

read press reports of deaths allegedly caused by oral hypoglycemic agents. How can they retain any confidence in their physician in light of such reports? We are concerned with not only the protection of the physician from a malpractice action, but of equal importance, the protection of his patient from the actions that have occurred again this very week; actions similar to what occurred in 1970, when premature press releases again heralded this a biased view of controversy. It is most unfortunate, Senator.

The CHAIRMAN. Well, I guess you have made it clear. You are referring to what you believe to be confusion and doubts which have resulted from stories respecting the UGDP study.

Is that what you are saying?

Mr. CHAYET. Is there any question about that Senator? For example, I will quote a UPI report in the Boston Globe, Tuesday, January 2, 1975. The report is pathetically inaccurate: "An international scientific jury has supported the much debated view that the oral diabetes drug used by 1.5 million Americans are probably killing 10,000 to 15,000 of them yearly."

And the inaccuracy is not the fault of the press. It is the fault of those who are giving the releases and the fault of those who have written and released the editorial statement which accompanied the Biometric Report which reviewed the UGDP study.

The Biometric Study, in many ways is a very scholarly study, but what was done with it is most unfortunate. And that is where the problem lies. It is a repeating pattern by those who seek to stifle and muzzle the controversy which nobody can any longer deny.

The CHAIRMAN. I have not seen all of those stories, but the stories I have seen were based upon an editorial that is appearing, apparently, in support of the UGDP study, in the Journal of the American Medical Society. Then the stories were written from that. Now, I have not seen what the journal said, but if the journal story was exaggerated, that would be a matter of whoever reported the story, I guess.

Mr. CHAYET. Well, that is the problem, Senator. It is one exaggeration on top of another. You have the Biometric Study, then someone writes an editorial and refers to "possibly some 10,000 to 15,000 deaths"—no statement of which appeared in the Biometric Study—and then the press reports that an international blue-ribbon jury found 10,000 to 15,000 deaths a year. And I think we are well aware of the political process to know that this is the way it goes; and we in the legal and scientific communities have to take steps to prevent this from occurring. And those steps were never taken in this situation, and I regret that.

The CHAIRMAN. I understand what you are saying. I have been in politics for many, many years, and have been "done in" many, many times. But I have not suggested that we abolish the freedom of the press.

Mr. CHAYET. I guess when we get done in, Senator, we at least have the risk of that because of our public position. But the millions of people out there do not take that risk, and that is why I am concerned about it. That is the point. It is not the press which should be restricted but those who provide the erroneous information to the press.