

Dr. TAUSSIG. I think so.

Senator HATFIELD. Even though they are dealing within the same generic relationship?

Dr. TAUSSIG. Either seeking to be better than their competitor or equally good and be able to price it lower. I think that is more like it, either one, but both of which—

Senator HATFIELD. And there may be therapeutic differences here in the generic—

Dr. TAUSSIG. Yes, I think there may. It is very hard to say.

I also believe that the pharmaceutical firms would derive certain benefits in having the generic name of the drug on the bottles. For example, if the generic name was on the bottle, it would prevent a less scrupulous company from marketing a product which did not contain the essential ingredient and giving the product such a closely similar name that people believe it is the same product.

This again is more outside the country than in the country. For example, Softenon was the trade name given to thalidomide sold in Spain. I was totally unable to find out whether Softenil contained thalidomide. It was a question of which company and then getting them to answer. But they are so close that anyone might perhaps think they were taking the same product.

In the same way the drug companies would derive another protection by having the generic name on the label. Were such a procedure common, it would prevent the less scrupulous company from studying the formula, manufacturing the drug, and selling it under a different name. Although such a procedure is illegal, nevertheless this certainly occurred in the case of thalidomide. It was outside this country of course. Moreover, when this occurs it is only if the sale is of sufficient magnitude does it pay the original manufacturer of the drug to sue the other company.

Our Food and Drug Administration I believe prevents the stealing of formulas on any wide scale in the United States, and of course the FDA has no control over what happens within a State, and it has no control of what happens outside the country. The FDA is concerned with interstate commerce.

We cannot control drug manufacturers throughout the world, nor should we attempt to do so, but I do think we should keep our own house in order. And I think it helps to set a standard of what you hope others will follow suit in doing.

Are there any further questions here before I turn to another subject?

Senator NELSON. No, go ahead.

Dr. TAUSSIG. This brings me to another problem which I hope will be of vital concern to your committee; namely, the quality control of the drugs which are exported from the United States. My interest and concern in this problem was aroused last May in 1967 when President Johnson gave me the privilege to attend the World Health Organization Assembly in Geneva as an alternate delegate.

One of the major subjects of discussion was the quality control of drugs. This subject had been under study by the World Health Organization for several years, but little had been achieved.