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November 12, 2003

Stephen Grimes QC
Deans Court Chamber
24 St John Street
Manchester
M3 4DF
England

Subject: Peter Longstaff & U.S. prison blood

Dear Mr. Grimes:

For more than three decades, the Arkansas prison system profited from selling blood plasma from inmates infected with viral hepatitis and AIDS. Thousands of unwitting victims around the world who transfused products made from this blood died as a result. Mr. Peter Longstaff, whose case is to be heard before the High Court, is one of many British victims of U.S. prison plasma.

As a journalist and documentary filmmaker, I have conducted a six-year investigation into this subject. That investigation uncovered a great deal of information relevant to the Longstaff case, demonstrating that:

- U.S. federal regulations were violated, allowing drug users, prostitutes, and sick inmates to routinely donate in the prison plasma programs.
- Blood companies claimed prison plasma was safe even though they knew it was harmful.
- Despite 20 years of blood industry studies showing that prisoners were a high-risk population for diseases, drug companies continued taking blood from inmates because it was cheap.
- Factor concentrate products made from prison plasma were exported throughout Europe and the United Kingdom, and British officials were warned of its risks.

I have conducted in-depth interviews with former officials from the Centers for Disease Control and the Food and Drug Administration, state prison officials, former employees, high-ranking politicians and inmate donors, all of which paint a horrifying portrait of an industry with few safeguards.

Hemophiliacs were considered "canaries in the coal mine" for blood-borne diseases. But while patients like Peter Longstaff were kept in the dark about the use of prison plasma in their

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medicines, the pharmaceutical industry was aware of the health threats associated with this dangerous source early on, long before AIDS. In fact, the first plasma centers were in prisons.

In the early 1960s, Cutter Labs opened its first collection facilities in Oklahoma, Alabama and Arkansas prisons and the "biologics" industry was born. So, too, were the problems.

The prisons were plagued with viral hepatitis outbreaks because of sloppy practices and the use of unsterile equipment. Hundreds of infections and an undetermined number of inmate deaths occurred as a result. More prison operations sprang up in the late 1960s and 1970s as medical journals began reporting cases of viral hepatitis in users of blood coagulation products.

Yet, the bloodletting was allowed to continue, even as the Nuremberg Code was cited and federal investigators labeled prisoners a "high-risk group of plasma donors" for spreading hepatitis and other diseases.

In 1970, a federal court declared the entire Arkansas prison system unconstitutional. Underweight and malnourished prisoners worked as slave labor. Torture devices such as "the strap" and the "Tucker telephone" -- a hand-cranked telephone that sent electrical shocks to an inmate's testicles -- were routinely used. Medical care was nonexistent. Inmate trusties held guns on other prisoners, held keys to the barracks and ran the plasma program.

Despite this, Cutter Biologics continued to purchase plasma from this and other prison systems.

The prison system remained unconstitutional in May 1980, when for three days, Peter Longstaff infused several vials of Koate, the brand name of Cutter's factor concentrate, to stop a bleeding episode. He had no idea when he took his medicine from Lot number NC 8196 that it was made with the plasma of 297 inmates from Arkansas and an undetermined number of convicts from Avon Park, Florida.

John Andervont, a former inspector and retired director of Blood Center Licensing for the FDA, remembered catching inmates performing phlebotomies at the Arkansas prison. GRO-A a former Arkansas inmate infected with hepatitis C, who sold plasma regularly at the time Longstaff infused Cutter Lot NC 8196, stated: "They didn't care. If you could crawl to get there you were able to give blood."

In July 1982, operators were forced to pay a $250,000 settlement after products made from tainted plasma were shipped to Europe. Two international recalls of contaminated plasma in the U.S, Canada, Spain, Italy, Switzerland and Japan were unsuccessful. The following year, the FDA shut down the operation and revoked its license when it was discovered that an inmate clerk had allowed diseased prisoners to donate. But after a six-month suspension, the center was up and running again with the full approval of federal regulators and the Clinton state leadership.

In addition to Cutter (Bayer), Baxter Healthcare, a division of Hyland Laboratories, and Alpha Therapeutics purchased and used prison plasma in their manufacturing of factor concentrate.

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Given the above information, and the fact that even before AIDS, the hepatitis rate among prisoners was estimated to be 30 to 60 percent higher than that of the outside population, it becomes clear that Peter Longstaff and others like him should not have been advised to take medication made from sources like this.

Should the United Kingdom choose to hold a full and open public inquiry into contaminated blood products including imported plasma, I would welcome the opportunity to present more information/evidence about the prison plasma trade. People around the world need to know what happened.

Sincerely,

GRO-C

Kelly M. Duda

Concrete Films – PO Box 24202, Little Rock, AR 72221 – 501.351.4841 – Email, GRO-C