

Dingell, Stupak Request Improved Accuracy, Stronger Guidelines for DTC Ads

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NEWS RELEASE

Committee on Energy and Commerce

Rep. John D. Dingell, Chairman

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Washington, D.C. - As part of an ongoing investigation into direct-to-consumer (DTC) advertising of prescription pharmaceutical products, leaders of the Committee on Energy and Commerce today wrote to the CEOs of four pharmaceutical companies that run DTC ads and to the President and CEO of the Pharmaceutical Research and Manufacturers of America (PhRMA). Reps. John D. Dingell (D-MI), Chairman of the Committee on Energy and Commerce, and Bart Stupak (D-MI), Chairman of the Oversight and Investigations Subcommittee, asked the pharmaceutical companies' CEOs to commit to business practices that would reduce misleading and deceptive DTC advertisements.

"To date, we have not received adequate assurances that the leading pharmaceutical companies share our commitment to providing consumers with accurate information about drug therapies," said Dingell. "Marketing department leaders have failed to commit to reducing misleading and deceptive ads, so we're now asking the CEOs to make this agreement. Patient health should always trump corporate profits and we hope these executives will agree and commit to improved business practices and more effective marketing guidelines."

On May 8, 2008, the Oversight and Investigations Subcommittee held a hearing on DTC advertising, which focused specifically on three broadcast DTC ads: Pfizer's ads for Lipitor featuring Dr. Robert Jarvik, Merck/Schering-Plough's "Food & Family" ads for Vytorin, and Johnson & Johnson's ads for Procrit. During the hearing, representatives from these companies failed to provide any assurances regarding future business practices, citing a lack of authority. However, the witnesses invoked the PhRMA guidelines on DTC advertising for their policy. Today, Dingell and Stupak wrote to PhRMA expressing concerns that current guidelines may not prevent some of the

misleading and deceptive marketing practices discussed during the hearing.

“Consumers should not have to rely on the oversight function of Congress to make sure drug companies tell the truth in their ad campaigns,” Stupak said. “Pharmaceutical companies should consider it a privilege to air DTC ads and, as with all privileges, there comes responsibility. We intend to make certain that drug companies market their products properly in order to protect American consumers from manipulative commercials designed to mislead and deceive for profit.”

The Committee on Energy and Commerce began investigating misleading and deceptive DTC advertising in January 2008. Both the Jarvik Lipitor ads and the Vytorin “Food and Family” ads were voluntarily withdrawn shortly after the investigation began.

Read Letter to Johnson & Johnson

Read Letter to Merck & Co., Inc.

Read letter to Pfizer, Inc.

Read Letter to Pharmaceutical Research and Manufacturers of America

Read Letter to Schering-Plough Corporation

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Prepared by the Committee on Energy and Commerce

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