

diving and are under 50 feet of water and run out of oxygen, any price you pay for it is good.

Dr. MUELLER. That is right, and you can't argue with that.

Mr. GROSSMAN. One final question, and this is more in the way of summation—

Dr. MUELLER. If I may interject, I think you have devised a new theory of value, Senator. We will call it the "scuba theory of value."

Mr. GROSSMAN. In the way of summation, when I asked you about what you thought a fair and profitable return was, you talked in terms of more competition rather than a specific figure. And when Senator Scott asked you about changes in patent policy, you said: "No", perhaps, but you had nothing specific to recommend. With regard to advertising, you had nothing specific—

Dr. MUELLER. I never answered the question, I do not think.

Mr. GROSSMAN. I wondered whether you could tell us, since we have to rely on your expertise on this, what exactly do you recommend?

In other words, you talk about competition. And I would like to know specifically what you think should be done.

Dr. MUELLER. My testimony and my part in these hearings is a very small one. I was asked primarily to analyze the significance of the Conrad-Plotkin study. But this committee and its predecessors which have investigated the drug industry have put their fingers on the key problem, which is the beginning of understanding. Advertising-created-product differentiation is certainly a key point. And something—I am not recommending anything particularly today—but there should be something that can be done to erode this power. One possibility is the greater use of generic drugs—anything that helps to bring this development about may help; perhaps something designed to simply give consumers, in this case doctors, more information about what it is they are prescribing for their patients. There are different ways of doing this, some private and some public perhaps.

On the patent question, I am sure that you will get other witnesses who would be more willing than I to take a particular position on that point.

But that is the other key point.

And many other countries take a different position on this than does the United States.

Mr. GROSSMAN. Thank you.

Senator NELSON. Thank you very much, Dr. Mueller, for your thoughtful presentation to the committee and the very valuable reference work you did. And if you wish to present supplemental material in the future, as you stated earlier that you may, we will be happy to look at it. And, as I understand you, you said if you thought it worthwhile, you would be happy to come back before the committee and present it personally?

Mr. MUELLER. Yes, sir.

Senator NELSON. Thank you very much.

We will adjourn until 10 o'clock tomorrow morning.

(Whereupon, at 11:55 a.m., the subcommittee adjourned, to reconvene at 10 a.m., Friday, January 19, 1968.)