

The American Medical Association grants 1 full hour of category I, the highest category of continuing education credit, for study of this article. This article describes unapproved uses for Ayerst's Inderal, Knoll's Octin, Carnrick's Midrin, Merck's Periacin, and Sandoz's Sandomigran. Sandomigran is an investigational drug not marketed in this country. The issue is not whether the article is scientifically correct or whether it is proper to publish such information. There can be no doubt that scholarly medical journals should contain new information about drugs and should not be limited to the contents of approved package inserts. The issue here is whether such an article in a controlled industry circulation journal presents, in the guise of a scientific paper, promotional information which otherwise could not be legally published as drug advertising or drug labeling. The article in question did not pass through the rigorous independent editorial review common to scholarly journals.

I would point out, in addition, that the editorial policies of these journals are often consistent with the position of the large pharmaceutical manufacturers. For example, in a special supplement of the March 1976 issue of *Private Practice*, a controlled circulation journal sponsored by the Congress of County Medical Societies, the editors report on a campaign launched with the help of the publishers of *Private Practice* to fight repeal of Oklahoma's strong ant substitution law. A copy of this article will be submitted for the record.<sup>1</sup>

Later in an editorial in the April 1976 issue of the same magazine, the editors report on the success of this educational campaign in changing public opinion in regard to drug substitution. The publisher of *Private Practice* offers to make available, free of charge, the newspaper mats, video and audio tapes, and brochure text to any county medical society wishing to mount a similar campaign. A copy of the pertinent section of this editorial is attached as appendix B.

Let me emphasize that I am not implying, for purposes of this testimony, that these campaigns are improper or not in the public interest. The important question is: Is it likely, or even possible, that a controlled circulation journal dependent upon drug industry support would take another point of view?

Senator NELSON. The publication you just mentioned, *Private Practice*, pointed a violent assault on the Department of Defense because of the Department's posture respecting one of its own employees. The long story, also included an attack on this committee. *Private Practice* misstated the facts and drew conclusions which were unjustifiable. The whole article was nothing, in short, but a mishmash of misrepresentations. So we wrote a detailed, and very careful refutation of everything the magazine had said, but they refused to run it anyway. They also refused to run a letter which devastated their assertions because it made them look like fools. They do not run, I can assure you from personal experience, anything that is contrary to their posture or the posture of the people who are supporting the magazine. I guess that is to be expected.

Go ahead.

Dr. CROUT. I would like to call your attention to one of these publications, the March 1976 issue of *Primary Cardiology*. It would

<sup>1</sup> See article, "County Medical Societies Campaign to Beat Drug Substitution—Medicine and Politics Don't Mix," by the editors of *Private Practice*, March 1976, page 14130.