

May 10, 1979

LB 382

on the last motion there was a 20 to 19 or 20 to 20 vote and I think it should be very clear to the members of the Legislature that there are probably not sufficient votes to move LB 382. Now Senator DeCamp has offered Senator Bernice Labeledz the opportunity to accept his therapeutic amendments, therapeutic treatment amendments. Senator Labeledz has indicated to me that she does not...would not support those amendments or the bill with those amendments. In light of that I think it is proper and timely to offer this motion to indefinitely postpone the bill and I think that this is the most fair and legitimate way to handle the issue. So I would urge you to indefinitely postpone LB 382 and terminate the discussion at this point in time. Now all of us are quite familiar with the laetrile issue but there are a few points that I want to make and I want to make them very clearly and I want to clarify very clearly the current legal status of laetrile in the United States and in the State of Nebraska. I have said on this floor time and time again but for some reason there seems to be some confusion. Laetrile is not prohibited in Nebraska state law today. No state law, no federal law prohibits a doctor from prescribing laetrile. It is not in the state law of Nebraska, and if it is not prohibited today, there is no reason to expressly allow it to be prescribed. Now the federal status is different and I would like to read to you from the federal government from a Mr. Paul with the FDA, Health, Education and Welfare a letter to Senator Rumery dated May 3rd. "The current legal status of laetrile is (a) Laetrile is not generally recognized by qualified experts as a safe and effective drug. (b) Laetrile is not exempt from the premarket approval requirements for new drugs virtue of the grandfather provisions of this act, and (c) Distribution of laetrile in the interstate commerce is illegal and subject to regulatory activity by the Food and Drug administration." So LB 382 in summary, while it has many other consequences, let you remember when you cast your vote on this motion that LB 382 does not legalize laetrile in the State of Nebraska. It doesn't make laetrile available in the State of Nebraska. It doesn't allow for interstate shipment into the State of Nebraska. Laetrile will be no easier to obtain because of LB 382. The other consequences, but the other legal aspects, what the real effect of this bill is and the real bad effect of this bill is that it does give the legislative stamp of approval. It says the Legislature looked at laetrile and that the majority of the members of the Nebraska Legislature said that it was a good thing. Now that is what we are really voting for because the legal effect isn't there so what you are really doing is you are giving your stamp of approval