

12294 COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY

I understand from Mr. Trexler that he had at least one telephone call in mid-November from a state medical society concerning their own position on state ant substitution laws. I myself received an inquiry from Tennessee concerning the advisability of amending state ant substitution laws, and I think probably other similar inquiries have been received at NRC/NAS.

On November 19, 1974, the Assembly of Life Sciences formally approved the DRB's resolution, thereby making it the official policy of the NRC. On 21 November Mr. Trexler sent a memorandum to all members of the DRB which read as follows:

"SUBJECT: Resolution with Respect to
Anti-Substitution Legislation

"The attached Resolution was adopted by the Drug Research Board on October 25, 1975. The vote was unanimous except that Dr. Crout abstained on account of his position with the FDA.

"The Resolution was forwarded for approval by the Assembly of Life Sciences, and it was unanimously approved by the ALS on November 19, 1974.

"The Resolution will now be distributed to the various agencies of government and professional organizations that are concerned with a covering memorandum noting this as the recommended policy of the NAS-NRC in this field."

It is important to note that this memorandum was distributed with the attached copy of the resolution, because at least one member of the DRB in a letter to me dated 6 February 1975 claimed that he knew nothing of the resolution and really did not "even know what it was" even at that late date in February 1975! My interpretation of that is simply that some people are too busy to read their mail. While I can certainly understand and sympathize with that, it is hardly a reason to attack the DRB for being secretive.

Other complaints included a letter dated November 25 from Mr. Stetler of PMA to Mr. Trexler of DRB, with copies to Dr. Hussey and me, objecting that the language of the resolution was ambiguous and that the final form had been changed from that emanating from our meeting of 26 September. (Mr. Stetler did not attend the 25 October meeting, although Dr. John G. Adams and two others of PMA did). Mr. Stetler strongly urged that the action be withdrawn or clarified before final approval and distribution. He attached copies of the F-D-C Report of 28 October, mentioned above, and of McGraw-Hill's "Washington Drug and Device Letter" dated 4 November which stated "NAS Board Supports Generic Rx's." The latter further stated that the DRB resolution supported "generic prescribing and drug product selection by the pharmacist." That is an oversimplification.

An attachment to Mr. Stetler's letter of November 25 detailed objections to the resolution and contained the following paragraph: "Equally plausible would