

Dr. ALFANO. I know, I have seen these "Dear Doctor" letters. I have received them and some of the criticism, they are not that important as regards the patient and the result of the medication. There is a dispute between the FDA and the drug companies that I do not know that much about. But it does not seem that it makes that much difference. But these letters come out and, as you say, there were 19. But I am sure they do not affect the policy that the journal, if it is something vital, will certainly make it known in the next edition that they did publish an article that was misleading and they would make it known.

Mr. GORDON. Doctor, are you aware that certain criminal cases have been brought against drug companies for advertising in medical journals?

Dr. ALFANO. I do not believe so. Which ones are you referring to?

Mr. GORDON. Well, the criminal cases are Pree MT, Esidrix K, Esidrix, and the civil case is Enduron.

Dr. ALFANO. I do not know about those cases.

Senator NELSON. I have another rolleall and I do not want to hold you over. We are late as it is. I think this is an important question, however. As I say, I do not think it is so much a question of reputable journals misleading intentionally. I do not think they do that. But the argument remains that you might omit to do something that you ought to do—I mean broadly, any journal; because that is the nature of human beings. I find it very hard to be critical of a good personal friend of mine because I like him. I overlook defects or something wrong with somebody I like, and so do you. And you end up in a position—that is, the medical journals end up—in a position, it seems to me, where just in the nature of the case, they compromise themselves and condone some of these things that they ought not to.

Dr. ALFANO. There is no close relation between a journal and a drug company as such. As I stated, there are other individuals or companies that come between the journal and the drug company.

Senator NELSON. But the financial relationship, when it reaches a substantial amount—is a close financial relationship. And if you are depending upon that and you would like to have more advertising, or any of the rest of them would, I do not see how any publication can avoid being compromised by it. It is the nature of the animal, I think.

Dr. ALFANO. I disagree. I do not believe that this type of thing exists where they would knowingly withhold information which essentially is unethical for a medical publication or a man who is editor of a publication to withhold information. He must make known—whatever he knows must be made known to his colleagues.

Senator NELSON. I would not suggest that they willingly withhold, but maybe they fail to criticize. I think Chloromycetin is a dramatic case in point.

Now, many of the medical journals carried articles by distinguished authorities on the drug explaining and emphasizing that it is overprescribed, was being widely misprescribed, at the same time they were receiving it, carrying lots of clever advertising promoting the drug. This is a terrible case, it is a terrible indictment of those in the profession who misused the drug and the promoters of the drug. I would have a thought that every medical journal in America ought to have