ingredient without notifying the FDA?" Mr. Gordon stated that, "That is correct." (Page 2272) On the contrary, it appears that the active ingredients were not changed after the product was on the market.

I request that this letter be made part of the hearings and that in the final printed record it be inserted immediately after the materials presently contained on pages 2269 to 2272.

Sincerely,

C. JOSEPH STETLER.

Mr. STETLER. Are you saying this is a situation where they should have and did not have it approved by the FDA?

Mr. GORDON. That is right.

Mr. STETLER. What I am stating is, I cannot account for any exception. But the rule is that to make a change of significance of this type in a product it shall be cleared with a supplemental NDA. So this is not a free right the company has to make these decisions.

Mr. GORDON. Let me read part of the NDA summary on Lomotil:

Laboratory work was practically nonexistent. That is such things as stool cultures. In many cases there was current therapy with other drugs, such as steroids, sulfanomides, tranquilizers. In many cases it was difficult or impossible to read and interpret the individual case histories which were lacking in significant detail—

and so on.

No mention is made of laboratory work, and there are no individual case histories. This is still about Lomotil:

It immediately becomes apparent that the drug Lomotil as promoted is a combination of diphenoxylate and atropine sulfate whereas all of the investigational studies, both on man and animals, and all of the clinical work was done only on diphenoxylate hydrochloride.

This is an example where the FDA approved a drug and then the formula was changed.

Mr. STETLER. Obviously, I do not know what you are reading from.

Mr. GORDON. I am reading from the summary of NDA, which came from the files of the Food and Drug Administration.

Mr. STETLER. Is that an NDA that they filed and the FDA found that the evidence was inadequate? Is it a complaint against Searle that they did not file a supplemental NDA? My point is, it is required to be filed. If somebody did not do it properly, and you have one specific example of it, that does not prove the rule.

Mr. CUTLER. May we have the document you are reading from, Mr. Gordon?

Mr. GORDON. Yes; you can have it right here.

This is a summary of the NDA 12–462, volume II, on NDA 12–462, Lomotil, and it was signed by John O. Nestor, Medical Director, FDA.

Senator NELSON. Are you saying that after a New Drug Application was granted, the company involved added another active ingredient without notifying the FDA?

Mr. GORDON. That is correct.

Mr. STETLER. I am not saying they did or did not. All I am saying is that the rule requires that it be done.

Senator NELSON. That was not clear from what you were saying. I suppose the only point of that is that a substantial number of companies have had drug recalls, both brand- and non-brand-name firms. And the problem we deal with here continuously is the assertion by brand-name companies or supporters of brand-name companies that