

drug, meprobamate. I asked the colonel about this, because I was interested in the inclusion of meprobamate in the pharmacopeia, because I was director of Scope—

Mr. GORDON. I said that, with respect to tolbutamide, there is no other company making this but Upjohn.

Dr. KRANTZ. You cannot be sure.

Mr. GORDON. Is Tedral a brand name?

Dr. KRANTZ. This is an asthmatic remedy that contains aminophyllin ephedrine and some other agents—I do not remember.

Mr. GORDON. Is this a brand name or a trade name?

Dr. KRANTZ. A trade name.

Mr. GORDON. So you have trade names on your list?

Dr. KRANTZ. There is no other name. It is a mixture.

Mr. GORDON. I still cannot understand what the significance of this list is.

Dr. KRANTZ. Let me explain it to you very carefully and very slowly: Our laboratory engages in scientific research, developmental procedures, and so forth. This colonel from the Procurement Office of the Army in Philadelphia called and asked if he could have an appointment.

He came down and spent a whole afternoon with me and told me his problem was this: By Government mandate, he is forced to buy drugs on price. Now, we have bought these drugs that he has mentioned there and they have not, in the hands of our doctors, met the standards, or met the clinical equivalency would be better—clinical equivalency—of the trademark product.

Senator NELSON. May I interrupt there? Did your lab conduct the clinical tests, how many patients were involved, and where were they conducted?

Dr. KRANTZ. I do not know this. This was in the Army. They were giving them to soldiers and people in veterans hospitals, I presume.

Senator NELSON. So we do not know what kind of tests they conducted and whether it was a scientific, clinical test or not. We do not know whether the drugs met USP standards or not?

Dr. KRANTZ. That is correct. It is simply an opinion.

Senator NELSON. We do not know how many were generics and how many were trade names, either?

Dr. KRANTZ. Well, I got the impression from him—this conversation has been over a year ago, so it is not all clear in my mind—that there were several companies that were making these items prior to expiration of the patents. Now, I can readily see how most any company could make something comparable to Tedral by simply mixing the ingredients. They know the formula, it is available, so they could call it most anything they wanted—psuedo-Tedral or anything of the sort.

Senator NELSON. Of course, if it is under patent, they could not market it.

Dr. KRANTZ. I doubt if it is patentable, a mixture of this kind.

Senator NELSON. All right. Thank you very much, Doctor. We appreciate your taking the time to come here. I apologize for having delayed so long in getting you on.

The committee will stand in recess until Tuesday, March 18, at 10 a.m.