

Senator NELSON. It had reached the level of the drug of choice?

Dr. McCLEERY. That it had reached the level of "the drug of choice" at that time I think hardly anyone would accept—perhaps the authors would, but most would not agree that even today it is the drug of choice.

Senator NELSON. They would not agree today that it is the drug of choice.

Dr. McCLEERY. I believe not. That it is a good drug, yes. But there is no evidence that exists on any scientific basis of comparative studies with Indocin and other drugs used in the treatment of gout. The kinds of studies that would be required to make an acceptable statement that this is the drug of choice have not yet been done.

Senator NELSON. The phrase "the drug of choice" are words of art, aren't they, in the medical profession? That is, they have a special meaning. When you say "the drug of choice," those are words of art in medical language, are they not?

Dr. McCLEERY. I would be more inclined to say that the company's use of the word "a" puts it into more the realm of art and not of science.

Senator NELSON. I was using a legal phrase. I meant to say the phrase has a special meaning to the medical profession if you say a drug is "the drug of choice," does it not?

Dr. McCLEERY. I would say that the phrase "the drug of choice" should be based on science, and not on art.

Senator NELSON. I am confusing you. I am using a legal phrase, so we will just skip that. The phrase "the drug of choice" has a special meaning in medical language.

Dr. McCLEERY. Yes.

Senator NELSON. That is what words of art mean in legal phraseology. And what is the meaning of that phrase "the drug of choice" in medicine?

Dr. McCLEERY. If one takes at face value the claim, and believes that the person making such a statement is to be believed, it is the highest accolade that one can give a drug in competition with other drugs used for the same treatment—that is the best drug, and it is the drug that should be chosen for the treatment of most cases—should be tried first if one is choosing from a number of drugs.

Senator NELSON. That is my point. If you say "the drug of choice" you mean that it is the first drug recommended to be tried, based upon all the scientific evidence that is available as of that time; is that correct?

Dr. McCLEERY. Yes.

Senator NELSON. I had to read it twice before I saw the "a" in parenthesis. If you glance at this as I do you see "indomethacin, drug of choice for acute gout." This is this kind of very clever advertising which, it seems to me, can be very misleading. Isn't it easy enough to read something like that ad and not notice the little "a" in parenthesis. You simply see "drug of choice," and interpret it to mean automatically, as medical people would, that this must be the drug of choice?

Dr. McCLEERY. You put me in the difficult position of defending the company, Senator, and I do not welcome it. But I must say that in our discussions with the members of the firm, they affirmed, and I for one believe, that their reason for putting in the word "a" was