

Now, your discussion earlier was appropriate in the sense that you were relating to what we had done at a prior time. I just wanted to make that clear.

Senator NELSON. Then let me ask a further question. Your curtailment of Panalba advertising is based upon the recommendations of the National Academy of Sciences-National Research Council and the actions of the FDA, is that it?

Mr. HARRISON. I can't be accurate on that, Senator. I think primarily it is because the matter has been presented to the Federal courts and that the subject was, in a sense, in dispute. In that sense, because the charge had been made by the Food and Drug Administration and the manufacturer has determined to go to the court seeking an injunction. Since it was being considered by the court, we removed the advertising from our publication.

Senator NELSON. Are you declining to accept ads for all the fixed combinations that have been recommended for removal from the marketplace by the National Research Council?

Mr. HARRISON. I do not believe so.

Senator NELSON. Why not?

Mr. HARRISON. Those ads, on iffy products, relate to those drugs which are still approved by the Food and Drug Administration. Where the advertising claims were accepted by the Food and Drug Administration, those ads may be accepted by the journal.

Senator NELSON. I have the advertisements of the products that have been recommended to be removed from the marketplace. There have been a number of others—

Mr. HARRISON. Any of those that have been recommended for removal from the marketplace will not be advertised again.

Senator DOLE. Mr. Chairman, if I may ask a few questions at this point since I have to go to another meeting.

Senator NELSON. Go ahead.

Senator DOLE. I want to say to the witness I have had a chance to read both the statements of Dr. Parrott and the one already given. I think you have responded to the chairman's request, that you answer the committee's request, but the chairman's request, that you answer seven questions. I would commend the witnesses for being alert, aggressive, and this keeps us all alert and aggressive.

We have been through most of this when Dr. Annis was before the committee. I think we spent several hours discussing the same thing we have gone over again this morning. In reviewing the testimony, I recall a point was made that, of course, there has been some "false and misleading advertising," perhaps unintentional. But I think the point was that there were some 100 issues published, some thousands of pages of advertising, and in a 23-month period, I think there were 29 ads that fell in this category. So I asked at that time just what percentage might fall in this category that the chairman continually refers to. I would guess it is very small. I do not know if anybody has any estimate of how many ads have been published, but the ones we are talking about right now would make up a very small part of the whole, is that correct?

Dr. PARROTT. I understand it is a fraction of a percent.

Senator DOLE. The point I make, I think we all must be alert, and we certainly recognize, as Senator Hatfield has pointed out, the Food