

July 1, 1988

Walter Gross
Federal Trade Commission
6th and Pennsylvania Ave, N.W.
Washington, DC 20850

Dear Mr. Gross:

The National Council Against Health Fraud (NCAHF) wishes to file a complaint against the American Chiropractic Association (ACA) for false and misleading advertising. The advertisement in question is the special insert prepared and copyrighted by the ACA, and distributed nationally as a special insert in the April, 1988 Reader's Digest (copy enclosed).

The ACA advertisement misrepresents chiropractic as a well-recognized health care system (see the first sentence under "Meet you chiropractor" on page four). In fact, chiropractic has always been and continues to be a heterodox system self-isolated from worldwide scientifically-based health by its philosophical dogma.

Recently, federal judge Susan Getzendanner, found the American Medical Association and others guilty of illegally boycotting chiropractors. In her decision she stated: "The plaintiffs appear to want a forced marriage between the professions. Certainly no judge should perform that ceremony" (p.49 of the opinion). The ACA is fully aware that the chiropractic guild remains outside of the regular health care community and fraudulently misleads the public by its statement.

The ACA advertisement repeatedly refers to diseases and different types of health problems for which chiropractic is an effective method of treatment. In fact, chiropractic has not been shown to be effective for any specific diseases or health problems. This is attested to in two articles; "Making claims," by Joseph Keating, Jr., Ph.D. of the Northwestern College of Chiropractic, and an interview with Steve Wolk, Ph.D. of the Director of the Foundation for Chiropractic Education and Research. Both articles are from chiropractic sources and were published, coincidentally, in April, 1988--the same month as the ACA advertisement.

The advertisement goes to great length in its attempts to present chiropractic's unique and pseudoscientific subluxation theory as a valid concept. This is false and misleading. The 1963 scientific brief on chiropractic (enclosed) does a splendid job of

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discrediting the subluxation concept and stating its inadequate status within the scientific community (i.e., the world of basic science, not political medicine). Edmond Crelin of Yale University demonstrated the lack of validity of the subluxation theory in 1973 (article enclosed with attached comments by Crelin from Examining Holistic Medicine by Stalker and Glymour, plus newspaper accounts of Prof. Crelin's court testimony in a false advertising trial of a chiropractor involving the invalid subluxation theory). The Office of Analysis and Inspections of the HHS Inspector General's Office found abuses by chiropractors misrepresenting non-existent subluxations in order to be reimbursed by Medicare (enclosure pp.9-11). In short, chiropractors have never shown that their version of a "subluxation" exists or that any such minor structural dysfunctions or dysrelationships are responsible for any human disorder. The ACA is fully aware of the lack of acceptance within science of the chiropractic subluxation concept and yet they present the notion as an established fact rather than a highly-disputed theory. This is deceptive.

I will not attempt to further itemize specifically each and every false and misleading statement in the eight-page insert in this letter. Rather, I attach (1) a brief critique I wrote and published in the March/April, NCAHF Newsletter which makes several important points; (2) a critique of the advertisement by Ronald L. Slaughter, M.Sc., D.C. of Houston, Texas; (3) a jointly-written critique by two chiropractors, Charles E. DuVall, Sr. and Jr., of Akron, Ohio.

These items contain sufficient evidence to show that ACA knowingly deceived the public with claims that chiropractic is a well recognized member of the health team; that there are diseases and health problems for which chiropractic is effective; and, that the subluxation theory of chiropractic is valid. I also enclose an article by Eric Biazer, former ACA public relations man indicating that ACA deliberately engages in deception regarding the validity of chiropractic.

If you wish to have further documentation of facts refuting specific claims in the ACA advertisement, or would wish to have critiques by more chiropractors who also believe that this advertisement is false and misleading, please contact me. I will be away from my office from July 8 to August 15. I also enclose my resume for your information.

Thank you for your attention to this matter.

Sincerely,

William Jarvis, Ph.D.
President