

4242 COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

King the night before. He told Rice, "I hear you were out working late last night with Mr. Maraviglia", or words to that effect. He did not say how he knew about this, but obviously King must have told him.

We intend to see King again soon.

THOMAS M. RICE,  
*Supervisory Inspector.*  
T. C. MARAVIGLIA,  
*Director.*

U.S. Government Memorandum.

WILLIAM S. MERRELL Co.,  
*Cincinnati, Ohio, May 4, 1962.*

To : Administration ; Attn : Division of Regulatory Management.  
From : Cincinnati District.  
Subject : Mer 29.

In response to Mr. Goldhammer's phone conversation of 4/18/62 with Mr. Maraviglia, we were requested to develop every possible source of information in connection with the Mer 29 investigation.

To this end, Inspectors Brodsky and Rice interviewed Bruce Umberger at Columbus, Ohio the night of May 3 and 4, 1962. This interview was conducted at the Broad Lincoln Hotel, Columbus, Ohio where Umberger is currently employed as the assistant manager. The following information was developed.

Mr. Umberger has not been contacted by Merrell since Inspector Rice's interview with him on March 12th and 13th, 1962. Umberger did not contact anyone from Merrell in connection with Mer 29 or this investigation. Umberger did take a trip to Cincinnati a few weeks ago subsequent to the interview of March 12th and 13th to visit relatives. During that visit, by chance he met Mr. Herb O'Bannion (correct spelling not known). Mr. O'Bannion performed janitorial services at Merrell's and his duties included cleaning the monkey cages, waxing the floors etc. Mr. O'Bannion was encountered in Mt. Healthy, and no mention was made of Mer 29.

Up until our interview with Mr. Umberger, he was not aware that the recall had been instituted. He had heard from his brother that there was something reported about Mer 29 in the paper, but he did not seem to know exactly what the trouble was. Mr. Umberger said the recall information was not published in the Columbus papers in so far as he knew.

Umberger was appraised of the present recall and the seriousness of the problem, the fact that the adversary actions had developed including cataracts, etc. He was told that this visit was being conducted for the purpose of determining complete facts surrounding the investigation of Mer 29 by the company. We told him that the reason for our visit with him at this time was to secure factual information which he had part in obtaining in connection with these studies.

We showed Umberger photo copies of the several pages of the bound raw data notebooks. We also showed him copies of the four-page charts and Fig. 8 composite graphs. Umberger recognized these as data drawn up from information compiled by Jo Jordan, Carole Root and himself. We made a special point in being very careful not to show Mr. Umberger any data or information which appeared in the NDA. We had him review these data carefully in order to clarify and refresh his memory regarding certain information contained therein, so that he might explain the significance of these entries.

We asked him about the signatures at the bottom of the pages, the unsigned pages, and the dates and weights recorded on the charts and graphs. He explained the following:

1. Missing signatures at the bottom of the pages may have been an oversight on the technician's part. He said that whoever made entries on the pages signed the pages. If more than one technician made entries on anyone page, both technicians signed the page. If only one individual made entries on a page, then that individual signed the bottom of the page. Umberger stated that the monkey weights and dosages were originally recorded at the time of weighing and dosing on laboratory worksheets which were kept in loose leaf fashion in a three ring black notebook in the laboratory. These data were later transcribed in duplicate into the bound raw data notebooks. The original pages from the bound notebooks, would then be torn out and sent to the firm's records library, while the