

April 27, 1979

LB 382

CLERK: Mr. President, Senator Wesely moves to amend the Labeled amendment. Would you like me to read the amendment, Senator, or what would be easier do you think?

SENATOR WESELY: Perhaps I could just go through the amendments and explain them. That would be fine. Is it all right if I proceed, Mr. Speaker?

SPEAKER MARVEL: Yes.

SENATOR WESELY: Okay. There are a number of amendments in the Labeled amendments that I believe deal with some of the additional concerns that I have that I think bring this bill into line with some of the concerns and problems and interests that I have with the bill and that I think with the adoption of these amendments I would be supportive of the bill and I think from my past work with the bill in committee and on the floor I have taken a position of supporting the general concept of allowing the use of laetrile with certain restrictions and constraints and safeguards and I think the Labeled amendments go quite a ways in trying to meet those concerns that I have but I think there are a number of additional things we could do that would make this bill even better in terms of safety and concern for public welfare. The first thing that I have is an amendment, there are about five of them, the first would have on page 9, line...well, page 1, line 9, it would insert "and shall mean a drug as defined by Sections 71-2401 through 71-2405, Reissue Revised Statutes of Nebraska, 1943". This would be after the word "fruits", after that line. The reason that this is included is that the concern about misbranding and misleading advertising would be taken care of with this amendment because under the laws of the state in the sections that I identified there are provisions to provide for misbranding and other efforts to take drugs or what have you and foist them on the people and, basically, with this amendment, we will have some ways to deal with some of the problems I know several Senators have raised that, well, this drug, they are going to advertise it as a cure-all and a panacea for everything and, you know, that could be a problem and so I thought that possibly just by doing this simple amendment and defining it as a drug, and that is the only reason is to deal with the advertising problems, and we will get at that problem and get away from any concerns about misbranding and misleading advertising. Another amendment that I have is on section 11, it would strike that section and insert a new section. And section 11 is on page 5 and that is just with the regulatory functions of the Department of Health.