

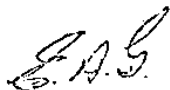
Dr. William F. Read
Dr. Aldo P. Truant

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August 20, 1970

court tests automatically stays withdrawal of the product from the market until the matter can be resolved. It is impossible to cite the number of months or years such proceedings might take". The real point of the question here was to determine by what means, if any, we could prolong the life of the products in question on the market despite rejection of approval of a supplement -- the worst that could happen. It appears that the life could be prolonged by these methods for at least several months, which would buy more time. If the worst should happen, rejection of approval, wisdom of requesting a hearing and a possible subsequent court test would have to be carefully weighed in terms of the costs of so doing against the desirability of prolonging the sales of the products.

10. Unquestionably, submissions by firms which failed to supply adequate supporting evidence of safety and effectiveness for claims will be rejected and subject to withdrawal proceedings. It is conceivable that this could result in some firms securing approval and others not. And some suppliers could fall by the wayside. In our judgment, we feel it very likely that all good submissions will either be approved or rejected. Rejection in the case of good submissions would have to be made on technicalities. Submissions which are outright deficient we believe will be rejected in any case.
11. Sharing the feeling particularly of Jean Mayer we have every reason to proceed with hard-headed optimism in successfully discharging the horrendous burden laid on our shoulders.



Elwood A. Garner

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