

## Introduction to Influenza Vaccine Problems

1. The CDC claims vaccines are “safe and effective.” But in 2011, the U.S. Supreme Court said that vaccines are “**unavoidably unsafe**.”<sup>1</sup>
2. Federal VICP payouts for vaccine injury and death:<sup>2</sup>
  - a. Total to date (1989 - February 2016): **\$ 3.3 Billion to date**
  - b. Ave. yearly payout FY 2011-2015: **\$227 Million per year**
3. Vaccines administered for influenza (2006-2014): **42.6%** of all vaccines<sup>2</sup>  
Federal payouts for influenza vaccine injury/death: **60%** of all payouts<sup>2</sup>
4. Only **1.2%** of 102,675 respiratory specimens from Oct 4 to Nov 28, 2015 tested positive for influenza viruses.<sup>3</sup> Cumulatively up to March 27, 2016: Only **8.8%**.<sup>4</sup>
5. Vaccine manufacturers have **no liability** for harm caused by their vaccines, and thus no financial incentive to make safer products.<sup>5</sup>
6. The American Medical Association Code of Medical Ethics recommends “medical, religious, or philosophic” immunization exemptions for medical doctors.<sup>6</sup>
7. The pharmaceutical industry is the **biggest defrauder** of the federal government under the False Claims Act.<sup>7</sup> In a recent 5 year period, \$19.2 billion were returned from attempts to defraud federal health programs, more than twice that of the previous 5 years.<sup>8</sup>
8. From 2001 to 2015, there were 37 pharmaceutical fines (combined criminal/civil) between \$100 million and \$3 billion.<sup>9</sup> **Criminal fines have been as high as \$1 billion** (Pfizer 2009, GlaxoSmithKline 2012).

---

I. If the federal government can't agree whether vaccines are “safe and effective” or “unavoidably unsafe,” who should make the decision—government, or private citizens and their healthcare professionals?

II. Should anyone ever be required to take a product from an industry that routinely engages in massive criminal behavior?

III. Since there's a serious, unquantifiable risk, there must be a choice!

---

<sup>1</sup> *Bruesewitz v. Wyeth LLC*, <http://www.supremecourt.gov/opinions/10pdf/09-152.pdf>

<sup>2</sup> National Vaccine Injury Compensation Program (NVICP) Statistics Report, February 2016, <http://www.hrsa.gov/vaccinecompensation/vicpmnthlyreport02032016.pdf>

<sup>3</sup> Morbidity and Mortality Weekly Report (MMWR), 64(48);1342-8, “Update: Influenza Activity – United States, October 4-November 28, 2015,” December 11, 2015 <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6448a4.htm>

<sup>4</sup> [http://www.cdc.gov/flu/weekly/index.htm#modalIdString\\_CDCTable\\_1](http://www.cdc.gov/flu/weekly/index.htm#modalIdString_CDCTable_1)

<sup>5</sup> See the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. § 300aa-1 *et seq.*, and *Bruesewitz v. Wyeth, LLC*, *supra*.

<sup>6</sup> American Medical Association, Opinion 9.133 Routine Universal Immunization of Physicians, <http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/opinion9133.page>

<sup>7</sup> “Public Citizen Study: Pharmaceutical Industry Is Biggest Defrauder of the Federal Government Under the False Claims Act,” Dec. 20, 2010, <http://www.pharmpro.com/news/2010/12/public-citizen-study-pharmaceutical-industry-biggest-defrauder-federal-government-under-false-claims-act>

<sup>8</sup> False Claims Act Whistleblowing Blog, February 2014 archive, <http://www.fraudwhistleblowersblog.com/2014/02/>

<sup>9</sup> U.S. Department of Justice, [www.justice.gov](http://www.justice.gov)