

October Surprises: The U.S. Health and Human Services Secretary, Michael Leavitt, has declared a series of 'public health emergencies' -- due to risk of a bioterrorism attack -- that continue through 2015.

* Oct. 1, 2008: U.S. declares a 'public health emergency' due to the risk of a bioterrorism attack. HHS Secretary, Michael Leavitt, said the emergency began on Oct. 1 and would run through Dec. 31, 2015. The declaration establishes legal immunity for public and private officials who oversee the production or distribution of the anthrax vaccine.

* Oct. 10, 2008: U.S. declares more 'public health emergencies' for smallpox, radiation sickness from the detonation of a nuclear device and poisoning from botulinum toxins, the active ingredient of Botox. This move provides the manufacturers, distributors, and others, of 'anti-terrorism' drugs and vaccines immunity from lawsuits, should injuries or deaths occur due to the drugs or vaccines.

U.S. Limits Anthrax Vaccine Legal Liability By Elaine M. Grossman 07 Oct 2008 The U.S. Health and Human Services Department early this month moved to shield government, industry and business officials from lawsuits filed by those who have received the anthrax vaccine (see GSN, Sept. 5, 2007). Health and Human Services Secretary Michael Leavitt established legal immunity for public and private officials who oversee the production or distribution of the anthrax vaccine by declaring a "public health emergency" due to the risk of a bioterrorism attack. He said the emergency began on Oct. 1 and would run through Dec. 31, 2015. U.S. law provides protection from lawsuits to individuals responsible for selected countermeasures, including antibiotics, during a declared emergency. Under the Public Readiness and Emergency Preparedness Act, which President [sic] George W. Bush signed into law in December 2005, a health and human services secretary's emergency declaration can limit financial risk for government program planners and the manufacturers or distributors of pharmaceutical countermeasures.

Emergency declarations smooth way for vaccine makers --Consumer advocates see action as giveaway to the drug industry that strips the public of legal protections. 17 Oct 2008 In a little noticed move, federal officials this month have declared a series of public health emergencies relating to potential weapons of biological terror. On Oct. 1, Health and Human Services Secretary Mike Leavitt declared an anthrax public health emergency. On Oct. 10, he declared health emergencies for smallpox, radiation sickness from the detonation of a nuclear device and poisoning from botulinum toxins, the active ingredient of Botox. There's no clear evidence that terrorists have managed to weaponize anthrax or stolen large caches of Botox from cosmetic surgeons in Beverly Hills. But by declaring these public health emergencies, HHS has granted

manufacturers of anti-terrorism drugs and vaccines and others involved with the products protection from lawsuits if the drugs were to cause unfortunate side effects.

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