has known about the problems, and indeed, we have moved to correct the majority of these problems." [See page 9967.]

The DPSC submitted only six drug items which it claims present problems of bioavailability or therapeutic effectiveness. Most of the complaints are rather old, going back to 1961. All these have been known. In fact, there is no indication as to the nature of the specific problems or complaints associated with the six drugs listed. Dr. Edward Feldmann of the American Pharmaceutical Association stated: "This paucity of complaints suggests that few drug problems either have occurred in recent years, or remain today." This conclusion is quite different from the impression that Mr. Feinberg has been giving in his speeches and articles.

4. A very interesting case is provided by the widely used tranquilizer meprobamate. In a speech at the Shoreham Hotel on November 8, 1973, sponsored by the National Pharmaceutical Council, an organization consisting of the 20 largest brand-name manufacturers, Mr. Feinberg referred to a recent comparison made of the wide discrepancy in price between the generic and brand name meprobamate tablets, and presented on the screen a list of generic suppliers of this drug taken from the Blue Book, and stated that out of 11 firms inspected by DPSC, 10 were disqualified as a result of plant visits.

DPSC data supplied to us, on the other hand, show that 3, not 10, firms were rejected for meprobamate. The "major deficiency" of one firm was:

"New plant where bid item is to be produced is not yet in operation."

The deficiencies found in the other two firms were discovered by the FDA not serious, correctible, and would not affect the quality of the drug.

It appears, therefore, from the testimony and analyses by the Food and Drug Administration, by the U.S. Pharmacopeia, and the American Pharmaceutical Association, that there is very little substance in Mr. Feinberg's claims, charges, and innuendos.

But considerable damage has been done. His speeches and articles, which have been misleading or deceptive, have done a great disservice by confusing physicians and pharmacists, state legislative bodies, and the American people by creating doubts about the quality of the drug supply in the marketplace and the capability of the FDA to protect the public. His efforts, supported by his association with the Department of Defense, have also served to impugn the integrity of our small business community, implying that only the large drug companies can be trusted and the small companies are constantly cutting corners to enrich themselves at the expense of the public welfare.

The Commissioner of the Food and Drug Administration testified that, even when Mr. Feinberg was informed by FDA representatives that there were inaccuracies in his speech, he still did not change it. [See page 9965.]

Dr. William Apple, the Executive Director of APhA, has told