

8170 COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

therefore made them sole-source because there is only one company making that brand. Is that what we are saying?

Mr. Cook. Yes.

Senator NELSON. So if you were, for example, talking about prednisone, and you order Paracort or Meticorten or Deltra, you would consider each one of those sole-source items?

Mr. Cook. No. Not if they were identical chemical formulations. If they were similar we might consider them, everyone, sole-source but if they are identical, no.

Senator NELSON. If they are identical formulations with different brand names you don't consider that sole-source.

Mr. Cook. No, sir.

Senator NELSON. But if there is some slight difference, no matter how slight, and they have the same known therapeutic effect, you would consider that sole-source?

Mr. Cook. Yes, sir.

Senator NELSON. How many of them are there like that?

Mr. Cook. We will have to supply that.

Senator NELSON. Will you supply that for the record?

Mr. Cook. Yes, sir.

(Subsequently the Veterans' Administration supplied the following information:)

There are 137 brand name drugs which have different therapeutic effects and therefore considered sole-source.

VETERANS' ADMINISTRATION,
OFFICE OF GENERAL COUNSEL,
Washington, D.C., March 17, 1971.

Mr. BEN GORDON,
Majority Counsel,
Select Committee on Small Business,
Washington, D.C.

DEAR MR. GORDON: On March 5, you called Mr. Knapp of this office, referring to page 9286 of our testimony to the Subcommittee. You ask that the 137 brand name drugs we refer to as being bought by brand name be listed both by their trade and generic names and that the list be separated by therapeutic category.

Attached to this letter is the information requested.

You will note that the total of items is 140, rather than 137. This is a fluid figure as items are being dropped out and picked up constantly. At the time of our testimony, I am told it was 137. As of today, it is 140.

Sincerely yours,

JOHN J. CORCORAN,
General Counsel.

Attachment.

Analgesics

Acetaminophen tablets, NP, 325 mg. (5 gr.), 1000s. Scored, White. (Tylenol). McNeil Labs. Inc.	BT
Butalbital, aspirin, caffeine, and phenacetin tablets, 1000s. Uncoated, White. (Piorinal). Sandoz Pharm., Div.	BT
Fentanyl citrate and droperidol injection. Each ml. contains 0.05 mg. Fentanyl (as the Citrate) and 2.5 mg. Droperidol. (Innovar). McNeil Labs., Inc.	
2 ml.	AM
5 ml.	AM
Meperidine hydrochloride injection, USP, 50 mg. per ml., 30 ml. Multiple-Dose Vial. (Demerol). Winthrop Labs., Div.	VI