

Senator HATFIELD. Then this distinguishes the whole policy of your journal from, say, that of the Readers Digest—I am only using the Readers Digest as an example because it has been presented to this committee before—in the matter of what kind of advertisements it carries. Your journal does make, then, separate, independent scientific evaluation of all products which are presented in any advertisements, is this correct?

Dr. SIMENSTAD. Mr. Harrison had better answer. He is more conversant with that.

Mr. HARRISON. Senator, we do not attempt to make a scientific evaluation of drugs that are submitted for purposes of advertising. Frankly, we just could not do that. We do not have the kind of personnel that the Food and Drug Administration has. Nor do we have the authority under the law. What we do at the present time is accept the word of the Food and Drug Administration. The Agency is charged with the authority to determine whether a drug is efficacious, whether a drug is safe, and whether a drug may be placed upon the market.

Beyond that, the Food and Drug Administration has the authority and the obligation to determine whether the advertising claims meet their approval under the law and the regulations; that is, whether they correspond with the labeling of the drug, and the insert, and so forth.

We examine that. That decision is binding on the AMA. If we have knowledge that approval has not been granted, we will not accept that ad.

Beyond these, we also check the advertising to see if it is within our ethical standards—whether they conform to the other principles with respect to the kind of advertising we will accept and whether it conforms with our principles of ethics. These are things which we do which go beyond that which may be done by other publications.

I wish to make it clear to the committee that with respect to the scientific evaluation of the drugs, we have neither the personnel nor the money to do this job, nor do we have the authority. That reposes within the FDA.

Senator HATFIELD. Then as I understand it, the office of advertising evaluation is making a determination based upon a two-point criterion. First, whether or not it carries with it the FDA approval, which is more or less a perfunctory activity, because if a paper or a situation or some sort of written evidence can be shown that the FDA has approved it, that passes that criterion. Second, a determination in the field of ethics. Can you tell me what's involved in determining whether to accept advertising or not within your field of ethics?

Mr. HARRISON. I can give a simple example. There are many cases which may arise. For example, take the case of a drug advertisement which contains the name of a physician, an endorsee, cleverly placed on a bag or something of that nature. The name of a physician as such in the advertisement would not be within the ethics of the AMA. Accordingly, such an ad would be rejected. That is a simple illustration, but it is probably the clearest one I could make at the moment.

In addition, beyond ethics, we are concerned in our principles with respect to the kinds of advertising the magazines or the newspapers may receive. For example, we will not accept all kinds of advertising