

"But," said one Colombian health official, "when we find the company tells one story here in Bogotá, another in Quito, another in Brasília and still another in Mexico City, that is difficult to comprehend."

Finally, drug companies have put up as their major defense, "We're not breaking any laws." They claim that their foreign subsidiaries or affiliates are managed by nationals of the country who know the laws and regulations, and who obey them scrupulously.

Our survey, including an examination of Latin American drug laws, showed that this defense was valid in some countries. The companies were not violating any drug promotion laws because no such laws were in existence. In others, the situation was unclear, with the laws difficult to analyze. But in at least four countries—Colombia, Honduras, El Salvador and Panama—laws controlling drug promotion are on the books, and companies were breaking those laws.

So far as we can determine, none of these practices can be controlled by U.S. laws.

Complicating the situation are other factors:

Most Latin American physicians are employed by the government and paid relatively low salaries. In contrast the company detail men—the "cine-dores" who promote their products to physicians—are employees of private industry, usually paid at least partly by commissions, and not inclined to knock their own drugs. Many of these detail men have had only a high school education.

Although many drugs legally require a prescription written by a physician, this requirement—except for

morphine and its relatives, and for some tranquilizers—is frequently ignored. In most pharmacies, a patient can get a prescription product merely by asking for it. Or the patient can describe his symptoms to the pharmacist, and the pharmacist will then diagnose, prescribe and dispense.

If a patient is injured by a prescription drug, the company, the physician and the pharmacist are generally safe from retribution. There are essentially no effective medical malpractice or product liability laws in most of the countries.