions of your cars, people out there. And, it was quite clearly a criminal situation. Maybe Congress will react differently when it's a foreign company.

Why don't you just give the listeners an idea of how massive this crime is on a great safety feature, turning it upside down into an explosive device, Takata?

Clarence: Just take a look at Takata's actions. Up through the year 2000 almost every airbag inflator made worldwide, including by Takata, used sodium azide as a propellant. Very stable. If it broke down it just simply degraded and there was no adverse effects. If you had to replace it, you had to replace it.

But, what Takata did in the beginning of 2001 was to change the propellant to ammonium nitrate, an incredibly powerful explosive. It's what Terry McVeigh used to bring down the government office building in Oklahoma City. It's what a lot of terrorists in the Mid-East are using in the improvised explosive devices. And so, yet this propellant that Takata used, it was known to degrade, known to explode, they put it into the airbag inflator to save, once again, a few pennies per inflator.

And so, they knew immediately, once these inflators were put into production that they were failing, they were exploding, and when they exploded they sent the shrapnel of the housing into the occupant compartment. And, if you're behind the steering wheel and you had no other choice at that time, you are very likely to be killed or seriously injured.

The government investigated in 2009 and Takata said, "Ohhh, we had one plant that wasn't working well with the machinery. We had another plant that had moisture in it. And, so, we're going to recall those and nothing else is wrong with it." And, it literally took 10 more years, really, to get the defect fully acknowledged. And, Takata should, you know, once again, have their executives who made these decisions sent to jail.

Ralph: And, they can't even produce enough supply, three shifts 24 hours a day to put safe airbags after they recall the cars and replace the defective airbag. They're falling behind, aren't they?

Clarence: Yeah, less than 30% of the nearly 30 million inflators that need to be replaced have been replaced. We have consumers who are afraid to drive their cars, because they can't get a replacement inflator for them. What needs to be done is to not only go to three shifts a day, seven days a week but go to additional suppliers.

And, the government is just willing to, once again, impose civil penalties and not issue manufacturing orders, which they have the authority to do to force Takata and the auto companies to get additional inflators and get this recall done in six months, not three years.

Ralph: Listeners, you've been listening to Clarence Ditlow the Director of the Center for Auto Safety. Go to your Senators, go to your Representatives. Really unload on them to get that bill to provide criminal penalty authority with the Federal Government to do what would really deter reckless or aloof auto industry executives from pursuing their continuing recklessness at your expense.

I'll tell you, you'll get a lot better quality cars if they think the prospect of jail is hovering over Detroit and in Japan and Germany and elsewhere. One quick comment: what's your view of the new head of the Auto Safety Agency, (NHTSA)

“Nitsa” it’s called, Dr. Rosekind? And do you approve of something he may be announcing soon called Voluntary Safety Standards for semi-autonomous braking system.

Clarence: Well the new Administrator, Mark Rosekind, started off, well, but, he certainly is not a long distance runner, because he’s failing now. The Voluntary Safety Standard is a road to disaster. When Congress passed the Safety Act it said voluntary safety standards by the industry have failed.

And, just like the old Voluntary Safety Standards, the new Voluntary Safety Standard negotiated in a back room with just the auto companies is one that is going to be inadequate. It is going to be unenforceable. And if a manufacturer wants to ignore it, they can ignore it.

And finally, if you want a good safety standard that you can enforce it has to go through public rule-making or safety groups like the Center for Auto Safety can comment and insure that we’re not getting something that is a standard that is a standard on paper only and not a standard with real teeth that can be enforced in the real world.

Ralph: Clarence Ditlow, just quickly describe the safety system. Some of them are already in cars. But, just describe it for our listeners, what you’re talking about here?

Clarence: The new Voluntary Safety Standard is one that is designed to prevent collisions where one car runs into the back of another car or hits a fixed object. And, what it does is the safety technology would send a warning signal to the driver. If the driver doesn’t heed it and the computer says you’re going to have a crash, it will apply the brakes and prevent the vehicle from hitting the object, or at the very least, reduce the severity of the impact. So that instead of being killed or seriously injured, you can walk away from the crash.

There is no question but this is the best safety technology since the airbag. It should be in every single car. It should be subject to high standards, and those standards should be enforced for every vehicle. If you don’t do that you’re going to come out with a second rate emergency braking system that will not save as many lives as with one that is regulated by a Federal Motor Vehicle Safety Standard.

Ralph: Clarence Ditlow, tell our listeners how they can get in touch with you, what your website is. How they can even find out whether they have a Takata defective airbag in their vehicle. And, how they can support you. You’re a non-profit, and you deserve the support of motorists everywhere, whose lives you’ve saved for so many years.

Clarence: Consumers can go to our website and check to see if your vehicle is covered by a Takata recall. You can make a contribution to the Center for Auto Safety, because our annual budget is less than 10 seconds of a Super Bowl commercial. It’s less than one expensive lobbying firm that the auto industry uses to work loopholes into the regulations.

And we need the public support to continue what we do. And we need the public support to expose more defects so we can get more recalls and get better safety standards. The American public deserves the best safety system possible for the automobiles that they drive in. So that ultimately, we go to zero deaths on the highway. It is doable, but in the road are the lobbyists in the industry, a Congress that is all too willing to criticize the industry but not pass a law that enforces safety on the industry.

Ralph: And, the motorists outnumber all the many, many times if they arouse themselves, nobody can stop the motorist demanding congressional action. Thank you very much. We've been speaking with Clarence Ditlow the Director of the Center for Auto Safety in Washington D.C. Thank you again.

Clarence: Thank you.

Steve: We've been speaking with Clarence Ditlow, Executive Director of the Center for Auto Safety. Go to autosafety.org. You're listening to the Ralph Nader Radio Hour. David?

David: Dr. Sid Wolfe has been on this show a number of times. He and Ralph Nader founded the Health Research Group at Public Citizen in 1971, which to date has been responsible for getting 25 dangerous drugs off the market. Dr. Sid Wolfe has been a tireless watchdog, policing the medical device industry, dangerous toys, appliances and other consumer products.

Recently, he authored a report that is come out of Public Citizen entitled *Mirror, Mirror on the Wall* about how the Medicare Part D Program pays needlessly high prices for name brand drugs. And, he's back with an update on that. Welcome back, Dr. Sidney Wolfe.

Sidney: Nice to be here once again.

Ralph: Good to have you on the show again, Sid. You're going to talk about today something that's going to affect our listeners, or many of our listeners or their friends and relatives and co-workers in terms of high priced drugs under Medicare Part D. This is an area, which I would call U.S. exceptionalism. U.S. consumers pay the highest drug prices in the world by drug companies. Many of whom were born and prospered in the U.S., are being given huge and free research and development by the National Institute of Health, tax credits for their own research and development by the U.S. Treasury, given free play to advertise a lot of their drugs on TV with minimal controls for accuracy and, of course, freedom to set their own prices. So today, we're going to get a very, very powerful and accurate description of why, under Medicare Part D, you're paying needlessly high brand name drug prices, compared with other Western countries, and even with U.S. programs at the Veterans Administration and other agencies.

So Sid, in this report *Mirror, Mirror on the Wall*, which I think is on your website for anybody who wants to go into more detail. Tell us your highlights of this report. And what do you recommend for action?

Sidney:

Well the first thing Ralph, when the report came out we had some data that had not yet been made public. I think it's been made minimally public in Canada. That looks at the 32 countries in the world that are called OECD. It's the developed countries, it's all the Western European countries, its Canada and the United States.

And, it looks at a market basket of drugs. A couple hundred drugs, what do they cost in every one of these countries. These are all brand name drugs. It is important to distinguish that, because, whereas 70 – 80 more than 80% of the drugs in this country are filled by generic drugs. The brand name drugs, because there's no competition and because they have way too long a patent life are much more expensive.

So, this comparison showed that with the exception of three or four countries, the United States was more than twice as expensive in buying these brand name drugs as the other countries. That was bad enough. And, the reason is that virtually all these other countries with one or two exceptions, the government pays for the drugs for everybody and negotiates the prices and gets good price reductions.

But, it didn't stop there. We then said, "Okay, that's bad enough." But, we have an idea that even within the United States there are programs like Medicaid, programs as you mentioned like the Veterans Administration that also have some ability and success in getting price reductions.

And, we said, "What's the matter with Medicare Part D?" Just to put it in perspective, Ralph, Medicare Part D - just the drugs under Medicare Part D - are 7% of all the drugs purchased in the world. Not just in the United States. It's by far the biggest public program in the United States.

But in a sense, it is a mockery to say it is a public program, because when the legislation passed back around 10 years ago that set up Medicare Part D, which is the drug reimbursement program under Medicare, the industry got a very important clause stuck in the legislation. And, it's called - not euphemistically but accurately - it's called a "non-interference clause."

And what this means is that the government is not allowed to negotiate reduced prices for anyone in Medicare Part D. In fact, the program is completely privatized in the sense that if you were a Medicare Part D recipient - and you want to buy drug insurance for drug coverage - you can't buy it from the government. You buy it from one of more than 20 private Medicare Part D insurers.

And these insurance insurers just don't have very much incentive to negotiate for prices with the industry such as the incentives of the Veteran Administration or Medicaid. And the bottom line, so to speak - I don't like using the phrase "bottom line" - but at least it describes what the difference is: That each year, if Medicare

Part D has the kind of price reductions that the VA or Medicaid already have now, we would save between 15 and 16 billion dollars a year on drug costs.

And what this means is that a number of people who get Medicare Part D, who because of the high prices can't afford to get their prescriptions filled, might be able to afford - because they are paying for these programs - to get their prescriptions filled. One study that we cited in our report is about 16% of diabetic patients in Medicare Part D - who are covered by Medicare Part D - can't afford to get their prescriptions filled.

So, not only is it an exorbitant amount of money compared even with other programs in the United States and way more money than any other than the other countries - in any of the other countries in the world - but it isn't even doing the job that the VA, Medicaid, and although we don't have the data, we are told that the Defense Department discounts are somewhere on the order of the Veterans Administration.

So, there are three programs in this country that are saving the people who use their programs to get their prescription drugs that are doing a much better job. And, the reason is, they don't have a "non-interference clause." The pharmaceutical industry is extraordinarily powerful in getting what they want for their stockholders and for their CEOs. It's the most profitable large industry in the country. It has been so for 34 years.

And, they have as they correctly say, a duty to their - a fiduciary duty to their stockholders and the executives there who are big stockholders - to make as much money as possible. And therefore, the industry thought it was very successful. And to this day, the trade association Pharma - for the drug industry - boasts on what a great program Medicare Part D is. Well, it is a great program if you own stock in one of these companies, or if you're an executive owning stock.

But, it's a disaster for the people, the millions of people in this country who depend on Medicare Part D for drugs. Because, they are paying much more than they would pay if they were veterans, if they were on Medicaid, if they were in the Defense Department and so forth.

So, the program is terrible and what needs to be done is to repeal this "non-interference clause." Not only does it prevent the government from getting the prices down, it prevents the government from doing things that are done routinely in the Veterans Administration and I suspect in the Defense Department. Which is saying, "We are only going to reimburse for a drug that is generically available, if there is one that is exactly the same except more expensive, and that's a brand name drug.

They also, for certain drugs that don't seem to have any benefit above existing drugs that are often safer and less expensive. They will say, "We're not going to reimburse for that." So, it's not only non-interference in terms of not being able to

get a price reduction for the people that use this program. This huge program, the biggest public- and as I say, it's almost a tragic joke to call it a public program, because it's been so privatized and taken out of the control of the government.

So, repealing that clause in the law: there is slowly growing interest by people in the Congress to do that. There's at least been a bill introduced to allow an experiment - wouldn't repeal it - but it would say, "The government if it ever passed would set up a program that some people, instead of buying from one of these 20 private Medicare Part D insurers, would be able to get it from the government."

The power of the industry is likely to stop this from ever passing. So, that's in a nutshell what is going on, why we did this report. It is interesting that Canada, although it has, as everyone knows, a single-payer program that provide health care for everyone is very spotty in the drug benefit area. There are only about a third of the people in the United States that get a drug benefit paid for by the government.

In Canada, it's more than that, but it's only about half in Canada. And the others - particularly if you're under 65, and you live in Ontario - you have to arrange your own drug benefit. It is not paid for as it is for people over 65. So Canada, although it's terrific in terms of the single-payer program, is the only country close to the United States - it's not as bad as the United States - that really doesn't control its prices for everybody.

Ralph: Sid, before we tell the listeners how they can get this report and anything else that will help them in terms of drug safety choices: a little story. When the drug industry was swarming all over Capitol Hill over ten years ago to get this legislation through with the "non-interference clause," - one of the biggest bonanzas in the history of the big drug companies - I had a telephone conversation after the bill passed with Nancy Pelosi, who was a leader of the Democrats.

And, apparently what turned the tide was about two-dozen Democrats crossing the aisle and joining with the Republicans to get this through. And, she was extremely upset with her fellow Democrats. And she told me, "I could have strangled them." Those were her exact words. "For doing what they did."

What's interesting: two points. The press reported that the drug companies had over 400 full-time lobbyists on Capitol Hill in Congress. Every day, they'd walk up and work their will and their proposals of campaign contributions implicit on senators and representatives. Over 400. I've never seen that kind of swarm. But, you can see how many billions of dollars they got every year for their paymasters.

One point I wanted to raise with you: what kind of media attention did your report get? Because nobody could say it doesn't relate to viewers and listeners around the country and readers. The report is *Mirror, Mirror on the Wall*. What kind of attention did it get on Capitol Hill? In the media? And how can people get access to all of it?

Sidney: Well, first question: it did not get that much attention. It's a very long report. We are in the process now of making a summary of it and attempting - which I think we'll be able to do - to get it published in a medical journal. And somehow once reports get published in a medical journal, they get more attention.

Secondly, it was intended primarily to go to at least the most progressive person in the House and the most progressive person in the Senate and that would be Rosa DeLauro in the House, a Representative from Connecticut. And Bernie Sanders in the Senate. We sent it to them. They were very interested in it and actually was invited to give a talk to a number of staff people on the House side, including former Chief Justice of the Texas Supreme Court, Lloyd Doggett - who you know - who was very interested in this.

So I think it takes a while to get the idea that something that passed as easily as it did back ten years ago is completely wrong. I mean, it takes this amount of time to say, "Wait a minute. We are wasting - we call it waste - 15 billion dollars a year on this." But looked at from the other perspective, the drug industry is making 15 billion dollars more.

Be sure that the difference is what the drug industry charges, it doesn't include what the pharmacy cost something like that. So, the drug - the brand name drug industry - is making 15 to 16 billion dollars more (it's 15 to be compared with Medicaid and 16 to compare with the VA) by having this legislation.

The biggest lobby, as you know Ralph, in Washington used to be the tobacco industry. It has easily been replaced by the pharmaceutical industry as the biggest lobby now. And, they're all over the place. I mean, in addition to their success on this, they were able to arrange with President Obama to be willing, reluctantly, to support what we keep calling the "Unaffordable Care Act" in return for Obama's promise not to do anything to control drug prices.

Now, we're talking beyond just Medicare Part D, because, Medicare Part D is already passed by that time. So, it is a very powerful being in Washington. Someone who they are all delighted with will soon, unless something unusual happens, become the FDA Commissioner - someone who is not the least bit corrupt but has spent most of his career doing studies for big drug companies.

So, they will have their person leading the FDA. They have their "non-interference clause," making a fortune for them off of Medicare Part D. And, in many other ways they have a very destructive - I mean, again, it is constructive if you were a stockholder of a drug company - but the pharmaceutical industry is supposed to be providing drugs at reasonable cost that are as good or better than existing drugs.

And, that's not mainly what goes on here. So, Nancy Pelosi was proper to get mad at this, but it's now 10 years - this report amongst other things - has pointed out what a disaster the legislation is. Why isn't Nancy Pelosi and other people doing whatever they can to repeal this clause and make it possible for Medicare Part D

recipients to get at least a good deal as people in Medicaid, people in the Veterans Administration, and people in the Defense Department. So, it's easy to say, it was terrible that it happened. Let's get some action here to do something about it.

Ralph: Right. Fortunately a leading presidential candidate Bernie Sanders is talking about high drug prices all over the country. So, at least it's not being swept under the rug in a presidential campaign period. Sid, before I let you go, I can't resist having you say to our listeners what I think is the best consumer bargain around. Which is what they need to do to get into your up to date database in terms of "Worst Pills/Best Pills." Can you explain that and how they can get into that database? A database that has saved all kinds of lives and prevented all kinds of diseases and injuries.

Sidney: Well, the newsletter, which comes out every month: the easiest way to find out about the newsletter or get the newsletter online is just to go to worstpills.org and all the information will be there. In order to get this report on the disastrous state of Medicare Part D - in terms of its being controlled in terms of prices by the drug industry - go to citizen.org and then a forward slash, which most typewriters have including old manual typewriters. And, then put in hrgpublishations.com. Hrgpublications, one word. And there if you just put "Mirror, Mirror on the Wall or "Medicare Part D" this whole report will come up. It is there. It has charts and graphs showing not only these extraordinary differences between the U.S. and other countries, but even more extraordinary differences within the U.S.

If the government uses its ability - again the total of the VA, Medicaid and the Defense Department is 11% of all drugs in this country. Whereas, Medicare Part D is much, much larger than that. It's huge. It's two and a half times more. So, the most powerful program in the country has the least control over drug prices. So, again, citizen.org/hrgpublishations.com and put in the search term "Medicare Part D" or "Mirror, Mirror on the Wall." You'll get the whole report.

And, once again, it's wonderful talking with you. And this is an issue that will only go away in direct proportion to some guts on Capitol Hill.

Ralph: Which will be provided by angry people back home contacting their members of Congress or throwing tough questions at them when they have meetings back in their districts.

Sidney: I can't think of any issue more generally that people are more concerned with this year, so it's certainly something that they need to ask their Senator or House of Representatives, "What are you doing about this? Are you introducing or co-sponsoring it, legislation to control drug prices in this case Medicare Part D?" If they say, "No" then say, "I think I may vote for someone else next time."

Ralph: Thank you very much Sid Wolfe, Director of the Public Citizen's Health Research Group. That reference by Sid to that the slash is also available on manual typewriters, listeners, was a dig at me. Because, I still use an Underwood typewriter. Thank you again Sid for your information: the kind that people all over

the country can really act on. Because it affects them or their personal relatives every day.

Sidney: Okay. Take care.

Steve: We've been talking with Dr. Sidney Wolfe, who like Clarence Ditlow with the auto industry has been a splinter in the thumb of the pharmaceutical industry. If you want to read his report, you know what I did, I just Googled "Mirror, Mirror Medicare" and it popped right up. So, now at the top of the show, I promised you we are going to talk about vultures. The real kind, the actual scavenger birds. And, some of you probably went, "What, wha?" Well, sometimes Ralph comes across an article that catches his fancy. And, our next guest wrote a fascinating article in "National Geographic" about vultures and how they play an important function as the recyclers of the African savannah. David?

David: Elizabeth Royte's blog is subtitled "Waste, Water, Whatever." She is the author of Bottlemania: How Water Went On Sale And Why We Bought It. Garbageland: On the Secret Trail of Trash. And, The Tapir's Morning: Bath Solving the Mysteries of the Tropical Rain Forest. Her writing on science and the environment has appeared in Harper's, National Geographic, Outside, the New York Times Magazine, and other national publications.

The article that caught Ralph Nader's eye is entitled *Vultures are Revolting: Here Is Why We Have To Save Them*. Welcome to the Ralph Nader Radio Hour, Elizabeth Royte.

Elizabeth: Thank you very much.

Ralph: Elizabeth Royte this is really a very fascinating article in the National Geographic that's just out. It's called *Eater of the Dead*. And, what attracted me about this description and the pictures are really quite memorable about the real vultures. Is not just that I had to deal with a lot of corporate vultures, preying on innocent workers or consumers or communities, it's that whenever an animal gets an image that frightens people like a wolf or a vulture, it all becomes metaphorical. It all becomes a way to occlude the reality of what these animals actually do.

Wolves, for example, very, very rarely attack human beings. But, that's not the stereotype of the wolf. When it comes to the real vultures, people are very, very little other than, "Ugh, they eat dead carcasses and they're disgusting. And, they circle over some animal just died, or, some cowboy that is on his last legs in the Sonora Desert in the southwest of the U.S."

Your article goes very deeply into the environmental and health function of vultures. So, why don't you describe what vultures do and how they service both the environment and the health of nature?

Elizabeth: Sure. Vultures play an enormously important role in African ecosystems. My story focuses on Old World vultures so I will talk about them. But, historically, vultures

consume more meat than all other mammalian carnivores combined in the Serengeti ecosystem.

So, you know that there are millions and millions of animals go through there on annual migrations. A lot of them die, and vultures clean up those animals. If vultures were not around they would pile up. And the researchers that I spoke to did some experiments with carcasses and they learned that - they excluded vultures from their carcasses that they had set out - and they learned that in the absence of vultures that the carcasses linger for three times longer.

A lot more scavengers and carnivores visit them, and they each spend more time at the carcass than vultures would have, which increases the opportunity for disease to spread. So, vultures are pretty cool. They have all these amazing adaptations that allow them to eat dead animals. And they've got very strong stomach acids so they can deal with anthrax and rabies and catarrh.

But, these other scavengers that might come to carcasses in the absence of vultures may not be as able to put a stop to those diseases.

Ralph: Indeed. A vulture, according to your article, can consume two pounds of meat in one minute. One minute. And --

Elizabeth: Yeah.

Ralph: And by consuming these carcasses quickly as whole hordes of vultures descend on a zebra, for example, or wildebeest, exactly point out the kind of diseases, insects that are prevented from happening because the carcasses are consumed - shall we say "recycled" - so quickly by vultures.

Elizabeth: Right. A good size group of vultures that's called a "wake" can eat a zebra in 30 minutes. And, so, if an animal has lingered around that you would have more insects living in it for longer time. You could potentially have rabies spreading from animal to animal or anthrax or malignant catarrh, which is a herpes virus that can be fatal.

These insects can move to livestock and to people, spreading eye diseases. And many of the diseases of the wild animals could pick up at these carcasses could then spread to other wild animals as well as livestock.

Steve: So Ralph, does that mean that the Coney Island Hotdog Eating Contest is actually ultimately a good thing?

Elizabeth: What?

Ralph: We have a comedian on the show, Elizabeth. But, your article focused on Africa. But, the California Condor of which there are under 300 left, is a vulture. And, isn't it true that in some ways the hawk and the American eagle are vultures too? How do you define a genuine full-blooded vulture and one that is sort of in the gray area around the world?

Elizabeth: Well hawks and eagles, they're raptors. They're not vultures. They're not obligate scavengers. And vultures are the only birds that cast on scavenger food. And those other birds can eat live animals.

Ralph: In other words the raptors do the killing. Vultures do not kill. They just eat. Is that what you're saying?

Elizabeth: That is one thing I'm saying, yes. People are so afraid of them, but they don't kill people. And they don't kill animals. They wait till they're dead in most cases.

Ralph: Describe different species before we get into how vultures themselves are dying off due to damaging chemical. But before we get into that, just describe briefly the different kind of species and what in your opinion is the master vulture. You seem to have a choice here.

Elizabeth: Well, I am not a vulture expert, but I watched three or four species that were regularly visiting these corpses on the Serengeti. When I was in Tanzania and Kenya I would reliably see Ruppell's vultures and white-headed vultures. But, my favorite vulture to see was the Lappet faced vulture. It was really big. Its beak was very different, very strong and big like a can opener.

And it had this sort of roseate crinkly skin around its neck and a bare head, pink bare head, and it was just - and these sort of pantaloons like yellowy or white pantaloons on its upper side. It was a beautiful bird and a really important bird because of that large beak. It could bust open carcasses the way the other birds with their much smaller beaks could not.

So, the birds waited around until the Lappet showed up and then it would tear into the muscle and sinew and tear an opening so that the other birds could have more access to the carcass.

Ralph: It is incredible, I mean, this bird you're talking about has almost a ten-foot wing span. It's incredible how the beaks, the claws, the feathers are so amazingly suited to what vultures do. I mean, it is - you have this picture of a vulture suited for scavenging. You show the anatomical adaptations that help them expend as little energy as possible when soaring in the air on thermals over ranges up to 185 thousand square miles in search of food. One vulture can soar over a 185 thousand square mile. Tell us how these vultures are now in danger and why.

Elizabeth: They're in danger for many reasons. The main reason that I talked about is intentional and unintentional poisoning by people. The unintentional poisoning that I wrote about is when pastoralists - people with cattle - they pen up their animals at night around the - we're talking about the Maasai Mara area.

The Maasai put their cattle in corrals at night that aren't that secure. Lions come and scare the cattle. They stampede. They bust out. And then a lion or hyena sometimes will catch a small calf or a weaker cow. But then, the farmer, rancher

wants to retaliate and so uses a bit of a carbofuran poison which is widely available and very cheap and very easy to get.

This is actually a pesticide that's used for killing worms and agricultural pests. But sprinkled on a carcass - they sprinkle some on the what's left of their cow and then the predators come back to finish eating this cow. And so, it takes out lions or hyenas or jackals, whatever will come and eat, scavenge on this carcass. But, the carcass also attracts vultures, who end up eating this poison. And they can't handle it.

These birds - they can stomach almost everything - happen to be very vulnerable to this mix of chemicals that - the carbofurans. And so that is the main reason that vultures are dying in this area. And then there's the intentional -- So that's a sort of cascade of poisoning. The farmers are not intending to kill the vultures, but they are killing them by the tens of thousands.

The other way that vultures are dying from poison is more intentional. And this is when poachers go out to kill elephants or rhinos. They're interested in horns. And they kill a large animal. And vultures with their incredible eyesight - they're always scanning, they're always looking for food - they see this large animal down. And they start flying in. And they attract other birds. And you get what's called, a "kettle" of birds circling over the carcass.

And the poachers understand that the game wardens and rangers can see these birds kettling. And to those people it's signal that an animal has been poached, a large animal. And so the poachers take their horn from the animal; and then they sprinkle their carcass with the carbofurans also, because they want to kill all the vultures that are circling.

Ralph: This is quantitatively very significant. You have in your article that there is an estimate by researchers that poisoning accounts for 61% of vulture deaths Africa-wide. In case people are not yet convinced about the significance of what Elizabeth has been reporting, let me just read you a very brief excerpt from the article about a die off of vultures in India.

"India has one of the largest cattle populations in the world. But, most Indians don't eat beef. After millions of vultures fell victim to poisoning, dead cattle started piling up. Then, the dog population released from competing with vultures to scavenge food leaped by 7 million to 29 million dogs over an 11 year period. The result: an estimated 38.5 million additional dog bites. Rat populations soared. Deaths from rabies increased by nearly 50,000 which caused Indian society roughly 34 billion with a B in mortality treatment expenses and lost wages."

Do you think people in the schools are going to get interested in your article, so, they incorporate it as part of their ecology courses, Elizabeth?

Elizabeth: Do you mean in the U.S.?

Ralph: Yes.

Elizabeth: I would like to think that schools are looking at National Geographic. I know the Geographic makes a huge effort to reach children. They even put out a children's version. I think the story should be adapted actually to be in National Geographic Kids. But, just yesterday I got a letter from a middle-schooler, who is writing a paper on vultures. And she wants to interview me when I'm done with you.

Ralph: And tell me, how would they get access to your article right now?

Elizabeth: Right now, they can see it in the January issue, but it's also online at nationalgeographic.com. And I guess you could do a search for vultures, and it will come up. And the story has fantastic photographs, and it also has some video clips on it that show the vultures feeding on carcasses. And I just want to steer people toward that, because it's so exciting and impressive.

The photographer - I was with him when he did this - he put all these little GoPro cameras inside carcasses. So, the view is really from - it's like a carcass eye view of the birds attacking the bones and the sinews and the flesh.

Ralph: Let me say a little bit before we close. I grew up on a National Geographic. I started reading them when I was six, seven, eight years old. And I've never seen a better discount rate. You can now get a year's issues of the National Geographic. 12 monthly issues for only \$29. That's a great gift as well to young people. Gets them away from looking at screens all their life day after day.

Tell me one last thing, Elizabeth Royte, has anybody interviewed you in the media about your article on vultures in the January National Geographic.

Elizabeth: No, you are the first one to interview me on the article. And this middle-schooler who is coming up next will be the second.

Ralph: Well, thank you very much Elizabeth Royte. I think the metaphorical use of the vulture to apply to discuss the imagery in people's minds does not do full credit to the recycling and environmental service done by vultures in the world. And the fact that they are dying off because of man-made chemicals should be a very worrisome consideration among people who call themselves ecologists. Thank you very much, Elizabeth Royte.

Elizabeth: Thanks for having me on.

Steve: We've been speaking with Elizabeth Royte, author of [Vultures Are Revolting: Here Is Why We Have To Save Them](#). For more of Elizabeth's writing, go to her blog: "Waste, Water, Whatever," at royte.com. That's r-o-y-t-e.com. Or contact her at royte@yahoo.com.

And that's our show.

A transcript of this episode will be posted on ralphnaderradiohour.com.

David: For Ralph's weekly blog go to nader.org.

Steve: The producers of the Ralph Nader Radio Hour are Jimmy Lee Wirt and Matthew Marran.

David: Our Executive Producer is Alan Minsky.

Steve: Our theme music "Stand Up, Rise Up" was written and performed by Kemp Harris.

David: Remember to visit the country's only Law Museum. The American Museum of Tort Law in Winsted Connecticut. Go to tortmuseum.org.

Next week, we're going to unpack President Obama's last State of the Union address. We'll talk to you then, Ralph.

Ralph: Thank you very much David and Steve. And, for our listeners you've got your action missions, if you so choose, to weigh in on your Senators and Representatives. Regarding the program you just heard on automobile defects and gauging prices for the drugs that you have to pay for either as patients or taxpayers or both. See you next week.

Kemp Harris: (Music) Really very simple. Just make a list of demands. We demand freedom. We demand equality. We demand justice. But it ain't gonna happen until folks like you and me just stand up. You've been sitting way too long. Oh, step up. You know what's right and you know what's wrong. Rise up. Don't let the system pull you down. Stand up. Stand up. You've been sitting way too long. You say you're tired of trying. You say you have no choice. You say you're just one person. And who will hear your voice. Don't let 'em fool you. You have the power in your hands.