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James S. (Jim) Turner – 1940-2022

James S. Turner, an attorney and consumer advocate who was an original “Nader’s Raider,” passed away suddenly at his Washington, D.C. home on January 25.

While working with Ralph Nader, prominent consumer protection activist, Mr. Turner wrote the 1970 book, *The Chemical Feast: Ralph Nader’s Study Group Report on the*

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Food and Drug Administration. Time Magazine commented at the time that Mr. Turner's book "may well be the most devastating critique of a U.S. Government agency ever issued."

Believing that private sector attorneys could energize the consumer movement, in 1973 Mr. Turner joined with David Swankin, a former aide to White House Consumer Advisor Esther Peterson, to create the law firm of Swankin and Turner, in which he remained an active principal for nearly five decades until his death. From representing organizations such as the Consumer Federation of America and individual consumers to consulting for major businesses on consumer policy, Swankin and Turner has represented consumer interests and advocated consumer policies across a broad spectrum and had notable influence in regulatory matters concerning food, drug, health, environmental, and product-safety issues.

Mr. Turner appeared before every major consumer regulatory agency, including the Food and Drug Administration, Environmental Protection Agency, Consumer Product Safety Commission, Federal Trade Commission, Department of Agriculture, and National Institutes of Health. Mr. Turner served stints as special counsel to the Senate Select Committee on Food, Nutrition, and Health, and to the Senate Government Operations Subcommittee on Government Research. He was also a policy consultant to major corporations in the food, pharmaceutical and telecommunications industries, including Kraft Foods, The Quaker Oats Company, Hoffmann-LaRoche, and AT&T.

Mr. Turner vigorously advocated for emerging consumer health initiatives. He represented a coalition that successfully opposed an effort by the Federal Trade Commission to ban the words "organic," "natural," and "health food" from commerce, by arguing that those terms are meaningful to protect consumer choice. He was instrumental in gaining passage of the Dietary Supplement Health and Education Act of 1994 (DSHEA), which defines and regulates dietary supplements so as to support consumer choice, and the Organic Foods Production Act of 1990, which established uniform national standards for the production and handling of food labeled as "organic."

Mr. Turner also represented healthcare professionals fighting anticompetitive federal and state trade rules. He played a key role in mainstreaming the practice of acupuncture, serving as lead attorney on a petition to the Food and Drug Administration that led to the classification of acupuncture needles as medical devices "safe for general use" by trained acupuncture practitioners, legalizing the importation and distribution of acupuncture needles in 1996.

Mr. Turner persuaded the Federal Trade Commission to cease its investigations targeting chiropractic care. He represented dentists ordered by state licensing boards not to provide their patients with information about effects from mercury in dental amalgam fillings, including risks to patient and dental worker health and the environment. Mr. Turner's original advocacy was ultimately vindicated by a Food and Drug Administration Safety Communication on dental amalgam in 2020.

In 1978, Mr. Turner founded and became President of the not-for-profit National Institute for Science, Law and Public Policy (NISLAPP) “to bridge the gap between scientific uncertainties and the need for laws protecting public health and safety.” In 1992, Mr. Turner was a founder of Citizens for Health, a consumer organization defending individual choice and access in health matters and nutrition, of which he was Chairman at the time of his death. In 1996, he helped start Consumers for Dental Choice, which in turn led an international coalition of environmental, dental, and consumer groups to gain adoption of an anti-amalgam provision in the Minamata Convention on Mercury. Mr. Turner’s recent advocacy included working with consumer groups advancing preservation of federally recognized homeopathic medicine, opposing dangerous exposure to radio-frequency radiation, and protecting access to innovative healthcare modalities, including energy medicine.

Mr. Turner served as a consumer consultant to and sat on advisory boards and committees of governmental agencies, including the U.S. Department of State, Food and Drug Administration, Federal Trade Commission, and business groups, including the Food Safety Council, as well as numerous boards of directors, boards of advisors, and legal and policy committees of nonprofit, educational, professional, and activist organizations, including Americans for Homeopathy Choice, the National Commission for the Certification of Acupuncture and Oriental Medicine, the American Herbal Products Association, and Voice for HOPE (Healers of Planet Earth).

Mr. Turner was a graduate of The Ohio State University, which he attended on a U.S. Navy scholarship, and where he served on the Student Senate for three years. He received his law degree from The Ohio State University College of Law (now Moritz College of Law), where he served as Chief Justice of the Moot Court. Between undergraduate school and law school, Mr. Turner was a Lieutenant on active duty in the U.S. Navy, where he graduated with distinction from Naval Justice School and served as a Nuclear Weapons Handling Officer and Gunnery Officer aboard the U.S.S. Purdy and the U.S.S. Austin.

In addition to *The Chemical Feast*, Mr. Turner was the co-author of *Making Your Own Baby Food*, and *Voice of the People: The Transpartisan Imperative in American Life*, as well as numerous articles, book chapters, speeches, and lectures. With his *Voice of the People* co-author, A. Lawrence Chickering, author of *Beyond Left and Right: Breaking the Political Stalemate*, Mr. Turner co-founded and co-edited *The Transpartisan Review*, a journal dedicated to demonstrating how politics, culture, and society can be better understood as a matrix than as a continuum. Mr. Turner founded small-press Potomac Valley Press, which published *Healthy Harvest: A Directory of Sustainable Agriculture & Horticulture Organizations* (1985-1989), and hosted an organic community garden at his Washington, D.C. home for over 30 years.

Mr. Turner is survived by his son Christopher B. Turner, Esq., his daughter, Victoria Turner, and his law partner and life partner of 45 years, Betsy E. Lehrfeld, Esq.

For further information, contact Betsy Lehrfeld at (202) 549-6600

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