

January 14, 1980

LB 382

his family took him to Mexico, took him to the Dr. Contrerras, who was the expert in this field, and we all know the results. I was amazed, I was absolutely astounded to listen to the twisted logic which had been used by those that support laetrile in stating that the Chad Green case was a good example of why laetrile needed to be legalized. When Chad Green went down to Mexico, all generally known methods of combating cancer were abandoned, and as I understand, even against the advice of Dr. Contrerras, and instead strictly laetrile was used. Obviously laetrile is not the great wonder drug, is not the great vitamin it was cracked up to be, or if it was, Chad Green would not be where he is today.

SPEAKER MARVEL: Your time is up. Senator Carsten.

SENATOR CARSTEN: Mr. President, I have a question I would like to ask, oh, Senator DeCamp is not here. Well, I would ask this to any legal...Senator Landis, are you here? May I ask a question. It is a legal question I guess, Mr. President, that I would like to ask Senator Landis.

SPEAKER MARVEL: Okay, Senator Landis, do you yield?

SENATOR LANDIS: I do, yes.

SENATOR CARSTEN: Senator Landis, according to my understanding of the federal statute, states may pass legislation on laetrile as long as it is not in conflict with federal statutes, is that correct?

SENATOR LANDIS: That is true. In other words, the state would have a....may pass a bill that does not try to preempt federal rules and regulations on drugs or on the Food and Drug Administration, and to that extent, for example, we could regulate our relationship with doctors but we could not repeal any of the federal Food and Drug Administration laws.

SENATOR CARSTEN: Then may I ask you this, in your opinion as you have gone over this bill as it now stands, would we be in conflict with federal statute?

SENATOR LANDIS: That is a difficult situation and it depends on the factual setting. The United States vs Rutherford decision that Senator Cullan posed before says clearly that the Food and Drug Administration rules on new drugs applies to laetrile which means that it may not be transported in interstate commerce for distribution to patients until it