

LOBBY WATCH



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Unsafe On Any Speed:

October 21, 2002

How Politicians Got Fat On A Risky Weight-Loss Stimulant

When Julie Puett Howry collapsed on an Austin tennis court in 1994 few people could have foreseen how much money Texas politicians and lobbyists would collect as a result of deaths such as hers.

Puett Howry was taking a weight-loss supplement containing the stimulant **ephedra**, which is similar to illegal methamphetamines known as “speed.” The Texas Department of Health (TDH) quickly blocked sales of Nature’s Nutrition Formula One, an ephedra product linked to health problems in Puett Howry and more than 100 Texans.¹

The next year, TDH and a FDA medical panel proposed banning ephedra sales without prescriptions. A \$1 billion industry switched to defense.

Fat lobby

Since 1997, herbal supplement trade groups and ephedra industry leader Metabolife International have reported 28 Texas lobby contracts with a total value of between \$870,000 and \$1.3 million (lobbyists report their incomes in ranges). Metabolife lobbyists who were at Arter & Hadden before forming Loeffler Jonas & Tuggey in 2001 have dominated this lobbying since 1999.

Absent from these lobby lists are Sen. Jeff Wentworth and Rep. Rick Green. As they oversaw TDH’s budget as legislators, Wentworth and Green drew Loeffler Jonas & Tuggey paychecks to privately lobby TDH on Metabolife’s behalf (Wentworth separately disclosed representing Metabolife before TDH; Green did not.). The

Travis County Attorney is investigating if this conflict broke state law.

Current TX Ephedra Lobby Contracts

Client	Lobbyist	Contract’s Max. Value
Metabolife	W. James Jonas†	>\$200,000
Trade group*	Gordon Arnold	\$50,000
Metabolife	Murray Van Eman†	\$10,000
Metabolife	Jonathan Snare†	\$10,000
Metabolife	Noe Rangel†	\$10,000
Metabolife	Lisa Mayes†	\$10,000
Metabolife	Robert H Finney†	\$10,000
Metabolife	Allen Beinke†	\$10,000
TOTAL:		>\$310,000

† Loeffler Jonas & Tuggey

* American Herbal Producers Assoc. Ephedra Com.

Big lie

The ephedra lobby’s big-lie tactics are worthy of the tobacco industry, which boosted sales for years by burying regulatory efforts and denying that its product hurt people. Metabolife founder Michael Ellis wrote the FDA in 1998 that his ephedra products never prompted “one notice from a consumer” about “any serious adverse health event.” When the Justice Department revealed a probe of an alleged Metabolife cover-up this year, the company suddenly released 13,000 complaints—with 80 citing serious injury or death.

The industry has torpedoed repeated efforts in Texas to mandate ephedra prescriptions and delayed TDH’s implementation and enforcement of rules requiring ephedra products to carry a FDA

number where consumers can report complaints. Failing to convince regulators that the product does not require such regulation, Metabolife lobbyists did a 180, arguing that the FDA could not handle all the calls that the policy would generate.

Fat war chests

To help this medicine go down, ephedra vendors and lobbyists made at least \$914,491 in political contributions from January 1997 to July 2002.

Ephedra Money Dispensaries ('97-'02)

Source	Ephedra Link	Political Donations
*Loeffler Jonas & Tuggey	Lobby	\$608,094
Arter & Hadden	Lobby	\$177,268
Metabolife International	Vendor	\$73,900
Wellness International	Vendor	\$28,000
Friends of Jeff Wentworth	Lobby	\$7,970
Mark Nutritionals	Vendor	\$6,000
AdvoCare	Vendor	\$6,000
*Youngevity, Inc.	Vendor	\$5,259
Dutko Group	Lobby	\$2,000
TOTAL:		\$914,491

* Run by a Bush "Pioneer" fundraiser.

This money was highly concentrated, with 65 percent going to six statewide officeholders led by the current governor and his predecessor. After press reports recounted how Metabolife's Michael Ellis and Michael Blevins were busted as a result of a 1988 raid on a speed lab, ex-Governor George Bush returned \$10,000 that he received from these men in 1998.

Another big recipient of ephedra money is Jeff Wentworth, the Metabolife lobbyist and state senator. Wentworth appears to have kept \$55,000 in donations from Michael Blevins and Ellis' wife, Monica. Another San Antonio legislator who carried Metabolife water, Rep. Frank Corte, Jr., also appears to have kept \$2,000 that he received from Michael and Monica Ellis.

San Antonio, which is home to Metabolife's Texas lobbyists, also boasts a company that has sold ephedra products: Mark Nutritionals. Company head Harry Siskind is a partner in several limited liability corporations with Loeffler Jonas & Tuggey attorney Stanley Rosenberg. In state filings,

Rosenberg uses this law firm as the address for these ventures (MCWS, HPNL and PTM Holdings), the purposes of which are unknown. Ex-Rep. William Siebert, who voters rejected after a San Antonio City Hall lobby scandal, also is a partner in PTM.

Although this Texas ephedra money mainly benefited the GOP (and Metabolife sponsored the 2000 Texas Republican Party Convention), Metabolife is an equal-opportunity employer. Nationally, Democrats received 65 percent of the \$1.6 million in soft money that it doled out since 1999, according to the Center for Responsive Politics.

Moreover, after losing his 1998 gubernatorial bid, Texas Democrat Garry Mauro became a paid Metabolife consultant. Mauro arranged a February 2000 meeting in Austin's Four Seasons Hotel between Ellis and California's Democratic governor. Metabolife contributed \$50,000 to Gray Davis' campaign then, an amount that it soon doubled. Later that year, Davis vetoed an ephedra-labeling bill, saying it was a federal matter.

Top Recipients of Ephedra-Linked Cash (Jan. 1997 through June 2002)

Recipient	Latest STATE Office Sought	STATE Donations
Rick Perry	Governor	\$230,903
George W. Bush	Governor	\$141,201
Carole K. Rylander	Comptroller	\$108,406
Jeff Wentworth	Senate	\$68,100
John Cornyn	Attorney General	\$55,004
David Dewhurst	Lt. Governor	\$35,094
Susan Combs	Agriculture Com.	\$25,878
Todd Staples	Senate	\$25,000
Tony Garza	Railroad Com.	\$24,823
Greg Abbott	Attorney General	\$24,730
Frank Corte Jr.	House	\$17,000
Wallace Jefferson	Supreme Court	\$10,250
John Shields	Senate	\$10,000
Rick Green	House	\$7,111
Florence Shapiro	Senate	\$6,000
*Leticia Van De Putte	Senate	\$6,000
Michael Schneider	Supreme Court	\$5,623
*Pete Laney	House Speaker	\$5,500
William Siebert	House	\$5,500
TOTAL:		\$812,123

* Democrat.

¹ This product appears to have been fortified with synthetic forms of both caffeine and ephedra.