been interspersed among regular Reader's Digest articles which immediately follow the PMA section. Thus, the reader may be led to believe that it is these latter ads which actually make up the "Special Advertising Section."

At the same time that this ad is being run in the Reader's Digest, reprints of this pamphlet are being circulated to offices of practicing physicians for their waiting rooms and to various government agencies. These reprints, however, differ from the section which appears in the Reader's Digest in one very important respect: The PMA has deleted the words "special advertising section." The result, of course, is that there is absolutely no indication that this pamphlet is an advertisement. Neither the doctor nor the patient who reads this ad while waiting to see his doctor has any way of knowing that he is reading ad copy which glorifies the members of the very group who paid to have this material written.

Further, a note appears opposite the first page of the section which tells the reader that he may order a reprint by writing to "Health," Post Office Box 28111, Washington, D.C. The designation "Health," rather than the actual name of the organization involved, seems to me to give the impression that a nonindustry philanthropic group is sponsoring the reading matter which follows—not a trade association representing drug manufacturers.

I wrote to the U.S. Department of Justice, the Federal Trade Commission, and the Food and Drug Administration to call this matter to their attention and to ask for their comments.

The Department of Justice subsequently took an interest in this question and in a letter which I received on Monday, Edwin M. Zimmerman, Acting Assistant Attorney General, Antitrust Division, stated that:

> The omission of the words "Special Advertising Section" might mislead the recipients into believing that material prepared by the Association or its members for purposes of an advertisement was initiated by disinterested authorities, for the purpose of discouraging the sale of generic drugs.
>
> Accordingly, this circulation of the reprints may raise problems under Section 5 of the Federal Trade Commission Act which proscribes unlawful and deceptive practices in commerce.
>
> We are conferring with representatives of the Federal Trade Commission to determine what further action should be taken.

In a response received by me on Tuesday, Paul Rand Dixon, Chairman of the Federal Trade Commission, informed me that an investigation is being undertaken by his staff "to determine whether the practices in question constitute a violation of section 5 of the Federal Trade Commission Act, which prohibits unfair methods of competition and unfair or deceptive acts or practices in commerce."

I have also received an answer from Dr. Herbert L. Ley, Director of the Bureau of Medicine of the Food and Drug Administration. Dr. Ley's review of the section for content accuracy revealed that parts of the four articles which make up the section contain material which is misleading in its implications as to the industry's accomplishments and the relative quality of brand name and generic drugs.

(The letters referred to follow:)