

My direct communication with these companies was one of several contributing factors which led to the realization that these gifts were of a promotional nature. This presented the conflict with my professional commitments which indicated that those gifts already accepted must necessarily be returned. A classmate and I drafted the letter to the Lilly Company included elsewhere in my statement which was sent with the instruments that were returned. I did not sign that letter because I did not want the industry to feel that it was in any way a result of the poor response to my communication with the several companies to whom had become known. Certainly the slightly better than fifty per cent reply rate to my letter attests to the fact that the companies did respond "poorly." This was not, and is not, however, a factor determining my opinion as presented in my statement before the Monopoly Subcommittee. The arguments for reaching the conclusions I have are self-contained in that document.

Mr. PAYTON. I can tell you what, in essence, I did. I did not know what the companies' interest in providing these gifts was. I asked them with a certain double purpose, I have to admit, if they were interested in more completely supplying the black bags. I wanted to find out what their priorities were. Their responses were that—and I think it was made very clear in several of the letters—their priorities began with the practicing physicians, with residents, then with interns, medical students being last.

They also claimed that they were interested in educational concerns. We followed this up by contacting 10 companies at the time that we were presenting a symposium on community health to find out if 10 companies which had either by word of mouth or in a letter told us that they were interested in supporting educational symposia, if they would actually follow through on this. Three of the 10 responded.

Senator DOLE. When were these letters written, what date, approximately?

Mr. PAYTON. In January.

Senator DOLE. January?

Mr. PAYTON. 1969. The symposium I am speaking about is a symposium on community health, which was February 21-22, at the University of California.

I do not refer to these things in my statement because similar cases have been already documented in areas I will refer to later.

Senator DOLE. Is anyone present today who signed the letter?

Mr. PAYTON. No, sir.

Senator DOLE. Who did they choose—

Mr. PAYTON. I composed portions of this letter, however, and returned the gifts I had picked up at the bookstore.

Senator DOLE. Oh, you were invited to come to the committee?

Mr. PAYTON. Yes, sir.

Senator DOLE. Even though you had not signed the letter?

Mr. PAYTON. Yes, sir.

Senator DOLE. That makes sense.

Proceed.

Mr. PAYTON. Drug samples for personal use must be included in the classification of gifts. The hospital pharmacy file contains the business cards of the representatives of 90 drug manufacturers. A recent check of this file, which is open to faculty, staff, and students at the medical center, revealed the following:

Five medical students, 19 house staff members, one dentist, one pharmacy resident, and three medical center employees requested drug samples for personnel use. Two of the medical students stated that the