

Dr. WELLS. Here we are stepping in actively to prevent the use of these drugs or the procurement of them.

Senator NELSON. "Procurement action would not be initiated under any circumstances without prior approval of the central office."

Will you clarify that for me? Are you referring to procurement that they do at the local level on their own or what?

Dr. WELLS. This would be procurement not only locally but also through the central contacts. As a matter of fact, the next sentence I think helps to clarify it. I do not envision at this time circumstances under which we would approve purchase of any of these drugs, even as exceptions, unless the manufacturer submits further evidence to Food and Drug Administration as required and permitted by regulation, which would result in reconsideration of previous findings.

Senator NELSON. But when you say "these drugs," you are referring to those that NAS has said are ineffective?

Dr. WELLS. Ineffective.

Senator NELSON. Do you get down to the question of "possibly effective?"

Dr. WELLS. If not, we will do so anyway off the document.

This subcommittee is aware that a number of these products have not been removed from the market, and it is conceivable that further evidence might be presented which would establish efficacy or changes made in the product to render it acceptable. In any event, we have taken the actions described pending further developments which will either result in these drugs being removed from the market or perhaps in revised form being determined to be effective.

As far as the effective or the possibly effective drugs, we are at a disadvantage at the moment not knowing exactly how this is going to appear from FDA's decision. We are going to take action to discourage the use of the possibly effective where effective drug treatment is known.

Mr. WHITWORTH. Senator, we have stopped procurement of all possibly effective drugs at the national level, totally.

Senator NELSON. All "possibly effective" drugs?

Mr. WHITWORTH. Yes, sir.

Senator NELSON. And they would not, then, be put back on your list of drugs unless at some stage adequate evidence was submitted to the FDA so that their classification was changed to effective; is that right?

Mr. WHITWORTH. Precisely, sir.

Senator NELSON. What does that do about their procurement at the local level, whatever procurement they do?

Mr. WHITWORTH. They will satisfy whatever requirements are placed upon them, that is, the procurement people.

Senator NELSON. Pardon?

Mr. WHITWORTH. The procurement people will satisfy whatever requirements are placed upon them.

Senator NELSON. About half of your drugs are purchased locally, aren't they?

Mr. WHITWORTH. A little over half, yes, Senator.