

think I know the use of the press to create an impression before all the evidence is in when I see it.

I am glad to see that the press is making copious notes of this. I expect to be probably criticized in various columns as the tool of the interests, but after 26 years, I am able to bear that burden, also. I do not know any of you gentlemen, I never met you until this morning, and I am only interested in the fact that you shall have a fair opportunity to appear and to be heard. If you are wrong, I will condemn you just as cogently and incisively as my statement is critical of the apparent effort of a Government agency to gain a certain degree of publicity for its activities, a certain indecency, in my opinion, in rushing to the assault here where your testimony has not been heard. It might have been better if they waited to comment on your testimony.

I appreciate the chairman's giving me an opportunity to say this. Your drug may be a good drug, it may be a bad drug. It may cure or alleviate some of the arthritic disorders; it may not. I hope it will, because I have one of them. But right or wrong, I am pleading simply that, as the chairman has said, we have hearings fairly balanced—and he has been most careful here to see that you are properly brought in. But I plead for the same treatment in the press. I cannot expect it in the planted stories among the columnists, because we all do that. I cannot say *non mea culpa*. Every politician on the Hill is busy planting his views with some columnist; I have done it myself. So this is not said out of piety, but it is said out of recognition of the facts of life.

Recognizing these facts, I conclude simply by pleading once more for the most careful and fairest presentation of the testimony before the committee. As the chairman has so well demonstrated, he has concern for that. I also plead for the same kind of presentation in the press. I do not think that either Senators or newspapermen really know whether indomethacin is a good drug or not. So let us all join together, press and public and the Government, to find out whether the patient is receiving the kind of thoughtful care from the drug industry and from the medical profession, which we hope he is, which I personally believe he is, and let us keep the patient's concern in mind.

Thank you very much.

Senator NELSON. Thank you, Senator. I think I should comment on what the distinguished Senator from Pennsylvania has said.

One, as to the FDA rushing to the assault before the company has been heard, I would like to say that it is partly my fault. The FDA has not appeared before this committee at any hearing except at the request of the committee. We have requested the FDA to appear on specific problems. After having listened to all the FDA witnesses, having read their testimony very carefully before I came to the hearings and having talked to the witnesses, I think the testimony of these officials has been very carefully prepared and judiciously presented, in balance, and that they have presented their honest opinions. I must say they have been most persuasive in my listening to their testimony as well as listening to those who disagree with FDA. I have been tremendously impressed with the quality of the witnesses and the quality of their testimony.

In any event, they came at the request of the committee. We did not ask the Merck Co. to appear ahead of FDA and for the FDA to come to rebutt them. The purpose of the hearing is to learn about problems in the industry.