

has not yet supplied this committee with evidence and these witnesses have not supplied the committee with such information either.

I am not trying to be querulous about it. I am just trying to say honestly to you that the record you have made today does not prove these assertions.

Dr. MARKHAM. I am not sure what you are asking me to prove, Senator.

Senator NELSON. I am asking you to prove the five conclusions you have drawn. Produce the evidence to support the conclusion. I can give you examples in all kinds of industries, off the top of my head, that would prove them to be high risk. For example, just look across this country. Every single distributor of cigarette machines in America is knocked galley west by the 101-millimeter cigarette, because none of those packages fits the machines. I know a poor guy back in my State who put all of his savings into a bunch of machines. They are brand new, and one change in the length of the cigarette knocks out all the machines. There is no market for them, and he is bankrupt. That is a very high risk business. The whims of the cigarette makers to change the length of cigarettes by 1 millimeter or 2 erases all the business.

All I am saying is that a single instance like this does not prove that this is a risky business. But you draw five conclusions. I would like to have a number of specific examples proving each of these conclusions. Not one example to prove each conclusion. I can do that for any industry you want to name.

Dr. MARKHAM. Perhaps you can, sir. I would not want to go into that. The only thing I was trying to prove is their existence, not how frequently they occur.

Perhaps I can use a specific example. If I were to take you to the State of Michigan and show you an apple tree and it was indeed bearing apples, I have proven to you that apples will grow in the State of Michigan. However, I have said nothing about the importance of apples in the Michigan economy. I think what you are asking me to do is to try as best I can to tabulate and get together all of the instances that we can get from the history of the drug industry, certainly the recent history of the drug industry, to give you a better idea of the frequency with which this kind of risk has occurred.

I wish to make it clear that my only point was, and I have proven the case because I have shown you an example of the materialization of everyone of the five, just as I would have proven to you that apples can grow in Michigan if I could show you a live apple tree growing apples.

What you are asking me for is a different level of proof and I am saying I will try as best I can to amass that amount of information. But I do not think it is quite fair to say that I have come in and tried to prove a big case with one example. I only tried to prove one marrow issue; that is that these risks not only are indicated in the history of the industry, but that in fact, a rather striking case can be found to illustrate all five of them.

I have also attempted to indicate that I am not making any pretense that this is a complete list of the risks that drug firms have. But I do not think anyone can deny the fact that if Cutter's vaccine has to be