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Dr. Rima Receives a Warning from FDA and FTC Trustees Vow “We Will Not Be Suppressed!”

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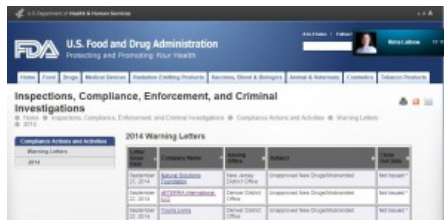
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September 24, 2014: This memorandum describes the events of the past 36 hours.

OPEN LETTER FROM RALPH FUCETOLA JD REGARDING FDA “EBOLA” WARNING LETTERS



Since I am Counsel and Trustee to the Natural Solutions Foundation, an FDA agent showed up at my front door on September 23, 2014, to *hand deliver* [highly *unusual*!] a Warning Letter from that agency and the Federal Trade Commission (FTC) advising Natural Solutions that telling the truth about Ebola, Nano Silver and CBD is, according to those agencies, against their version of the law. Example of what we’ve been saying: <http://tinyurl.com/StopEbola>. The Warning Letter is here: http://drrimatruthreports.com/wp-content/uploads/FDA.FTC_WarningLetter.pdf



<http://www.fda.gov/ICECI/EnforcementActions/WarningLetters/2014/>

They say that referring to, or relying upon, research like that of the DoD’s DTRA study showing that Nano Silver 10 PPM inactivates Ebola is somehow not OK. They say that using the word “cure”, and similar, turns this ancient nutrient into a drug and, like cherries used because they assist people with gout by lowering uric acid in the famous Michigan Cherry Growers Association (MCGA) case, research about these things is forbidden to be mentioned because the public might somehow be misled by the truth.

Well, Natural Solutions Foundation is in good company, as Young Living Essential Oils and others have also received similar Ebola Warning Letters for other Natural Remedies.

FDA and FTC are simply wrong about the law. And during the Ebola Epidemic their actions actively violate the July, 2014 World Health Organization (WHO) pronouncement that, during this crisis, offering even “unproven interventions” is ethical.* What is not ethical is the position taken by the FDA and FTC.

We are assembling a team of lawyers and freedom advocates to challenge this FDA/FTC attack on “truthful and not misleading” expressive association communication by a private association (Natural Solutions Foundation) to its communicants. As a retired attorney, I do not “represent” the Foundation other than as a Trustee; we are carefully seeking advice of counsel for every step we take responding to the Warning Letter.

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We need to reply to the FDA/FTC Warning in due course, in order to “exhaust our administrative remedies” before taking the agencies to Court. We need to offer *Pearson v Shalala* “disclosures and disclaimers” to preserve our speech. The FDA/FTC Warning effectively ignores that requirement of law – before banning speech, the government must give us an opportunity to offer disclosures and disclaimers.

Just how wrong are these agencies, regarding the law? I believe we have strong Supreme Court and appellate court precedence. The Supreme Court has said very clearly that the government has no legitimate interest in stopping truthful commercial speech just because the government disagrees with the speech. *Pearson v Shalala* and *Thompson v Western States* can offer powerful legal support to our right to speak “unapproved” truth.

Thompson v. Western States Medical Center – decided on April 29, 2002 – 535 U.S. 357:

“If the First Amendment means anything, it means that regulating speech must be a last – not first – resort.”

“We have previously rejected the notion that the Government has an interest in preventing the dissemination of truthful commercial information in order to prevent members of the public from making bad decisions with the information.”

“Even if the Government did argue that it had an interest in preventing misleading advertisements, this interest could be satisfied by the far less restrictive alternative of requiring each compounded drug to be labeled with a warning that the drug had not undergone FDA testing and that its risks were unknown.”

So what does the FDA say we should do? *Pretend* that these natural remedies are a “drug” and apply for FDA approval! Seriously. That’s what Ms. Li, the agent who actually showed up on my doorstep said to me. Of course, she left out the “pretend”. She also said that she had no idea why this letter was not being mailed the way it usually is!

Nutrients are not drugs! Materials that our own bodies make, like CBDs, are not drugs! Supporting the immune system is not “treating” disease. Traditional Natural Remedies do not need FDA approval! In fact, FDA has NO LEGAL AUTHORITY to attempt to approve such things.

Regulating the replication of a virus is not “treating” a disease, since the mere presence of a virus in the body is not, itself, a disease. Regulating the microbiota in our bodies** is part of the normal function of the immune system which Nano Silver and other Natural Remedies nourish and support as the nutrient that they are.

FDA has been *itching* to ban silver and other Natural Remedies for decades because they are cheap, effective, compete successfully with antibiotics, and are safe for everyone.

And now they’re giving us a chance to take them to Court! YES! This is the opportunity for which the health freedom movement has been waiting!

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Over the past decade we’ve learned, from Health Freedom litigation, including the 2009 Swine Flu Vax cases, that “standing to sue” is the first and biggest hurdle to evoking Federal Court jurisdiction. These Warning Letters solve that issue! Remember that FDA loses about as many cases as they win in Federal Court and we intend to win this one for you.

Add to that the fact that our truthful information, vetted by US Department of Defense agencies, the US Army Research Institute on Infectious Diseases and others, is speeding around the globe through our international networks, that people around the world are listening to us about Ebola and other weaponized diseases, about vaccines, etc. and you know, for sure, why they want to take Natural Solutions foundation down.

Earlier this week a major Monsanto honcho was on NPR explaining how the same people who oppose the “science” of genetic modification also oppose the “science” of vaccination. And it is quite true. We do stand against all this pseudo-science aimed at population control.

Back to the government’s Warning Letters. Basically they say telling the truth could be a real problem for the Natural Solutions Foundation, Young Living Essential Oils and others.

We cannot use the C*RE word or similar, the agencies insist. Not that either Dr. Rima or I have been shy about that issue.***

FDA tells us to remove the references to truthful science that supports our position and we can’t have that position, anyway. Apparently the FDA/FTC don’t remember where the Patent Office accepts certain research as cogent on a particular issue, that legal conclusion can be binding not only on the Patent Office, but also, thanks to a 1940 Supreme court case (*Sunshine Anthracite Coal Co. v. Adkins*), on the FTC.

Having read the First Amendment, the Dietary Supplements Health and Education Act of 1994 and the relevant case law (especially *Pearson and Thompson*), we beg to differ. Nowhere has Congress given the FDA the unbridled authority to ban truthful speech and the use of certain words like “Cure” and “Treat”, nor to remove healthful, truthfully presented nutrients and natural constituents of human biology from the market place.

Nowhere has the Constitution given Congress the power to force us to speak certain words (“Not intended to... cure...”) when we know those words to be false.

When Congress, adopted the Dietary Supplement Health and Education Act in 1994, it ordered Americans to lie that nutrients cannot address diseases. It overstepped its lawful bounds. Thompson tells us what those bounds are.

Thus we have an unlawful agency, empowered unlawfully by a Congress acting *ultra vires*. And the result

is death. Lots of it.****

We need your help to respond to this over-reaching, unethical action by the FDA/FTC (using disease to depopulate while suppressing known treatments, cures and preventions for that disease) gives all of us the opportunity to PUSH BACK against the genocidalists.

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This FDA monster is directly responsible for the deaths of hundreds of thousands of people in the US each year through their corrupt and self-interested approval of dangerous drugs. They are responsible for untold lost productive lives by hiding evidence and allowing mercury, aluminum, SV-40 and other horrors in vaccines which they and the CDC so vigorously defend, like the dangerous and merciless thugs their policy makers and complicit goons actually are.

We call FDA (and FTC, CDC, WHO) to the bar as the globalist lackeys and genocidalists they are. To suppress the information about a swift, safe, simple silver option against Ebola is nothing short of genocidal behavior.

The Trustees of the Natural Solutions Foundation invite cooperation among all the victims of FDA Tyranny.

Ready to help? Contact me directly at ralph.fucetola@usa.net or Skype me at vitaminlawyer to surge forward to end the FDA's tyrannical hold on us all.

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Yours in health and freedom,

Counsel Ralph

Ralph Fucetola JD



* <http://www.who.int/mediacentre/news/statements/2014/ebola-ethical-review-summary/en/>

** “The human body contains trillions of microorganisms — outnumbering human cells by 10 to 1. Because of their small size, however, microorganisms make up only about 1 to 3 percent of the body’s mass (in a 200-pound adult, that’s 2 to 6 pounds of bacteria), but play a vital role in human health.” – <http://www.nih.gov/news/health/jun2012/nhgri-13.htm>

***<http://vitaminlawyerhealthfreedom.blogspot.com/2014/08/its-time-for-natural-health-to-take.htm>

**** http://www.nytimes.com/2014/09/24/health/ebola-cases-could-reach-14-million-in-4-months-cdc-estimates.html?_r=0

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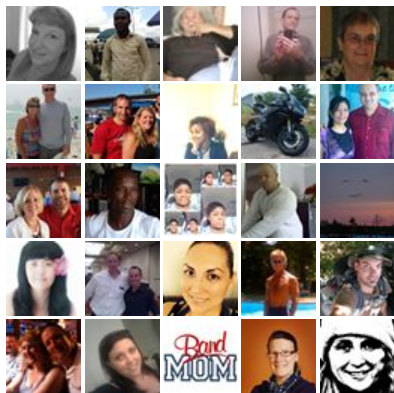
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