

III.

APPENDIX

**Unfounded Allegations
Made by SAMA and the TAC
Against the Government
of South Africa and Dr Rath**

THE UNFOUNDED ALLEGATIONS MADE BY SAMA AND THE TAC AGAINST THE GOVERNMENT OF SOUTH AFRICA AND DR RATH

As an average citizen, one would assume that filing a lawsuit in any court is motivated by the desire of the filing party to achieve a justified goal, either for an individual or an organisation.

Unfortunately, however, there are also lawsuits filed merely as a cover up for creating the impression of legality for an otherwise unscrupulous and unethical activity. The TAC/SAMA lawsuit is such a case.

Both these organisations are deeply involved in the promotion of toxic ARV drugs to millions of Africans. But even the manufacturers of these drugs have to admit that they are "no cure" for this disease and at the same time carry significant health risks for patients taking them.

Since ARV drugs can not be sold anywhere in the world as a "cure for AIDS," the drug industry needs organisations like SAMA and the TAC who seek "the stamp of approval" for these drugs – at least in the public perception – by all means available. Precisely that is the purpose of this lawsuit launched by the TAC and the Board of SAMA.

With the support of certain media – generally owned by foreign investment groups – this coalition of interests is strategically abusing the South African court system for their deceptive and sinister marketing purposes.

But now – with this information as a background – the readers of this book are qualified to make their own judgment on the substance of the TAC/SAMA allegations against their own government and against the facts of science.

The following paragraphs are taken literally from our response to these allegations:

- **The Applicants accuse us of distributing illegal drugs or “medicines” in South Africa.**

This is false.

The fact is that the products in question are vitamins and nutritional supplements, not drugs or medicines.

- **The Applicants accuse us of selling these nutritional supplements in South Africa.**

This is false.

The fact is that we have never been selling our nutritional supplements or any other products in South Africa. We have been donating them to community organisations in the country without receiving any remuneration whatsoever.

As reliance is being placed by the Applicants (for alleging that we sell our nutritional supplements) on the definition of the word to “sell” into the Act, I am advised that legal argument will be advanced at the hearing of the case that such a definition would be unconstitutional, and the Court would have to restrictively interpret it, or outrightly declare it unconstitutional, in so far as it is interpreted to connote “donate.”

- **We are being accused of mass distributing medicines that have not been registered with the Department of Health in South Africa.**

This is false.

Fact is that the only product donated in large quantities, Vitacell, has been registered with the Department of Health on 18 March 2004 and categorised as a “food supplement for distribution and importation into South Africa in terms of the Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972”.*

- **The Applicants allege that we are selling unauthorised products in South Africa that were categorised as drugs in other countries.**

This is false.

The fact is that our nutritional supplement programmes are freely available in Europe, the US and anywhere else in the world.*

- **The Applicants allege that we are maintaining illegal clinics in South Africa.**

This is false.

The fact is that we have never had nor in any way maintained any clinic anywhere South Africa. The nutritional supplements were distributed to community members by the South African National Civic Organisation (SANCO) at its own locations or through community physicians.

- **The Applicants accuse us of conducting “unauthorised clinical trials” in South Africa.**

This is false.

The fact is that we have never conducted any clinical trials in South Africa. The distribution of vitamin programmes is organised by SANCO or community physicians with the informed consent of the participants in these programmes.

- **The Applicants portray themselves as the “protectors” of the South African people protecting the public from allegedly illegal experiments. They even imply a comparison with the medical experiments of “German doctors” in the concentration camps of World War II.**

This is outrageous and false.

The fact is that the inhumane medical experiments conducted among thousands of concentration camp victims did not consist of the voluntary distribution of vitamins and nutritional supple-

ments. Those criminal experiments were conducted with patented chemotherapy drugs on behalf of the “IG Farben” cartel, the world’s largest pharmaceutical multi-national at that time consisting of Bayer, BASF and Hoechst. This class of drugs were the precursors of chemotherapeutic drugs like ARVs, which are currently heavily promoted by the Applicants for victims of AIDS. These important aspects will be dealt with in detail later in this affidavit.

- **The Applicants allege that we are deceiving the public with false and misleading advertisements concerning the therapeutic effects of our products in relation to AIDS and other diseases.**

This is false.

The fact is that the placements we made in newspapers and other media contained public health information – without mentioning any products at all. In fact, we have never placed a single product advertisement in the South African media. The public health information we published provided scientific facts about the role of vitamins and other micronutrients in relation to health. This knowledge has been documented in the text-books of biology for decades and has been comprehensively confirmed at our own Research Institute.*

- **The Applicants allege that they represent the interests of the civil society and that we would be working against these interests.**

This is false.

The fact is that our natural health approach is supported not only by SANCO but also by the “Traditional Healer’s Organisation” (THO), the “National Association of People Living with AIDS” (NAPWA) and other organisations. Moreover, our approach is in line with the national strategic plan to combat AIDS developed by the South African government.

- **The Applicants allege that our micronutrients have no proven health benefits for people living with AIDS and would even be harmful. They allege that the only proven therapy for AIDS patients are ARVs.**

This is false.

The fact is that nowhere in the world have ARVs been registered to be sold as a cure for AIDS. Moreover, the extreme toxicity of ARVs – especially to the cells of the immune system – is undisputed. In contrast, micronutrients are known to enhance the immune system function, a fact that is documented in every textbook of biology and biochemistry. Moreover, while not being a cure, micronutrients can reverse the disease-defining symptoms of AIDS and significantly improve the quality of life of people living with AIDS as documented in the report from the community programme conducted by SANCO.*

- **The Applicants allege that our conduct is being driven by profit motives and financial greed.**

This is false.

The fact is that all our activities in South Africa are non-profit. Moreover, all our organisations in Europe and other areas of the world serve exclusively non-profit purposes. To underscore that fact, 100 % of the shares of all our commercial entities are owned by a non-profit foundation and used to promote research and education in natural health to the benefit of people worldwide.



