

Chapter Seven

THE ENEMY STEPS IN

VERY SOON THE more advanced scientists in Europe and some of the English aristocracy became acquainted with the results of the Koch Treatment. Trips abroad became necessary. It appeared that it was impossible to gain support in this country through the cooperation of the leaders in medicine. Two examples of persecution of prominent surgeons, who attempted to lead in the battle and bring the Treatment to the profession, should be mentioned.

One prominent surgeon in New Orleans, Dr. Carroll W. Allen, who is well remembered to this day for his expertness and fine character, became interested in the work because of two far-advanced cases of cancer. These patients returned to New Orleans from Detroit, greatly benefited by the Treatment. One of these persons was a very wealthy woman who had gone from clinic to clinic seeking help for cancer of the uterus. She was given the limits of X-ray and radium treatment, and finally found herself at the Mayo Clinic where it was discovered that no help could be offered, and that the disease was advancing.

On her way back to New Orleans in the winter of 1926, she met a friend who had been cured of cancer of the rectum and he advised her to go to Dr. Koch. She was bedfast and suffering intensely and had to take large doses of opiates. The Treatment was given and the brilliant response brought great joy to Dr. Allen, when he next examined her. At the same time another patient returned to New Orleans. This poor fellow had left for Detroit on a stretcher with a tube in the urinary bladder, a tube in the gall bladder, and a colostomy opening in the abdominal wall to overcome the various obstructions produced by cancer that had spread throughout his body. Less than three months of Treatment at the Detroit Clinic, made such an improvement that the tubes were discarded, the openings were healed, natural functions restored, and he was able to return home carrying his own suitcase. So impressive were these improvements that Dr. Allen decided he must go to Detroit and investigate the Treatment. He stayed two weeks, studied the situation intensely, examined many cured patients, and learned the recovery process. He hoped that through his professorship of Surgery at Tulane University, his position as Chief of Staff at the New Baptist Hospital, and his large consulting surgical practice, he could bring this truth to many physicians who should know about it.

Dr. Allen was not opposed openly until he personally secured some definite cures with the Treatment in cases that were judged entirely hopeless by the regular standards, and used them as material for demonstration. Then the enemy of the Treatment within Organized Medicine stepped in and hit without mercy. Dr. Allen was required to retract his statements under threat of losing his professorship, his professional leadership, and the referred surgery that constituted his practice. He was forced to retract a medical paper he had given, upon pain of losing everything for which he had worked all of his life. At Dr. Koch's request, he consented to withdraw from the work but his persecutions did not end; he died a few years later.

About the same time, a friend of Dr. Allen's, Dr. Bryan, Professor of Surgery at Vanderbilt

University Medical School, gave a relative the Koch Treatment. She was suffering with a rapidly fatal form of cancer that involved the region about the heart. It had already prevented swallowing and was now restricting breathing, to the point that death was imminent. After the Treatment, the trend of the disease was rapidly reversed and she made a quick recovery. Dr. Bryan then gave the Treatment to a number of other hopeless cases of advanced cancer. The medical bosses did not receive these good results with enthusiasm. They made the same threats to Dr. Bryan as they had to Dr. Allen. At Dr. Koch's request, Dr. Bryan also discontinued the work.

It was soon learned that Fishbein's field of influence extended beyond the boundaries of the United States. It happened that the Honorable Forbes Godfrey, a prominent physician in Toronto, who was Minister of Health and Education of the Ontario Government for twenty-six years, became acquainted with the results of the Koch Treatment. He considered it his duty to make a personal investigation, and he did so with great care and thoroughness. So impressed was he with the results that he undertook the treatment of patients himself and his own good results brought forth a statement in favor of the Treatment before Parliament. This happened on an occasion when an appropriation was requested for the development of the radium mines in Northern Ontario in 1931. Dr. Godfrey's statement is quoted from the *Toronto Globe and Mail* for April 2, 1931.

GODFREY ATTACKS ROBB RADIUM PLAN

Dr. Robb spoke of the value of radium in certain cases of cancer, particularly in its early stages. He declared that there was a feeling there should be more radium in Ontario, for use in various forms.

"When the Minister of Health concluded his address his predecessor, Hon. Dr. Forbes Godfrey, voiced his strong opposition to the use of radium in any form for the treatment of cancer.

"The full attention of the House became focused on the former Minister of Health.

"I definitely disagree with my honorable friend on this matter,' said Dr. Godfrey. 'In the first place, cancer, in my humble opinion, is hereditary, and in the second place, when radium gets into the system, you cannot get it out. I am entirely opposed to the use of radium in any form for the treatment of this disease.'

"If I am so unfortunate as to become cancerous, I will die from it rather than take radium,' declared Dr. Godfrey. 'I have had an experience extending over many years, the same as my friend, Dr. Robb.'

"DETROIT METHODS"

"The former Health Minister told of visiting a Clinic in Detroit two years ago, where he saw what he said were miraculous cures effected. The method used there was quite harmless and left no bad effects. In fact, he had used the Treatment himself with beneficial results, as he was slightly inclined towards cancer.

“‘If you are going to do anything about radium, I will produce 10 patients who will testify to the benefit they have derived from the methods used in Detroit,’ said Dr. Godfrey. ‘Radium has a dangerous effect on the human system. In a couple of years people who have used it usually die suddenly because it affects the heart. If anything is attempted in this province along this line, it is entirely up to the Government, but I will never cease to talk about the danger of radium.’”

Dr. Godfrey had hoped that his work with the Koch Treatment would be the crowning achievement of his Ministry, for he firmly believed that it would be adopted by his Government as a means of saving lives and preventing untold misery. His reward was like that of Dr. Allen. He died in disappointment and grief shortly afterwards. This and other examples will point quite strongly to the fact that the opposition to the Koch Treatment is in the hands of a group which is international, which knows no boundaries of geography, or decency, but which considers itself above anything national.

DR. KOCH GOES TO BELGIUM

Things fared better in Belgium. At Louvain University, under the direction of Dr. Joseph Maisin, the leading Cancerologist of Europe, the most advanced cancer research was in progress. In 1932 and 1933, Professor Maisin was publishing articles on tissue extracts in the treatment of cancer, quite similar to the reports published by Dr. Koch in the *Medical Record of New York* in 1920. Dr. Koch decided that he would visit Louvain and acquaint Professor Maisin with what he was doing, and discuss his Theories on the oxidation mechanism and its relation to cancer. Maisin was thrilled with these developments. After securing the permission of the Rector of the University, he requested Dr. Koch to stay with him and start the work there. The reception was entirely sympathetic and honest. Six weeks elapsed before Fishbein’s group learned of Dr. Koch’s presence at Louvain. By this time, some far-advanced cases of cancer were well on the road to recovery. Certain cases of incurable infections were also completing their cures under the Treatment. This provided fortunate proof of the insincerity of the shower of telegrams, telephone calls, letters, personal appeals, etc. from the leaders in the American medical professions, that soon arrived. Those who owned large quantities of radium and extensive X-ray equipment, and those in control of the many millions of dollars donated by the public for cancer research, were most eager to denounce Koch as the world’s greatest charlatan and requested Professor Maisin to send him back to America to be properly dealt with here.

Drs. Max Cutler of Chicago and Francis Carter Wood made personal trips across the ocean to accomplish this purpose. Frank Morris, the American Ambassador to Belgium attempted to use his influence. But Dr. Maisin refused them, stating that the Rector had ordered him to stand behind the Treatment if it were truth. Since it was truth, both scientifically sound and clinically efficient, he had to see it through; therefore, he refused to yield to this pressure. It seemed strange that these leaders in the American profession should be so anxious to get Dr. Koch back before the work at Louvain was completed. If Dr. Koch was a “quack” as they claimed, then his work would have no results and he could interest no one. And as Dr. Maisin answered, “If Belgian charlatans would go to America, no doctor here would spend a cent to get them back.” The power group in America, however, spent lots of money and used lots of pressure to prevent Dr. Koch from making a showing before a hearing and investigation that they knew they could not stop, since it was a little beyond their influence at that time to “order” Louvain to cease its

tests.

The work continued at Louvain and was published in an introductory way in the world's best scientific Journal, the *C.D. de la Soc. Francais de Biology*, in July 1935, in two articles by Maisin and Koch. Later, many articles were published and appeared in the leading scientific journals of the continent by Maisin and others of his staff, as well as by leading British clinicians.

Animal experiments with the various infections of interest to the Belgian Government, such as leprosy, sleeping sickness, tuberculosis, and venereal disease revealed the outstanding efficacy of the Treatment. It was decided that Maisin should institute the Treatment in various centers of the Belgian Congo, both for human beings and animals.

DR. KOCH INVITED TO TREAT LEPERS IN MEXICO

The success in the cure of leprosy, soon reached the ears of the Minister of Health of the Mexican Government. So in 1940, Dr. Koch was requested to go to Mexico by the Minister of Health to get the Treatment started in the leper and tubercular institutions, under his care. The trip was made, but before the patients could be treated, the Minister of Public Assistance intervened at Fishbein's request, and refused to provide the money necessary for the further support of these patients, if the Minister of Health persisted in his intentions. So the battle raged between the two Ministers for over a week in which time the allotted period that Dr. Koch had arranged for the work was exhausted, and he had to return to Detroit to resume his duties.

DR. KOCH'S OFFER TO TREAT U. S. LEPER COLONY GRATIS, REFUSED

Another instance of a similar type took place in 1937 in the office of the Surgeon General of the Public Health Service of the United States. Some prominent citizens, among them the late Harold McCormick and a past assistant Surgeon General, who had devoted many years to the health problems of Hawaii, requested Surgeon General Parran to give Dr. Koch permission to treat the lepers at Carville, Louisiana, because of the good results obtained by Maisin. Dr. Parran refused. He was told by his technical adviser, Dr. Voegtlin that there was no such Treatment and he chose to follow Dr. Voegtlin's dictum. A copy of a letter, in the possession of the authors, indicates that Dr. Voegtlin was not telling the truth, and that he knew there was such a thing as the Koch Treatment. Later on, during the first Koch Trial in the Federal Courts, this same technical advisor, Dr. Voegtlin, appeared on the witness stand bedecked in military brass and braid, as an "opinion" witness against Dr. Koch. During the cross-examination, he was confronted with this statement made to the Surgeon General. Dr. Voegtlin admitted under oath that he lied to Surgeon General Parran, and that he knew he was not being truthful. Following this great "service," Technical Advisor Voegtlin was promoted to higher honors and a larger salary.

DR. KOCH CALLED TO LONDON TO TREAT A ROYAL

In June of 1939, Dr. Koch received an urgent telephone call from a member of the British peerage to come to London at once. The full details of the reason for this urgency was not made known to Dr. Koch, but since he knew that Lady --- had had a personal experience with the result

of the Treatment, he left immediately. The Lady's family was traditionally close to the Royal Family.

When Dr. Koch arrived in England, he was carefully questioned by the port authorities. From the line, which the questioning took it was quite certain that the opposition was working way over there. He was admitted to the country and a car picked him up immediately, sent by this noble person. He was taken to a palatial estate and ushered into the room of the patient who needed his help. The personage involved necessitates the anonymity utilized in describing this occurrence. The individuals close to her are still living, but now exist under different political and social conditions than formerly prevailed.

Let it merely be recorded here that the effects and results of this Treatment are known in such circles. More cannot be said without breaking confidences.

DR. KOCH MAKES CONTACT WITH BRAZILIAN DIPLOMAT

Then the final provocation, which required real drastic action, took place. It happened in Brazil. Dr. Koch went to Brazil in May 1941. The ship's surgeon was removed from the boat for the draft, an hour before the ship sailed from New Orleans. The only available physician was Dr. Koch, then a passenger. He contracted to take over the duties as ship surgeon as far as Buenos Aires and back to Rio de Janeiro, by which time another doctor could be transported to Rio to take up the duties. When the ship was on its second day out, an important Brazilian diplomat, returning from a special mission to the United States, suffered a severe hemorrhage of the stomach that threatened to prove fatal. So sudden was his great loss of blood that his staff members could only pick him off the floor and prop him in a corner, before Dr. Koch arrived. There he was found with his head dropped, livid, his jaw fallen, and the pulse undetectable; his heart was failing fast. It appeared that over a gallon of blood congealed on the floor. A thorough examination was impossible at that time, but a bulging tumor of large dimensions was felt in the stomach region and there were other growths in various parts of the body, especially near the collarbone.

Later history proved that a diagnosis had been made of cancer of the stomach. The evidence observed here showed that it was far advanced. Dr. Koch had ampoules of his Treatment with him and used one immediately. The bleeding stopped and the patient revived and recovered exceedingly rapidly. In a few days, he was eating macaroni and other soft foods without any more bleeding. Before Rio was reached, he was eating in the dining room and one of the growths had almost disappeared. The recovery continued to completion after arrival home and this important servant of the Government of Brazil has remained in perfect health ever since. His personal physician, the noted Professor Uenato de Sousa Lopes, was so impressed with his progress that he requested Dr. Koch to treat other cases. At this time, a man dying of cancer of the liver was under his care. This man had had an exploratory operation, which was conducted by Rio's most reputable surgeons. They found a large primary adenocarcinoma of the liver, which had extended deep into the pelvis on the right side. This poor fellow was unable to turn in bed. He was emaciated to skin and bones and was a deep brown-green color from the jaundice. He was propped up on his right side vomiting the contents of his stomach every few minutes. It was reddish-black in color. He was unable to take food and the doctors estimated he could not

live more than a week. They also decided that if Dr. Koch's Treatment could keep him alive for three weeks, definite merit would be proved. The Treatment was given and the patient had regular reactions with fever on his third, sixth, ninth, and twelfth weeks, and complete absorption of the growth; also a gain of over twenty pounds of weight was noted during this period. He was able to walk about and tend to some affairs. When the sixth month had passed, his recovery was definitely complete. He has remained in perfect health ever since.

Other cases that were judged incurable and far advanced were also treated; some of which recovered and others did not. It was observed that where the dietary regime was seriously violated, the success of the Treatment was greatly curtailed. A number of men high in the Government were treated with good results. The Minister of War arranged with Dr. Koch to establish the Treatment at the large Military Hospital in Rio, where he was to teach the officers of the medical staff its clinical application, and the chemists of the army, the method of preparing it. Cases were also successfully treated at this hospital; cases that were doomed to death from various infections, and which would not respond to sulfa drugs, or any other known procedure. Certain virus infections that are always fatal were also treated. A large number of patients were treated in the leprosy hospital and tuberculosis institution. Even though Dr. Koch's visit was short, definite cures were observed by him and the staff members. A few patients were treated in the Government's Insane Asylum in Rio. One case was chosen in particular because he was a young man with acute dementia, which promised to prove fatal shortly. This patient had received over 1,500 injections of cardiazol and metrazol, without the least improvement and he continued to grow worse. It was evident to Dr. Koch that the mental condition was the result of serious toxic agents and he saw a possibility of his Treatment accomplishing its destructive oxidation. Five days after the treatment was given, the man was discharged from the hospital as cured. At Dr. Koch's next visit, the following week, he was met by a representative of Parke-Davis & Company who clenched his fist in Dr. Koch's face and told him that they were going to see to it that he would not interfere with things in South America anymore. One could easily calculate that if cardiazol and metrazol only cost \$1.00 a shot, the quick cure of such profitable patients by the Koch method would not be very pleasant for the drug trusts to contemplate.

FDA REQUESTS DR. KOCH TO RETURN FOR LABEL DISCUSSION

It did not take much longer than the mails could travel for Dr. Koch to receive notice from the Food and Drug Administration in Washington, D. C. that they wanted to discuss his labels with him personally. So Dr. Koch left his work in Brazil and returned to the United States for this purpose.

At the interview with the officials of the Food and Drug Administration, Dr. Koch presented sufficient proof of the correctness of his labels, but these officials paid little heed to the proof. They notified their victim that he would be hauled before the Federal Court. This event was delayed until March 1942. On the evening of Good Friday, he was arrested and taken to the Federal jail in Miami, Florida. The United States Commissioner at Miami, however, must have known a few things about the methods of the leaders of the American Medical Association, and so he did not permit Dr. Koch to be placed in a dirty cell awaiting the arrangement for bond the next day. * *(Dr. Koch's brother, Louis Koch, who managed The Koch Clinic was also arrested over Easter weekend.)

It was shortly after this arrest that a ‘high government official’, who knew the workings of the Food and Drug Administration, informed Dr. Koch that the Government was “out to get him” and used the label strategy as a convenient method.

Perhaps someday the identity of the Parke-Davis lobbyist in Washington will be revealed. Maybe the indictment folder will be opened and those who gave False Testimony will be identified and held responsible for their deeds. At any rate, a Grand Jury was deceived and the drug industry has profited greatly by it.

FDA OBTAINS INDICTMENT THROUGH DETROIT GRAND JURY

At the setting of the bond the next morning, the District Attorney demanded a \$10,000 bond, which the United States Commissioner would not grant because, as he said, this was not a murder charge, but an argument about a label. The District Attorney persisted tenaciously for a \$10,000 bond, which forced the Commissioner to demand a reason for such a high bond. Then the District Attorney let the proverbial cat out of the bag. He stated that the District Attorney in Detroit who had obtained the Indictment had telephoned him requesting that he insist upon a \$10,000 bond because Dr. Koch had started work in Brazil and they did not want him to go back and finish it. “And,” he added with a laugh, “when the United States Government gets through with Koch, he will be all washed up and won’t be able to go anywhere!”

FDA BRINGS CHARGES ON FALSE LABELING

The first charge was made by the Food and Drug Administration which stated that the Koch labels were false, fraudulent, and deceptive, in that they stated on the Glyoxylide label, “for cancer, allergy, and infection” and on the Malonide label, “for allergy” and on the Benzoquinone label, “for infections and their sequelae.” The Government contended that the Remedies were indistinguishable from distilled water and had no effect in the prevention, mitigation, treatment, or cure of these diseases. The Federal Trade Commission next challenged Dr. Koch’s Theories, which credited the tissue oxidation mechanism with the ability to destroy the toxins that cause disease. They ridiculed the idea and offered the “opinions” of so-called experts who knew nothing about the Koch Remedies and nothing of note about the oxidation mechanism. On the basis of these “opinions”, they requested the Federal Court to grant a Temporary Injunction against any professional advertisements favorable to the nature or results produced by these Remedies. This Temporary Injunction was granted until the matter could be settled through a thorough Federal Trade Commission Investigation.

THE FTC TAKES UP WHERE THE FDA LEFT OFF

By these two strokes, the Government’s strategy is revealed. Koch’s work was severely smitten, and at the same time, the privilege of telling about it, or defending it was denied him. For eight years, this “Temporary” Injunction** has been holding, and victims of cancer, tuberculosis, and poliomyelitis, who might have benefited from the Treatment, were left with only ordinary, ineffective agencies at their disposal, and have spent billions of dollars uselessly in their quest for health. The Testimony that follows will show how welcome the help from the Koch

Treatment would naturally be.
(* The Injunction was made permanent in 1950.)

This attack on Dr. Koch was in reality a restriction of physicians to practice medicine according to their best knowledge and skill and constituted an infringement, which the Food and Drug Administration was never given the right to do by Congress. The Koch Treatment is dispensed to physicians only. The Koch Laboratories went through much red tape to be absolutely certain that those who use their products are real physicians. Physicians are experts whose training provides them with the necessary ability to choose the Remedy for any particular case. Many of the doctors using the Koch Treatment have used thousands of doses and treated thousands of cases with them. They have had the experience, which makes it possible to estimate the value of a Remedy, as well as, the ability to use it successfully. The Testimony of some of the men has already been given, and that of others will follow.

The officials of the Food and Drug Administration would not give credit to the Koch experts for what they could do. Investigators were sent throughout the country to search out faults and failures, but to *disregard* the miraculous cures and the high percentage of good results obtained by honest doctors who used the Treatment, because it effected the best service for their patients!

One investigator in California, confronted with the question as to why he did not make notes on the good things told him about the Koch Treatment, stated that he was only sent out to find *adverse comments*, something they could use against Koch. You will see from the Testimony that was given before the Court that not one single fact was brought forth against this Treatment. Not one single statement could be made or proved against it, and that all attempts to discredit it were shown on cross-examination to be based on falsehoods, or in reality, turned out to prove that when used correctly in cancer and the other conditions, that it yielded most heartening results.

THE FDA DESTROYS KOCH TREATMENTS

Among those who misused a few ampoules of the Koch Treatment was the same Dr. Max Cutler, who with large sums invested in radium and who also crossed the ocean to convince Dr. Maisin that he must move Dr. Koch out of his institution. Five or six ampoules, or some such number, were used by Cutler, half of them on patients that had been irradiated previously. (Before these ampoules were used, they had been compromised by the F.D.A. chemists, who had stored them for months, then open them, re-diluted the contents, re-combined or pooled the contents, re-ampouled the contents, and then sterilized the ampoules; thereby totally destroying their therapeutic value! No positive results could be expected with these adulterated ampoules, yet the results were officially reported.) Such cases, of course, should not be treated with the Koch Treatment, because irradiation destroys certain chemical principles, which are necessary to recovery under the Koch Treatment. In these irradiated patients, the Koch dietary regime was followed, but in the non-irradiated patients, the Koch Diet was not followed. So, the honestly intelligent, or intelligently honest, use of the Treatment was avoided.

Another "expert," Minnie Pearlstein, treated an allergy case with one ampoule. Before six minutes had passed, Dr. Pearlstein became panicky and gave another medicine, which was to

claim the credit for the cure should it, progress.

Another doctor of the same class as Cutler and Pearlstein, Reuter by name, testified that he had used the Treatment on one case, unsuccessfully. On cross-examination, he was confronted with a letter, which he wrote to Dr. Koch, reporting the cure of this case.

Then, there were a few doctors brought to Detroit to testify that they had treated one or two patients without results. But cross-examination revealed that these doctors had reported very good results in the cases in question. When confronted with these reports, they had to admit the truth! Thus, the prolonged nationwide search for proof of ineffectiveness of the Treatment fell flat.

One of the Remedies, Benzoquinone, was used to treat a series of women with chronic gonorrhoea. Everyone knows that such chronic cases require months and months, even years of treatment with sulfa or penicillin, and then the success is not very encouraging. The patients given the Koch Treatment were not even allowed as much as a week to recover. Some other remedy was given before recovery could be completed, but by some slip of fate, one of these patients escaped being given another remedy and the Testimony shows that she was quickly cured by the Koch injection. Here again an exhaustive attempt to discredit the Koch Treatment has failed. In fact, its high effectiveness was actually proved by the prosecution because it used such tactics!

FDA IGNORES DOW CHEMICAL'S TESTIMONY AND MAKES THEIR OWN 'ACIDS' AND THEN USES THEIR PRODUCTS TO CONDUCT HUMAN EXPERIMENTS

About 90 percent of the Government Testimony was devoted to description of the results obtained from the use of malonic acid and glyoxylic acid, which are not Koch Remedies at all! Dr. Koch plainly informed the Food and Drug Administration that these were not Koch products, but rather that the Koch Remedies are polymers of carbon suboxide and polymers of the internal anhydride of glyoxylic acid; substances which are resins and which under no circumstances can be converted into glyoxylic acid or malonic acid. The Food and Drug Administration, however, disregarded the facts and spent thousands of dollars on experimentation with malonic acid and glyoxylic acid and presented the Testimony on those experiments to the jury to make the jury believe that the lack of results obtained with these substitutes should be imputed to the Koch products. Day after day, and week after week, Testimony was given about these materials, with the false claim that they were, in truth, the Koch Remedies. It remained for the experts of the Dow Chemical Company who analyzed Dr. Koch's products and prepared them synthetically themselves, to prove that the Government was entirely wrong in their pretensions that these acids were the Koch Remedies! By exhaustive analysis of every available type, they showed that the Koch remedies were exactly what Dr. Koch stated. Cross-examination of the Government chemists also showed that they knew better than to claim that the Koch Remedies were the two acids they contended. This sort of insincerity, substitution, deceit, trickery, or whatever you wish to term it, was repeated in other forms, which will become apparent later on.

One piece of trickery, which indicates that the Government had no faith in their claims, or in

their ability to substantiate them, serves as an example. The Indictment charged that the Koch Remedies were indistinguishable from distilled water and had no beneficial action whatever in the treatment of cancer, allergy, or infection. It was therefore incumbent upon the Government to prove that the Treatment was of no value in any type or instance of cancer, allergy, or infection. But the evidence showed that many cases and types of cancer that were judged hopelessly incurable were actually cured; and that many types of allergy and of infection that could not be helped in any other way, were also cured. It was also evident that the doctors to whom the Treatment was provided for such cases, as they would select for its use, knew very well that no treatment is applicable in every case of any disease with 100 percent cures and thus could not be deceived by Koch's offer of assistance through his Remedies. The reader believes that he pays public officials to look after his best interests and be honest in these important health matters. But see how he is being cheated of a great service by the insincerity of these very officials.

JURY INSTRUCTED THAT IF ONLY 'ONE CASE FAILS TO RESPOND TO TREATMENT', THEY MUST CONVICT DR. KOCH

The Government officials asked the judge to charge the jury stating, "that if the Koch Treatment was found ineffective in any one type of cancer, it must be judged useless entirely in cancer," and all the Government needed to do then was to show that the Treatment was not effective in any one type. Thus, the Indictment on which Dr. Koch was accused was changed to mean that if the Treatment were ineffective in any one type, it was not effective in all types, and in fact, resembled distilled water so far as utility goes in this disease.

The same charges were requested for the allergies and the infections. In this trick, the rules of grammar were violated and a substitution like the "gold brick" game was perpetrated. The nouns: cancer, allergy, and infection, are common nouns and by definition a common noun names any person, place, or thing. On the labels, the word "infection" therefore refers to any infection, in which the doctor decides to use the remedy, or any allergy, which he chooses to treat, or any cancer for which he selects this remedy.

These common nouns do not mean every instance or type of these diseases, according to the established meaning of the English language. They mean any (not every) type or instance. In the first trial, Judge O'Brien refused to comply with this request, but in the second trial, Judge Nevin made the charge very emphatic, as the Government requested. According to the newspapers following the first trial, Judge O'Brien was severely criticized by the Government attorneys and blamed for their failure in winning the case. However, in spite of this deception in the second trial, the Government attorneys lost the case again and were unable to substantiate the charges against Dr. Koch and the Koch Laboratories.

It was previously stated that the Federal Trade Commission obtained a "Temporary" Injunction against the announcement that the Koch Remedies possessed any virtue. Judge O'Brien in allowing this Injunction, explained that he was not able to pass on the virtue of the Treatment, but that since a controversy existed, it would be better to let it be decided by the Federal Trade Commission when they went into the matter fully, and in the meantime, it would do less harm to curtail the laboratory's professional advertising, than to allow the public to be treated by a useless material, if it were in fact useless.

The Federal Trade Commission has not yet passed judgment even though every charge they made was met with sound proof that they are in error, both as to facts and theory. Even by the most blatant trickery, they could not destroy the truth. Yet eight years have passed without a statement or a release of Dr. Koch from this Injunction. Inasmuch as the Injunction was obtained by "opinion" Testimony given in affidavit form without the opportunity of the defendants to cross-examine the witnesses, or show up their error, or fraud; this long persecution of a solemn truth, is a genuine travesty on justice.

With this new edition of the book, (1956) we can state that the Federal Trade Commission ignored all the evidence gathered in thousands of pages of Testimony from all over the country and made the "Temporary" Injunction permanent, in 1950.