

jected because they fail to meet specifications with respect to nutrients such as fat or protein. These specifications are significant to certain military installations that control caloric intake quite carefully in their feeding program. But, the failure of a product to meet these special Federal requirements would not necessarily affect its status under the laws FDA administers or its fitness for ordinary consumer uses.

Mr. ROSENTHAL. Dr. Goddard, the Diiodohydroxyquin, what is involved there is 14,760 bottles of 60 tablets each. What are those tablets? Could you tell us? Is that something that both someone in the service might take and a general consumer might find useful?

Dr. GODDARD. Yes. It would find a usage in the consumer market.

Mr. ROSENTHAL. The rejection, according to our investigation, was based on the fact that the tablets contained dark particles and were rejected at the plant by the Government inspector.

In response to a letter from this committee the manufacturer says that as of March 29, 1968, "no disposition to date has been made of these tablets."

This kind of tablet is not something that is of special use to the military. If it is bad for a military man, it is equally bad for the general consumer.

Dr. GODDARD. We agree. This was why we worked with the State of New Jersey and had the State embargo the lots that are involved at the plant. We can't take any action until it moves in interstate commerce.

We have a very effective working relationship, I am happy to say, with the State of New Jersey, which is quite active—

Mr. GALLAGHER. I am happy to hear that, too.

Dr. GODDARD. This is an activity in the health department. I believe they have about 32 inspectors who meet with our New York district office periodically and review our program plans in the State of New Jersey. Thus we can coordinate our activities and work more effectively to protect the consumer with respect to drug companies located in the State. These drugs, incidentally, are distributed all over the Nation.

So, they worked with us and they took appropriate action to see to it that this lot of drugs which were contaminated with iron particles, did not reach the civilian consumer marketplace.

Mr. ROSENTHAL. But it would have reached the civilian consumer market even with all the things you told us about if this committee hadn't interceded.

Dr. GODDARD. It could have. I quite agree.

Mr. ROSENTHAL. I want you to go ahead with the rest of your statement. I presume you will address yourself to the question of how this could have happened.

Dr. GODDARD. Well, it could have happened because we wouldn't have known about it. The company could have shipped it in interstate commerce, unless, by chance, we sampled the drug as a result of our sampling program. I would have to admit, however, the chances are rather slight because we only draw 40,000 samples a year for analysis in our district laboratories. The drug could have been marketed and dispensed through civilian pharmacists.

Mr. ROSENTHAL. What is wrong with the system that permits this to occur?