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Corporations Dominate Trade Panels that Set Global Health Policy Public Health Groups Sue US Government for Fair & Democratic Representation

OAKLAND, CA, USA – A lawsuit filed today in US Federal District Court by public health and health professionals demanding that corporate interests be balanced with public interest representation on US Industry Trade Advisory Committees (ITACs) that advise the US Trade Representative (USTR) on trade policies affecting public health. Non-profit and public interest organizations have been systematically denied posts on industry-dominated trade advisory committees that impact the health of millions of people around the world.

The suit was filed today in US District Court in San Francisco by Earthjustice on behalf of a coalition of public health organizations including: the Center for Policy Analysis on Trade and Health (CPATH), California Public Health Association-North, the Chinese Progressive Association, Physicians for Social Responsibility, and the American Nurses Association. The coalition claims that the current makeup of advisory committees used by the Bush administration to establish trade policy favors corporate interests and illegally excludes public health advocates.

At issue are committees that advise the USTR on a variety of public and environmental health protections, from standards for healthy food, water, health care services, and hazardous waste disposal services to access to generic pharmaceuticals and patenting of plants. For example, policies set by industry-dominated ITACs could prohibit public school systems from requiring limits on school soda machines. Trade policies have limited consumer access to generic drugs, and could remove privacy protections from medical records, and promote privatization of public water supplies.

The Federal Advisory Committees Act (FACA) requires that advisory committees be “fairly balanced in terms of the points of view represented.” Though the US General Accounting Office recently issued a report criticizing the US Trade Representative for not opening most of its committees to public interest representatives, the USTR has failed, despite repeated requests from CPATH and others, to appoint representatives of public and environmental health organizations to several ITACs. So public interest organizations are now forced to go to court, seeking to ensure balance on these federal advisory panels.

“We are calling on the US Trade Representative to obey the law and create more balanced advisory panels,” said Ellen Shaffer, director of the Center for Policy Analysis on Trade and

Health (CPATH). “Public health policy is an issue too important to be left to a private club of special interests. If there’s room for the pharmaceutical, alcohol, food processing and health insurance industries, there must be room for us.”

Martin Wagner, director of international programs for Earthjustice who is representing the coalition said, “US trade policy affects the health of people and the environment around the world. But the US Trade Representative is getting its most direct guidance from committees dominated by industries seeking to maximize corporate profits rather than promote global health. This suit seeks to bring a public voice to these important decisions.”

“Currently the health advisory committees are made up exclusively of industry representatives,” said Peter Abbott, President of California Public Health Association-North. “The foxes are not just guarding the hen house, but they are selling the eggs in a private market. That’s no way for international trade policy to be made.”

“You would think that a trade panel empowered to make public health decisions that will impact millions of people would seek out a few doctors and medical experts with no ties to industry,” said Kyle Kinner of Physicians for Social Responsibility. “But unfortunately, that is not happening. Hopefully this legal action will bring some balance to the process.”

“The public health impact of increased trade is of particular interest to Chinese-Americans,” said Mele Lau-Smith of the Chinese Progressive Association. “While worker safety standards are relatively high in the West, many industries seeking to outsource labor actually encourage lower public health and worker safety policies overseas to increase profits. This is unconscionable. There needs to be more oversight of this process by public health experts in the US demanding the highest international standards for Western corporations outsourcing labor.”

“International trade agreements affect health services and the personnel who deliver them. Given this it is critical that the U.S. trade advisory process be open, transparent and balanced,” said Barbara Blakeney, President of the American Nurses Association.