

4142 COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

As you know, the committee is covering a number of facets of the competitive problems in the prescription drug industry. I would appreciate learning from you which phase you are interest in discussing.

Because of the number of witnesses who have been scheduled to appear, we have not been able to set a time in the near future for additional witnesses. However, if you will send me a copy of your statement, we will include it in the committee records. Then, if a time can be worked out for your personal appearance, the committee will be happy to contact you again—hopefully in not too long a period of time.

Sincerely yours,

GAYLORD NELSON,
U.S. Senator.

cc: Senator Mark Hatfield, Senate Monopoly Subcommittee.

AFFIDAVIT

STATE OF OHIO,
County of Hamilton:

Before me, Thomas M. Rice, an employee of the Department of Health, Education, and Welfare, Food and Drug Administration, designated by the Secretary, under authority of the Act of January 31, 1925, 43 Statutes at Large 803 (5 U.S.C. 521); Reorganization Plan No. IV, Secs. 12-15, effective June 30, 1940; and Reorganization Plan No. 1 of 1953; Secs. 1-9, effective April 11, 1953, to administer or take oaths affirmations, and affidavits, personally appeared Mrs. Beulah I. Jordan in the county and State aforesaid, who, being first duly sworn, deposes and says:

My name is Mrs. Beulah L. Jordan. I reside at 3825 Trebor Drive, Cincinnati 36, Ohio.

I worked as a technician in the Toxicological Laboratory of the William S. Merrell Co., Cincinnati, Ohio, for approximately 2½ years from the fall of 1956 to the early summer of 1959.

During this time I assisted in a toxicological study on Mer 29 using monkeys. This experiment ran approximately 16-18 months. It involved 6 to 8 monkeys of which 3 or 4 were in a control group, and 3 or 4 were in the drug group. Three control and three drug monkeys were carried through the entire experiment, while one of each group was autopsied after approximately 6 or 7 months.

My duties included bleeding the monkeys, running blood counts, assisting with the autopsies making up capsules of Mer 29 and placebos for the drug groups and control groups, assisting with dosing both control groups and drug groups by pushing the respective capsules down the throats of the monkeys, make notes about the food the monkeys ate or refused to eat, weighing the monkeys weekly, checking the monkeys reactions, preparing weight graphs each week and after autopsy, and weighing each organ at autopsy.

Notes of observations made were recorded in ink in a loose leaf 3 ring black note book, together with the recordings of the drug and placebo dosages and weights of the monkeys. This note book was always retained in the laboratory, and was never turned in to the firm's record office. The estimates of food eaten by the monkeys and the observations of eating habits were entered on a separate sheet and maintained in a separate loose leaf note book which was also retained in the laboratory.

During the first part of the experiment, I was under the direction of Mr. James Knox Smith, but toward the close of the experiment he was replaced by Dr. William King.

Toward the end of the experiment one male drug monkey was sick and doing very poorly, and weighed approximately 8 or 9 pounds. He had lost approximately 5 pounds or more during the course of the experiment.

This sick male drug monkey had become somewhat mean and acted angry. He had been a healthy, active monkey at the start of the experiment. After being on the drug he first became more active than usual, but later became very inactive and lay on the bottom of the cage. The expression in his eyes and his disposition indicated he was very ill. He could not jump into the box from his cage for weighing, and back into his cage as the other monkeys could. During the first part of the experiment, this monkey could also do this very easily. Later on one occasion when he tried to do this he missed the box.