

RALPH NADER RADIO HOUR EP 234 TRANSCRIPT

David Feldman: From the KPFK studios in Southern California...

Steve Skrovan: ...it's the Ralph Nader Radio Hour!

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

Steve Skrovan: Welcome to the Ralph Nader Radio Hour. My name is Steve Skrovan along with my co-host back from vacation, David Feldman. How are you doing, David, from your vacation?

David Feldman: Very good. I missed you guys, but Maine is beautiful. Maine is gorgeous.

Steve Skrovan: And also on the show is the man who never takes a vacation. He's here every week even though Dave and I check out every once in a while, is the man of the hour, Ralph Nader. Hello, Ralph.

Ralph Nader: Hello everybody.

Steve Skrovan: We have a great show for you today, one that I can personally relate to and I'm sure many of you can too because I take blood pressure medication, Valsartan, and got a notice about six weeks ago that the FDA was recalling the brand that I take because it

has a known carcinogen in it. And it directly relates to our first guest today who has written a book called China RX about the drugs we get from China. So we're going to be talking to healthcare expert Rosemary Gibson who has an incredibly impressive resume working on behalf of the public interest in all areas of healthcare. In fact she has received a Lifetime Achievement Award from the American Academy of Hospice and Palliative Medicine. She's written a new book which I mentioned entitled China RX: Exposing the Risks for America's Dependence on China for Medicine and that will be in the first half of our show.

You don't want to miss that. In the second half of the show, we welcome back Ken Reed, Sports Policy Director for the League of Fans, which is one of the many organizations initiated by Ralph. This one to advocate as the name suggests on behalf of fans. And Ken has a new book out entitled The Sports Reformers: Working to Make the World of Sports a Better Place, which is a collection of short interviews with all sorts of people connected to sports, current and former athletes, doctors, lawyers, politicians, fans, parents, and many others. And these are all people working to accentuate the positive in the world of sports. In between, we will rush over to the National Press Building and stick a microphone in front of our Corporate Crime Reporter, Russell Mokhiber to find out what the bad guys are up to. But first, let's find out what China is putting into our drugs. David?

David Feldman: Rosemary Gibson is an award-winning author, inspirational speaker, and advisor to organizations that advance the public's interest in health care. Ms. Gibson serves as Senior Advisor at The Hastings Center, which is the world's first bioethics research institute. And she's an editor for the Journal of the American Medical Association. A national authority on health care reform, Medicare, patient safety and overtreatment in medicine, Rosemary Gibson has

authored many critically acclaimed books including the one we're going to talk about today. It's entitled *China RX: Exposing the Risks for America's Dependence on China for Medicine*. Welcome to the Ralph Nader Radio Hour, Rosemary Gibson.

Rosemary Gibson: David, thank you for having me.

Ralph Nader: Welcome, Rosemary. Our listeners should be notified. This is going to alarm them if they take any medicines right down to aspirin or Tylenol. And this also is an example of runaway corporate globalization, greed, maximizing profits, and everything that can go wrong when there's no adequate regulation and disclosure to the consumers. So this book, *China RX*, is going to alarm you, listener, but I want to tell you that before we conclude our interview with Rosemary Gibson, we'll talk about an appendix in her book, which is how to find out where your medicines are made. Because right now, more and more of the medicines in our country are imported from China and India. And if they don't import the complete drug, they're importing what are called essential ingredients.

Now on the flap of this very readable book, *China RX*, and the description is "several decades ago, penicillin, vitamin C, and many other prescription and over-the-counter products were manufactured in the United States. But with the rise of globalization, drugs such as antibiotics, anti-coagulants, anti-depressants, birth control pills, blood pressure medications, cancer drugs, and many others, are made in China and sold in the United States. China's biggest impact on the U.S. drug supply is making essential ingredients and those are the therapeutic ingredients in drugs for thousands of medicines found in American homes and used in hospital intensive-care units, and operating rooms." And you argue quite convincingly, Rosemary, that

there's a national security problem here. I mean our country doesn't produce penicillin anymore, for example.

And second, to put it mildly, the inspection level by the FDA of these laboratories in China are either nonexistent, confused, or very rare, and as a result, we have a clear and present danger to the American people. So my first question to you is why isn't the federal government, whether Republican or Democrat--this is hardly an ideological issue--speaking out against this and doing anything? A lot of your examples are over 10 years ago. There were congressional hearings. It seems to have slowed down. What's the situation?

Rosemary Gibson: Ralph, there's two reasons why this isn't being talked about in Washington. Even the Valsartan blood pressure medicine that was recalled; we don't hear a peep about this from anyone in Washington. One is the pharma industry has been successful in muzzling the truth about the shift in where our drugs are coming from and the consequences. And it's also true that the Chinese government likes to censor bad information about what's going on that affects Americans. So we're dealing with two very powerful forces that make it challenging to begin to talk about this issue.

Ralph Nader: Well, what struck me about your book is how many former officials in the drug industry and the FDA sounded the alarm after they retired. So you're not just speaking from the point of view of a few commentaries; you're speaking with a sense of dread as to when the next shoe will drop. And scores of Americans died, many of them right on the operating table about 10 years ago because they were given a blood thinner called heparin that had a contaminated ingredient in it from China. And there was litigation and we're going to

get to one case pretty soon about what happened. It was on 60 Minutes. It had some publicity, but you would think that this would have led to much stronger legislation and regulation just like in past American history when you get a major disaster whether it's a maritime disaster or Thalidomide drug disaster, there was action in Congress. So why haven't some of the more progressive members of Congress; why haven't people who headed the FDA like David Kessler really gone on a tear here?

Rosemary Gibson: Well, Ralph, there was legislation in 2012, after the heparin tragedy where-- and they're just estimates--that 250 people died as a result of it. We really don't know because it's so hard to show cause and effect from a bad drug. But this legislation ramped up inspections in China and the FDA is in there much more than it used to be. But what that legislation did was basically give a free pass to corporations to do more outsourcing to China because they can say, well it was made in an FDA-inspected facility. So it actually accelerated outsourcing of production to China.

Ralph Nader: I just asked Sid Wolfe, Dr. Sid Wolfe, head of Public Citizen's Health Research Group, are these drugs labeled? I mean, can people go into pharmacies and say, "Is this made in China? Will the pharmacists know? Will the bottle package have it? Is there a country of origin labeling requirement? And if not, why not?"

Rosemary Gibson: We found that some manufacturers do say where the drug and the ingredient is made, but that's rare. If you call them up they may tell you. And I think any good company would be proud of where their products are being made, Ralph, but many do not. There was a country of origin labeling legislation put forward about 10 years ago, but it was immediately killed. And when I asked an industry

person to describe why that happened, this person said, "Well, the industry probably thought it wouldn't be good for their customers to know where their medicines are being made." And that's because according to an old poll from the Pew Trust only 6% of Americans trust medicines made in China so companies have good reason to hide it.

Ralph Nader: Well I think some listeners would now be asking why can't the U. S. drug companies make these drugs here. Some of them who are more aware of how we subsidize the drug industry would also add that these U.S. drug companies like Eli Lilly and Merck are given huge tax credits for doing research and development, which they should do without tax credits. They're given free R & D results including clinical trials by the National Institutes of Health and to select the drug companies. That's a big windfall. And there's no reasonable price controls on drugs. Unlike all other countries, they can go to the roof and we've been reading \$100,000 for a medicine per patient per year and so forth. So given all these subsidies, why are they outsourcing these drugs to China, which obviously is a cost-cutting invitation to them, but don't they have any patriotism? Don't they have any limitations on their greed? And what would you say to listeners who said that?

Rosemary Gibson: Well, I would break it up into two groups of companies, Ralph. First you have the generic manufacturers and let's face it, 90% of the prescriptions out there are generic drugs. And that generic drug manufacturing is disappearing very quickly in the United States. I said to a generic drug company executive not long ago that China is an existential threat to your business and there was no pushback whatsoever. And the reason for this is China has an industrial policy to become the pharmacy to the world. And it is ramping up production of generics, not just the active ingredients anymore; now it's going up the value chain. And we're seeing blood

pressure medicines, and Alzheimer's, and Parkinson's medicines, HIV/AIDS, birth control pills, others that you mentioned in the opening, being made in China so that's the generic side of the house.

And then there's the brand name pharma companies and they do produce some generics over in China that's for the U.S. market and also for the Chinese market. And why do they do that? The Chinese government says if you want to do business in China, if you want to access our millions and millions of people who--their incomes are increasing, their demands for good medical care are rising, and frankly, the Chinese don't trust domestically made Chinese-made medicines. They want the Western brands. And so the companies are forced to move manufacturing to China, if in fact they want to access that lucrative market. The question is how long is that going to last? I think the real challenge that we're seeing now is that the brand-name companies have also moved and spent billions in research and development in China.

Ralph Nader: Give me some idea of percentages here. What percent of drugs used in this country are imported from China, and to lesser extent India? What percent of the essential ingredients, that's the therapeutic part that's in your medicines, are imported?

Rosemary Gibson: It's actually quite complicated. And for those who are outside the industry like us looking in, if you're on the inside, somebody could figure that out. But here's what we do know. That usual figure put out there, which I've heard quoted is that 80% of our active ingredients come from China and India. That really obfuscates the reality. Even India is dependent on China for the active ingredients. And it's not just that, it's the chemical building blocks needed to make antibiotic ingredients and China has dominated that

market incredibly. The government made huge investments years ago in the infrastructure to make antibiotics. Its messy business. Environmental regulations are nonexistent. The waters in the rivers water tables are polluted in China to no end that we would never permit here, so it's certainly cheaper to do it there.

So we've made a huge strategic mistake in this country by giving up antibiotic production. We used to have lots of plants in this country in the 1980s and we just let it slip through our fingers over to China because China has the will to become a pharmacy to the world. And here in the United States, we have market forces that let companies do what they wish. But I do think that western companies have met their nemesis and it's China. China will allow the large pharmaceutical companies to operate there as long as it's good for China.

Ralph Nader: Well, as you say, it's a perfect place to buy the active therapeutic ingredients to make America's medicines because China has a lot of chemists, cheap labor, virtually nonexistent safety and environmental regulations--those are your words. But you have it in chapter 11, which is called The Perfect Crime in your book, China RX. We're talking with Rosemary Gibson, author of China RX, and you have a quote in the chapter 11, which says "In healthcare, we usually operate like a mom and pop shop and don't aggregate information about bad reactions to medicines or investigate for sheer causes and commonalities." Now it's is very hard to make the cause and effect between contaminated drugs and ingredients and whether someone is getting sicker or dies. And you basically are saying this is a serious national security issue. Well if it is, where is the Department of Defense?

Where is Donald Trump? He's always beating up on China and he once said about the drug companies during his presidential campaign regarding their high prices that "they're getting away with murder". Why hasn't he done anything about this?

Rosemary Gibson: Well I don't know how many people in the administration know about this. We're trying to change that and get the word out. And I appreciate, Ralph, your letter to the president about this burning issue. Even our military is dependent on Chinese products for their medicines simply because that's how commercial trends have gone. So imagine the young men and women in the South China Sea on the naval vessels, are they dependent on their strategic competitor, their adversary for their antibiotics? This is an untenable situation. We had the same issue with military components being made in China almost as sole sources and good people are trying to change that, but we have to change this for our medicines. And I think putting this out there as a national security issue is a very compelling angle.

Ralph Nader: As you say in chapter 14, "Without firing a missile or hacking the electric grid, China can take America down by disrupting the access to essential drugs." Back to you, "One healthcare official is saying that if China suddenly boycotted the export of medicines to the U.S., the hospitals would shut down." So this is bordering on national security insanity, we're still spending hundreds of billions of dollars, Rosemary, building more nuclear subs, more missiles, more bases all over the world, and we're not spending anything hardly to send food and drug administration inspectors to stay in China and investigate and inspect those laboratories. We're not spending anything to inform the American people what's going on. What are you recommending?

Rosemary Gibson: Well let me just add to your point, Ralph, the picture up in Southern Connecticut. In New London you have the nuclear submarines being built, state of the art, best in the world apparently. And right across the river is the old what used to be the penicillin fermentation plant in Groton owned by Pfizer. And so that's no longer . . . and meanwhile the men and women who are going to be on that ship somewhere in the world will be dependent on, as mentioned earlier, their foes for their medicines. It's untenable. We recommend several things. First, we have to think of our medicines not as a cheap commodity. We need to think of them as a strategic asset like we do oil, like we do food commodities--corn and wheat. Food has been used as a weapon of war. And think of the civil unrest that would occur if medicines were not working or if some people could access them but not others.

Because remember, the U.S. will have to stand in line behind every other country. Because as China becomes the global pharmacy to the world, the world becomes dependent on a single country. And no matter what country that is, it's just not smart—not a smart thing to do. The second thing we recommend is that somebody needs to own the job of knowing where our medicines come from, what are the risks, do risk assessments, and identify measures to ensure a diversity in manufacturing capability at home and in other countries where we can get them when we need them easily.

Ralph Nader: Well there's no tort system to speak of in China. And therefore, they don't have fear of liability that...

Rosemary Gibson: And that's why their drugs are cheaper. We have a quote in there from someone who expresses the Chinese view as “One of the reasons our drugs are so cheap is because we're not

liable for them". So we have a chapter title called Made in China/Sue in America? Good luck.

Ralph Nader: Well let's back up here and see what China is doing to protect its own people from these medicines. There's a lot of counterfeit medicines - that's raw criminality - circulating all over the world sourced in China. And in China, there is a lot of corruption. There is minimal regulation although in your book you say that the first Chinese head of the Chinese version of the Food and Drug Administration was accused and convicted of taking bribes for approving drugs which led to at least 10 lives being lost in China and he was executed. But what is the Chinese government doing just to protect its own people?

Rosemary Gibson: Well, just one comment on the Chinese FDA and the execution of its head. Think about this, Ralph. At that time, that did not deter companies from moving production to China. Think of that! This was the environment and a Chinese government official came out in the period of the execution of that official and said with admirable candor that we are still at this early stage of development in our capability to do this work. So basically U.S. companies went ahead and outsourced production of life-saving medicines from a country with the highest standards in the world to a place with virtually no standards. It's absolutely stunning.

Ralph Nader: Why haven't the Republican-dominated Congress at least had public hearings? I mean that's good politics for heaven's sake. They don't have to worry about ideological...

Rosemary Gibson: Well you would think so. There had been tariffs proposed on the chemical components in the first round that proposed

tariffs on the chemical components for a number of different pharmaceuticals. When push came to shove and the final list came out, all those tariff lines were removed. And the response of the industry was, "Well we're too dependent on China for them for our medicine." So we have to build up . . . we need a plan. We don't even have a plan. And that's what we call for in China RX, a strategic plan to ensure we have a safe, reliable access to our medicines when we need them. You know there was a plant in China where there was an explosion and they were the primary source of the ingredients to make a key antibiotic and it's now in shortage. So we need a strategic plan that accounts for the risks of our suppliers and somebody needs to own this. This needs to be somebody's job as part of homeland security--Defense Department with information from FDA.

Ralph Nader: Let's talk about a really heartrending case you describe in your book, 45-year-old physician Dr. Bob Allen. And tell us about what happened.

Rosemary Gibson: This is a story of a physician that walked into a hospital in Arizona. He had what appeared to be just a stomach ulcer. He self-diagnosed himself and he was right; it was bleeding; it was painful. And he was admitted to the hospital. And within 24 hours, he was in multiple organ failure. And this is a case that's pending in litigation and it's alleged that he was given two doses of heparin that were contaminated, but that case is still brewing, so we hope for a just result from that litigation.

Ralph Nader: Well apart from the litigation, the evidence in your book is really quite compelling. His wife was a physician. She meticulously documented this. He was given heparin twice within a few hours. There is about as direct a cause/effect as you could imagine.

Rosemary Gibson: And that's why this is the only case out of almost 600 that made it through the product liability multi-district litigation to get to a jury trial.

Ralph Nader: And this happened when?

Rosemary Gibson: Ten years ago.

Ralph Nader: Well, this was the one time that the mass media got onto this situation with importing Chinese drugs.

Rosemary Gibson: That's because there was a very large body count and it was news. I wonder if we would have this much exposure today. I just see a lot of tamping down. There's nothing on the Valsartan or very little on the Valsartan. What we're seeing in China . . . did you see how China reacted differently when its vaccines were improperly made? The Chinese government . . . and that was . . . those were vaccines for the Chinese market not for the U.S. market. The Chinese government went in and arrested more than 30 people and somebody was held accountable. We don't have any accountability for this Valsartan issue. None.

Ralph Nader: Well, apart from corporate drug company greed, the lure of China is lower prices. They can get these ingredients at lower prices. So as long as there's nothing that can counteract the lure of lower costs of production in China, whether they're tariffs, whether they're regulatory standards, whether they're litigation, whether they're straight out prohibition for national security reasons of an essential list

of pharmaceuticals that have to be produced in this country, this is going to continue on and on.

Rosemary Gibson: When the pain becomes more than the gain, they will leave. Look what happened when Google went in initially, and their source code was stolen. This was the heartbeat. And by the way, we have a lot of intellectual property trapped in the pharmaceutical industry. But the Chinese government is allowing just enough profitability for these U.S. and other western companies to have them stay because they need them for now to develop a capability in R&D operations and so forth to become the top pharmaceutical developer, researcher, and producer. And then when it doesn't need them anymore, as it did with Google; Google left after four years. For the pharma industry, it'll take longer and that's why we call this...it's a China trap.

It'll lure you in for a period of time, depending upon the industry, and then when you're not needed anymore, you're out. I think American companies have met their nemesis, eventual nemesis. It may be good for a while but for how long will it go on? It won't go on forever. Because eventually China wants to make its medicines for its own people not to buy American-made drugs.

Ralph Nader: Just quickly, Rosemary Gibson, author of China RX, with Janardan Prasad Singh... What's Canada doing? Is Canada regulating imports of drugs from China? They have a single-payer system so they can really have a command performance here.

Rosemary Gibson: Well, Canada, Europe, and Australia, and other countries are in the same boat in terms of dependence on China for medicine. And do we think that Canada has the same kind of

capability and resources to go into all those plants in China? It's a very costly proposition for every country to do that. And so what we're seeing now, Ralph, is the mutual recognition of regulatory capability. So the FDA recently signed an agreement with the European Medicines Agency that the FDA will accept as equivalent the European Medicines Agency inspection reports of plants that produce drugs for the United States as well as Europe. The FDA can still go into plants where the Europeans have been in.

I think where we're headed on this and this is not right away and I . . . this really defies all hopes for all the consumer advocates for all those years who fought hard for good consumer protection, I predict that it's just a matter of time before the Chinese FDA says to the U.S. FDA, we want the same thing. We want an equivalency determination that we can inspect plants in China and you accept our inspections. Look, we have a chapter in the book on chicken and how the US Department of Agriculture (USDA) determined that the China's inspection system for poultry is equivalent to that of the United States. That means . . . and China will be...wants to send processed chicken and chicken raised in China to the U. S. and there will be no USDA inspectors in those plants. This is where we're headed. Globalization is de facto deregulation.

Ralph Nader: Another way of saying, we're losing our sovereignty, we're losing our independence of these corporate global juggernauts that have no sense of patriotism; no sense of loyalty to the American people and taxpayers and workers, who brought them to these heights of staggering profits.

Rosemary Gibson: Yes and the other thing we're losing control over, that's absolutely right, Ralph. We are also losing control over price.

When China gains control over the manufacturing of the finished drugs, do you really think that the Chinese government will care that American consumers can't afford them? And do you think members of Congress will have any leverage to haul in the CEOs of Chinese companies making drugs in the United States and telling them to stop doing it?

Ralph Nader: That's the fraud in the argument for free trade in medicines, because the argument is: Well, these drug companies are going to China, they're getting lower-cost ingredients, and they can sell the drug at a more reasonable price back to American consumers. Just the opposite is happening. The prices of drugs have been steadily exceeding in their rise any kind of inflation, and in some areas have been skyrocketing six, seven, 10 times the price of just a few years ago as some of the media has pointed out. In 2015, Public Citizen put out a report, *Mirror, Mirror on the Wall: Medicare Part D pays needlessly high brand-name drug prices compared with other European countries and with U.S. government programs. (such as the VA and the Pentagon, which are allowed to negotiate volume discounts).*

So why don't we, just before we turn to Steve and David, you have an appendix how to find out where your medicines are made. Okay, so listeners are now getting a bit upset listening to this exchange between us and wondering what they can do. They're taking aspirin, they're taking Tylenol, they're taking more serious-impact drugs, they're looking at their medicine cabinet, they're walking into the pharmacy. Tell them how they can protect themselves.

Rosemary Gibson: Well the first thing that we can do is consumers, which I've started doing, is calling up to find out where my vitamins are

being made, both the ingredients and the finished product, and that changed my decision about where the vitamins that I take. And we should be doing the same with our prescription drugs. Some will tell you, some won't. We do our best to find out. And I would love to see a website where we crowdsource information together on where medicines are coming from. And again, good companies should be proud of where they're making these important products that are lifesaving.

Ralph Nader: Can the local pharmacists, tell them anything?

Rosemary Gibson: Oh, I doubt it. No. Most pharmacists don't know. You'll have to look at the packaging and go in and ask for the box to see the box. Take a picture with your phone and go home and call the manufacturer; call the distributor, and ask. If you can go online, there's a website druginserts.com. Type in the name of the drug you're taking and look for the label, the packaging, and that may tell you where the product is coming from.

Ralph Nader: What about the DailyMed website?

Rosemary Gibson: That's another resource. It's part of the National Library of Medicine, NIH and that is a website that has label information. They don't make it easy to find this information, but it's there. Those are the best ways for now to find out.

Ralph Nader: We're in an election period. It's a few weeks to go for November elections, congressional elections and state-level elections. Our listeners are often known to be active, so if you go to any political rallies and you meet your senator and representative, just ask them,

have they read this book, China RX; are they going to have congressional hearings? Demand that you want to be protected. Look them straight in the eye. This is the kind of demand that really gets right to the core of a politician, because they know that it involves the medicines people are taking standing in front of them and demanding some sort of action. Steve, do you want to make a comment or David?

David Feldman: Well, I'm curious. We spend close to a trillion dollars on defense. Russia hacked our elections. We're not prepared for that. What happens if we can't get our pharmaceuticals from China? How long would it take to gear up and make our own?

Rosemary Gibson: For antibiotics, you don't build a plant overnight. It takes a couple years and what we're in danger of . . . and it's a great question...what we're in danger of losing is to know how to even know how to make complicated products like antibiotics and all their chemical precursors. So we can't ramp up overnight. So it's an enormous risk to this country both to the civilian, to us, and to the military.

Ralph Nader: The problem, David is Janet, Dr. Janet Woodcock, who has been the resident voice for the pharmaceutical industry inside the FDA for years and nobody can get her fired because she's got the support of the big drug companies. When she was pressed on this, she basically said, "Well, we don't want to alarm the people into not taking these medicines." Well if that's her get up and not go attitude, nothing's going to be done.

David Feldman: It's a national defense issue.

Rosemary Gibson: We are so dependent on China that when the FDA went into a plant there it had gotten reports from companies saying that there were particles in some of the products that they were getting. These were active ingredients and maybe some finished drugs and some did not have the full therapeutic value. So the FDA banned 29 products from that company. But because we are so dependent on China, the FDA had to exempt 14 of those products from its own ban including antibiotics and chemotherapy ingredients used to treat childhood cancers. That's how dependent we are and the same with heparin. We're still at the same level of heparin. One of the recommendations in China RX, there are researchers out there who are coming up with the synthetic heparin.

And all that needs is a good look, and if it has merit, investment in the public interest so we don't have to rely on, in this case, the pig population, which is the source of the active ingredient for this blood thinner heparin; and make it safer in a synthetic process rather than from natural products, which are so variable.

Ralph Nader: Listeners should know by the way that even before China started exporting drugs and ingredients to the U.S., medical journals estimated about 2000 people a week dying from adverse drug reactions. We're not talking opiates here. We're talking pharmaceutical drugs a week; 100,000 or so a year.

Rosemary Gibson: Yeah. Ralph, one point I want to make, it's really important. We wove together the pieces and found that it was when we opened up free trade with China in 2000, within a couple years, that's when we lost the last penicillin fermentation plant in this country. That's when the last aspirin plant closed. It's when the vitamin C cartel was formed. Chinese companies came in, dumped it on the market at

below market price, drove out U.S., European, and Indian producers, and then talk about cost—once they got control of the market—increased the price 700%.

Ralph Nader: And the antitrust officials in the Justice Department and Federal Trade Commission are sleeping.

Rosemary Gibson: Well, it was only the present administration that supported this case when it went to the Supreme Court. It went... this court was at jury trial in Brooklyn then it went to a federal appeals court in Manhattan, which basically legitimized—ready for this—it basically legitimized cartel behavior by China, because the Chinese government asserted that by law, we require the Chinese companies to form cartels. And a federal judge in New York, a federal appeals court panel ruled that we can't expect the companies to abide both by U.S. law and Chinese law. So in the interest of international comity/neighborliness, we are going to overturn the jury verdict, which found it with absolute clear evidence of cartel antitrust behavior. Yeah. It was in this administration that they brought it to the Supreme Court and say no, you can't rely so much on Chinese government assertions, bring it back down to the appeals court.

Ralph Nader: Well that one is to be continued--that saga in the courts, but Steve, do you have any comments before we conclude?

Steve Skrovan: I was just going to say this . . . there are a lot of theories about the fall of the Roman Empire and one of them being that it was the lead in the pots and the pipes. I don't know what the efficacy of that is, but this sounds strangely similar that these carcinogens that are in our medicines is the thing that could bring us down.

Ralph Nader: On that note, thank you very much, Rosemary Gibson.

Rosemary Gibson: But we are . . . we hope . . .

Steve Skrovan (laughter): I just wanted to end on a high note, just bring everybody up.

Rosemary Gibson: Well, we can't make change until people know what the heck is going on. And I'm so grateful for this show today to let people know, and then we can't fix until we know.

Ralph Nader: Well, when your book came out in the spring, did you get on NPR, PBS, any other commercial media?

Rosemary Gibson: NPR did a story The People's Pharmacy, thanks to Joe and Terry Graedon. And we're getting coverage in the Financial Times, NBC, and a few other places. It's not a topic . . . well think of it, the major networks, they all have investments in China.

Ralph Nader: Well I'll tell you one thing. The easiest letter to senator/representative you can write is say you're taking medicines, how can you tell where they're made. I expect an immediate reply, senator/representative.

Rosemary Gibson: I would make it stronger and say, your antibiotic depends on China.

Ralph Nader: Well, thank you again, Rosemary. By the way, how can they get . . . people to reach you?

Rosemary Gibson: I'm at the Hastings Center in Garrison, New York. If you go there, there should be contact information there.

Ralph Nader: Very good. Thank you again.

Rosemary Gibson: Thank you.

Steve Skrovan: We have been speaking to healthcare expert, Rosemary Gibson. Her book is *China RX: Exposing the Risks for America's Dependence on China for Medicine*. We will link to that at ralphnaderradiohour.com. Now we're going to take a short break. But when we come back, we're going to welcome back old friend, Ken Reed, Policy Director at League of Fans, the nonprofit organization that advocates on behalf of the fans of sports. And I hope personally we can also have little time to talk about the Colin Kaepernick Nike ad. He's going to be talking about his new book "The Sports Reformers." But first, let's find out what's going on in the world of corporate crime with our Corporate Crime Reporter Russell Mokhiber. You are listening to the Ralph Nader Radio Hour. Back in a minute.

Russell Mokhiber: From the National Press Building in Washington D.C., this is your Corporate Crime Reporter, Morning Minute, for Friday, September 7, 2018. I'm Russell Mokhiber. If you purchased Empire Kosher whole chicken or chicken parts between September 2017 and June 2018 and still have it in your freezer, Consumer Reports advises that you throw it away because it may be contaminated with a dangerous strain of salmonella. The Centers for

Disease Control and Prevention announced that 17 people in four states--Maryland, New York, Pennsylvania, and Virginia--have been sickened by chicken found to contain a virulent strain of salmonella. Eight people have been hospitalized and one has died. All of the victims reported eating chicken in the week before they became ill and most of them said they ate kosher chicken.

Of the nine people who named the brand of chicken, seven said they had eaten Empire Kosher Chicken that was sold between September 2017 and June 2018. For the Corporate Crime Reporter, I'm Russell Mokhiber.

Steve Skrovan: Thank you, Russell. Now on a slightly lighter note, we turn to the world of sports with our next guest. David?

David Feldman: Ken Reed is the Sports Policy Director for League of Fans, a sports reform organization founded by Ralph Nader and based in Washington D.C. He writes position papers, columns, and a blog on the biggest and most important issues in sports today. He's the editor of a new book entitled The Sports Reformers, which is a collection of short interviews with current and former athletes, doctors, lawyers, politicians, consumer watch dogs, former athletic administrators, research scientists, civil rights activists, professors, fans, and parents who are working to enhance the positives and lessen the negatives in sports. Welcome back to the Ralph Nader Radio Hour, Ken Reed.

Ken Reed: Thank you. Thanks for having me.

Ralph Nader: Ken, in your new book, you recount a theme that has been constant in all your great work and reviewing the sports world, professional sports, amateur sports. And that is it's infected with this demand of win at any cost, profit at any cost. And that's not just the professional teams in football, basketball, baseball, hockey, it goes into college football, high school sports, and of course right down to middle school. So we're at the beginning of more and more people speaking up like you. We have in the front pages today where Nike has enlisted Colin Kaepernick, the former quarterback for the San Francisco 49ers, in an ad to illustrate their motto "Just do it" and that's an unfurling controversy. But in your book, you have a lot of great people being interviewed.

Short, cogent interviews who have spoken up all over the country and that's what I'd really like to run by, some of these great people who you've interviewed. And let's start with one of your great concerns, which is the loss of phys. ed. programs in more and more high schools and middle schools. What can you tell me about Diana Cutaia?

Ken Reed: Well Diana and Brenda Van Lingen who's also in the book and a couple other people we touched on the lack of physical education and the decline of recess even where in the middle of a childhood obesity epidemic, kids are less and less active not only in schools, but at home with their video games and screen time. My concern is what's happening in schools and there are some schools out there that are being built now without gyms. Physical education isn't even required in a lot of schools. And it's not only hurting the physical health of our kids, but there's plenty of research shows that behavioral problems go up when physical activity goes down. And also on the positive side of physical activity, the more active kids are cardiovascularly, the better they do on academic tests. Because

physical education or physical activity specifically actually grows brain cells.

Ralph Nader: And what are these two women doing about this?

Ken Reed: Well, there is an organization called PE4Life that is focused on getting physical education back in schools on a daily basis like it was at one time and specifically cardiovascular physical activity. So instead of just plain 11B, 11 . . . playing football games, they cut it down to 4 on 4 or a 3 on 3 basketball or 3 on 3 soccer, so everyone's moving for the entire period. They're putting heart rate monitors on kids to make sure they're getting their heart rates up enough to have positive effects. And it's just basically trying to overcome what's happened in this country. With the No Child Left Behind Legislation, schools put more and more focus on classroom time and cut out physical education time. When the opposite, if they want to raise scores on these academic tests would be to get more physical activity, because the research shows a clear link between physical activity and increased academic performance.

Ralph Nader: Give us the growth since 1980 of childhood obesity.

Ken Reed: This is from my book, *How We Can Save Sports: A Game Plan*, that says the Centers for Disease and Control and Prevention report that the percentage of children ages six to 11 who are now overweight has increased nearly 300% in the last 25 years.

Ralph Nader: And of course this means early diabetes. It means a predisposition to high blood pressure. And these women, Brenda Van Lingen and Diana Cutaia in your book entitled *The Sports Reformers*:

Working to Make the World of Sports a Better Place, are really quite insistent on changing the situation here. I mean Diana is quoted in your book as saying that he was in an assistant coaching position at Mount Holyoke College while she was working on her master's degree. And while she was there, she stopped by the gym one day and watched the 6th-grade basketball game. The language and I'm quoting from her "The language from the coaches and parents had a distinct aggressive, violent and warlike tone. There was a lot of focusing on attacking the opponent and very little sportsmanship going on. I walked out of the gym thinking if this stuff is going on during 6th-grade games, we need to find a better way. We have to make changes. That's when I began to research and develop my ideas on coaching peace." And she gives her website coachingpeace.com. How far along are the women like these and other people who are trying to change the practice of win at any cost/profit at any cost ideology in sports?

Ken Reed: Well you mentioned early on that the win at all costs, which I call "whack" and whacky philosophy because it goes all the way down to the youth levels. And what's happening is that in the youth and middle school programs, they're specializing in focusing on elite athletes now trying to get elite athletic teams rather than creating sports opportunities like we used to call intramural sports where everyone in the school could participate, playground sports, physical education classes. There's long been this philosophy that sport is good in building character and building bodies, etc., but what's happening in reality is we're weeding out most of the kids in these schools that aren't athletic enough to play on these elite travel competitive teams.

Ralph Nader: Well, you've been a leading critic of the whole cover-up with a concussion problem, which affects high school football players,

college, and professional. And more and more disclosures are showing what a devastating epidemic this has been, but why don't we turn to another interview, Dave Zirin. Why don't you tell us about Dave Zirin?

Ken Reed: Well, he's a great colleague and inspiration to me. He's been at this longer than I have. He's one of the leading sports journalists, activists in the country/activist. He writes about the intersection between sports and social, political, cultural issues. And is doing a great job on various issues from win-at-all-costs and publicly financed stadiums, the concussions in youth sports. So he's out there. He's one of our best and loudest voices on these subjects.

Ralph Nader: And how about this St. John's up in Minnesota, football coach who I interviewed once, John Gagliardi? He was a tremendous winning record. What did he do that was so unique?

Ken Reed: Well, yeah, first of all, he is the winningest football coach of all time across all levels. And the main thing is--the lesson from John is that he provides proof that you don't have to be an autocratic, authoritarian, drill sergeant like Vince Lombardi to be successful on team sports. He was a great humanitarian coach. His only rule was The Golden Rule. He was a way ahead of his time in terms of not having full contact practices during the week to prevent injuries including concussions. They did a lot of their practices in shorts. In their hour and a half practices, they ran through plays and conditioned and that's pretty much what he did. And he won out more games than anyone else in football history.

Ralph Nader: And he let the quarterback call most of the plays and he graduated his athletes almost at a 100% rate. He's recently retired. I

tried to get him to write his autobiography, but he was too modest. But he's a real legend. And this is a fascinating interview in your book of *The Sports Reformers*. What about that great writer for the New York Times and the great author Robert Lipsyte who's been a great supporter of the League of Fans group in your work?

Ken Reed: Yes. I met Robert Lipsyte who was a longtime New York Times sports columnist probably 25, 30 years ago at a sports issues conference and we had a long talk. And he encouraged me to get into this area and helped me get an op-ed published in the New York Times that kind of kicked off my career. But he's another pioneer in terms of being a sports-activist journalist. Back when he was writing in the '70s and '80s primarily, there was a lot of what he called "God-ing up the athletes" and making athletes on a pedestal, making sports events seem like sacramental activities that are of the utmost importance. He did a good job of showing the faults of not only the athletes, but the organizations themselves. In his book, I think it first came out in 1978, called *Sports World: An American Dreamland*, is a seminal work in sports journalism in terms of focusing on the issues behind the games themselves.

Ralph Nader: Let's go to Terri Lakowski who's a champion of equal treatment between male and female athletes starting in high school or earlier that's the so called Title IX requirement. And I know you have two daughters who were athletes. And by the way, listeners, you should know that Ken Reed was a varsity player in three sports in high school. He managed teams. He was in the marketing of sports. He's done it all before he basically said "I got to do the kind of work where I can take my conscience to work and expose so many of these terrible infirmities in organized sports. And getting people off their chairs, from their role as spectators and participate in intramural sports or even just in their neighborhood." So tell us about Terri Lakowski.

Ken Reed: Well just to add on to that, I was actually in sports marketing, thinking well, as someone who's passionate about sports, I played basketball and baseball in college, my dad was a coach. I said sports marketing would be a good career until I had trouble sleeping for a long time because I was working... mostly a lot of the clients with the firm I was with were in the business of selling tub seats and sweets for NFL football teams and NBA basketball teams. And it got to the point where I saw that I was contributing more to the problem than the solution and it wasn't until I came across actually PE4Life and working for them as a client and helping them with their communication, that I saw that you can make a difference through sports, that sports is a great way to positively change the world if it's done properly.

And that's doing properly, I mean, by taking that whack, the win-at-all-costs (WAAC) and the PAAC (profit-at-all-costs) out of it, you can really use sports to do some positive things. Now back to Terri Lakowski. She's a former athlete herself who grew tired of feeling like a second-class citizen when it came to the boys and having to practice in the "girls' gym" and getting hand-me-down uniforms and smaller travel budgets, etc. and she went on and did some of her master's work in Title IX and turned it into a career. She's been one of our leaders on equal opportunity in sports both for gender and for disabled athletes. She's a consultant now and does great work promoting equal access to sports at all levels.

Ralph Nader: Indeed. She's very articulate on this. There's been a lot of progress in enforcing Title IX around the country. But there's still a lot more to do.

Steve Skrovan: Ken, I wanted to talk to both you and Ralph about Colin Kaepernick Nike ad. The print ad that was black and white Colin Kaepernick's face and the tagline is "Believe in Something. Even if it Means Sacrificing Everything." And what's fascinating to me to talk to both of you about this is that it really does come at the intersection of sports, social activism, and corporate power. Because here you have a corporation, Nike, sort of taking a stand that is not conventional, which they are known to do, and as a result, people are burning their Nike shoes apparently. And Donald Trump has actually softened his stance when he was asked about it. He didn't talk in terms of Kaepernick necessarily but he talked in terms of Nike has a right to say and do what they want to do. And then of course you find out later or actually he admits it himself that Nike is a tenant in one of the Trump organization's buildings.

And he literally says "they pay a lot of rent" and a he admitted to that. So it's really kind of just a mishmash of interest colliding here. You have a corporation that looks like it might be doing something right by free speech and then you have this president who seems to soften it because it's a corporation, what Ken and Ralph sort it out for me?

Ken Reed: Well I wrote about this yesterday at leagueoffans.org and one of the things that first struck me was how shocking it was. I mean, Nike, not only is a huge corporation, but they're an NFL corporate sponsor that provides the game uniforms for all NFL teams, and as we know, the NFL owners have been totally against Colin Kaepernick to the point where he's filed a collusion lawsuit against them claiming that they colluded and won't hire him as a quarterback in his prime And so for Nike to do that with NFL as one of their big sponsors was pretty shocking. Second . . .

Steve Skrovan: They provide all the uniforms for the NFL.

Ken Reed: Yeah, yeah, they provide all the uniforms. So I imagine that Roger Goodell and Jerry Jones and all the other owners were shocked because Nike said they didn't talk to the NFL before they came out with this campaign, which is interesting in itself as well. So I can imagine the conversations in the board rooms at NFL teams about this campaign. It's also ironic that Nike is being viewed now by some on the left as a socially progressive corporation because of this campaign. And they have such a long history of being just the opposite in terms of sweatshops, poor pay and labor situations for their products around the world. And just this past year being seen as a sexist work environment, so . . .

Steve Skrovan: Yeah, I can't figure out whose side I'm supposed to be on. It's like . . .

Ken Reed: Yeah. It's strange.

Steve Skrovan: Trump is saying something, Oh, wait a minute, but it's that and then Nike sounds good, but they still have sweatshops and it's crazy.

Ken Reed: It is crazy. But you know Nike has explored all these issues. They kind of have a history as Ralph alluded of some ads, rebel-type ads way back when Spike Lee and Michael Jordan got involved with Nike. And they also know the research that 40% of all shoppers by 2020 are expected to be millennials and so I think some of the older white males that are mostly upset with this Kaepernick thing and this ad campaign aren't that big a concern to them as the

younger millennials are that they're trying to target here. Kaepernick's jersey has remained one of the top 50 sellers in the NFL these last two years and he hasn't played it down.

Ralph Nader: You know, Steve, the less Kaepernick talks, the more popular he becomes in the polls. The polls are showing a gradual rise in support for his right to do what he did. And I think that reached the attention of the Nike merchandisers. I would expect that they made a tremendous study about the pro and cons here for their sales. This was not an off-the-cuff decision.

Steve Skrovan: They gamed this out - yeah.

Ken Reed: Well, and also what I saw is they went back in history and people like Muhammad Ali and others that stood up for civil rights in the '60s and '70s, etc., and saw that they ended up on the right side of history and became very popular. And I think they view Kaepernick as someone in 10, 15 years that is going to be looked at a lot more favorably than he currently is by the country as a whole. I mean this guy . . . I heard yesterday people complaining that about the sacrificed everything part of the campaign because he's going to get compensated pretty well I imagine by Nike, which is good for him. He's given up his career and its prime and he hasn't been paid by the NFL.

But he did sacrifice his career and the salaries to do this. I mean at 30 years old, he was in the prime as a quarterback and he gave that up, so whether he sacrificed everything or not, it's different. But he actually has contributed million dollars or more to some of these social causes. And like Ralph says, he speaks very little, but has been very powerful in terms of a symbol fighting for social justice in this country.

Ralph Nader: Thank you very much, Ken. We're out of time, but I hope you'll have more interviews around the country with this book. It's an easy read, but it's a very, very probing and a very, very enlightening and motivating read.

Ken Reed: Well thanks for those words, Ralph, and I appreciate the time.

Ralph Nader: You're welcome.

Steve Skrovan: Well that's our show. I want to thank our guests today, Rosemary Gibson and Ken Reed. For those of you listening on the radio, that's our show for you podcast listeners. We've got some pretty good extras coming up in the wrap-up.

David Feldman: Join us next week when we talk to Jeffrey Clements, author of Corporations Are Not People. Thank you, Ralph.

- Ralph Nader: Thank you, everybody. He's a great educator, Jeffrey Clements. And by the way, listeners, the one thing you can do from this program is call your local high school and middle school and ask them about physical education.