

**XIII.**

**FEDERALLY-FUNDED-ACMT PROLIFERATION OF SCIENTIFIC FRAUD SINCE 2006 APPEARS TO BE NO ACCIDENT**

To reiterate, the 2006 ACMT Mold Statement was co-authored by Dr. Sudakin, who at the time was affiliated with Veritox, Inc. The position statement referenced AAAAI (ACMT Reference #15), which relied on ACOEM which was the first medical association to legitimize the Veritox Theory in 2002. ACMT also directly referenced ACOEM (ACMT #3) which now, like AAAAI, has also retired their mold statement.

The ACMT Mold Statement is officially titled, "*Institute of Medicine Report on Damp Indoor Spaces and Health*", which is the same title as the National Academy of Sciences, Institute of Medicine's report "*Damp Indoor Spaces and Health*" (NIH IOM Report).

The ACMT Mold Statement was approved for publication in June of 2006 while promoting the Veritox Theory. But the Mold Statement's Reference #1 is the NIH IOM Report which discredits the use of the LNT Veritox Theory.

Again, the references for the fraudulent ACMT key sentence:

*"With respect to mycotoxins in indoor air, exposure modeling studies have concluded that even in moldy environments, the maximum inhalation dose of mycotoxins is generally orders of magnitude lower than demonstrated thresholds for adverse health effects. (3,7,8)"* [Paragraph 7, lines 1 & 2] See EXHIBIT 1 fn. 3

**Reference #7 for the ACMT Mold Statement** in support of the above boxed-in key sentence is: "*Risk from inhaled mycotoxins in indoor office and residential environments*" by Bruce Kelman, Coreen Robbins, Loni Swenson, and Bryan Hardin --who are four of the six owners of Veritox, Inc.[178]

Approximately one month before ACMT accepted Dr. Sudakin's and Dr. Kurt's paper for publication as an ACMT position statement in June of 2006, its Reference #7 was not allowed to be used for its intended purpose of corroborating Ms. Robbins' expert witness opinion in a California mold case. It did not pass a Kelly-Frye hearing. The case was *Harold v Westmont Construction* The primary document used by the plaintiff attorney to cause this version of the Veritox Theory to be "Fryed" was the National Academy of Sciences, IOM Report "*Damp Indoor Spaces and Health*".[179] [180]

The ACMT Mold Statement was a direct attack of the NIH IOM Report in promotion of the Veritox Theory. (See EXHIBIT 1) Surely ACMT's Dr. Sudakin knew that the Veritox Theory, written by his associates at Veritox, Inc. had been disallowed for its intended usage in court just one month before the ACMT Mold Statement was accepted (upon peer review?) for publication in June of 2006.

Surely he knew that the version of the Veritox Theory disallowed in the court, was the same version he cited one month later in the ACMT Mold Statement to try to discredit the NIH IOM Report (Reference #7 – which was the primary document used to “Frye” the Veritox Theory in a California mold case.

To my knowledge almost everyone who follows the issue of expert witnesses in mold litigation was aware of the Veritox Theory being “Fryed” in April 2006, because Harris Martin Publishing (HMP) wrote of it in their magazine “Mold Columns”. It is difficult to believe that a prolific expert defense witness, who was affiliated with Veritox at the time like ACMT Mold Statement author Dr. Sudakin, did not know of the Kelly-Frye ruling.

According to Harris Martin Publishing on May 25, 2006 [181] while quoting Sacramento, California Superior Court Judge Michael Kenney directly from the April 2006 Kelly-Frye hearing over the Veritox Theory in the *Harold v. Westmont Construction* case:

*“Modeling has severe limitations, and one of the difficulties I was having here was this reliance upon animal studies to jump to a modeling conclusion generally with — again, I’m speaking from my own experience because there is nothing here in this transcript — generally one will use the data that one can receive either from animal exposure studies or other information to then input in a model to make a determination with some degree of reliability. Here I’m not hearing any of those things. I’m hearing essentially this jump from a literature review to a postulated model to a no harm result.”*

Additionally, in 2007 Veritox, Inc.’s zeal to convince everyone that they had scientifically proven mycotoxins in an indoor environment could never reach a threshold to harm human health, the corporations’ principals and affiliates presented a unique experiment at the poster session of the International Union of Toxicologists (“IUTOX”) Conference that was held in Montreal, Canada. They titled it “Risk From Inhaled Mycotoxins From Mold-Infested Produce “. [182]

I have heard it jokingly referred to among real scientists as the “*Lemon Caper*”. This is because proving once again that Veritox, Inc. sells “*garbage science*” Mr. Kelman, Mr. Hardin and associates tossed five lemons that had been injected and fermented with mold, into a garbage can and professed to have established:

*“Despite the findings of learned bodies, there continue to be concerns throughout North America and Northern Europe about mycotoxins from mold spores in indoor environments ... our data indicates that the spore levels measured and potentially-associated doses of mycotoxin are not sufficient to cause adverse effects.”* [for lemons?]

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[178] “*Risk from inhaled mycotoxins in indoor office and residential environments*”. Kelman BJ1, Robbins CA, Swenson LJ, Hardin BD. Int J Toxicol. 2004 Jan-Feb;23(1):3-10. <http://www.ncbi.nlm.nih.gov/pubmed/15162841>

American College of Medical Toxicology, Choose Wisely To Sunset Your Mold Statement

[179] 2004 NAS IOM Report Executive Summary of Chapter 4, discrediting the Veritox Theory  
<http://freepdfhosting.com/202c87e945.pdf>

[180] One of many examples of Mr. Kelman lying under oath that the IOM Report supports the Veritox Theory as legitimized by ACOEM and AAAAI (Abad case, AZ) <http://freepdfhosting.com/32cf319a99.pdf>

[181] May 25, 2006 Harris Martin Publishing <http://freepdfhosting.com/b07f62e149.pdf>

[182] “*Risk From Inhaled Mycotoxins From Mold-Infested Produce*” C.Y. Chan<sup>1</sup>, C.R. Robbins<sup>1</sup>, P. Fallah, B.D. Hardin, and B.J. Kelman <http://freepdfhosting.com/82e1bd4f49.pdf>