The Adriani Affair

The director of the U.S. Food and Drug Administration's Bureau of Medicine has the responsibility for seeing that tablets and capsules reaching the nation's medicine cabinets are both safe and effective. Because of his long and distinguished career as a teacher and researcher in anesthesiology and pharmacology—and because of his strong views about the need for keeping a watchful eye on the U.S. drug industry—Dr. John Adriani of New Orleans seemed just right for the job. And early last month, Adriani agreed to resign from his professorships at Louisiana State University and Tulane to accept an offer to take the post. But last week, under what, at first, appeared to be pressure from the pharmaceutical industry, the Nixon Administration abruptly withdrew the 61-year-old investigator's appointment.

The affair bore a striking resemblance to an earlier turnabout when the Administration canceled the nomination of Dr. John H. Knowles of Massachusetts General Hospital as Assistant Secretary of Health, Education and Welfare because of opposition from the American Medical Association. But there was an important difference between the two episodes. In the Knowles case, the opposition had the public support of Senators Everett M. Dirksen and John G. Tower. In the Adriani affair, hardly anyone was talking for the record and the opposition kept itself well concealed. "They learned a lot from the Knowles thing," commented one Capitol Hill source. "They're really covering their tracks on this one."

Brand Names: The principal reasons why the $5 billion-a-year U.S. prescription-drug industry might oppose the Adriani appointment were clear enough. Last May, the testimony Adriani gave before Sen. Gaylord Nelson's monopoly subcommittee, which is looking into the safety, effectiveness and cost of drugs, touched on one of the industry's most sensitive nerves. Specifically, he came out strongly for government regulations that would require drugs to be advertised and sold under their generic names rather than their brand names. Many drugs are sold at higher prices when prescribed according to a manufacturer's brand name than when they would be when sold under a generic name. Up until last year, Parke-Davis sold Paracort to druggists for $17.88 per hundred tablets. The same drug, sold as prednisone, went for only 59 cents per hundred. "Brand names of drugs are aliases," Adriani told the subcommittee. "An alias is meant to be deceptive or to conceal identity." Many doctors, he charged, don't even know the real names of the drugs they prescribe.

Adriani's testimony was well-received by the FDA. Toward the end of May, according to Adriani, FDA commissioner Herbert L. Ley Jr. phoned him and offered him the Bureau of Medicine job. "I laughed and said 'No,' but he persisted." After a second call, Adriani gave in, although he warned Ley, prophetically, "I'm a hot potato after my testimony. In six months both you and I will be fired." Nonetheless, early last month, Adriani went to Washington to apply for the job and received the staunch backing of Senator Nelson and Sen. Russell Long of Louisiana, a member of Nelson's subcommittee.

Even then, the opposition was taking shape. A friend close to the drug industry, says Adriani, called to say he could expect trouble from the Pharmaceutical Manufacturers Association, a group that spends $3 million annually to represent the nation's leading drug companies in Washington. Adriani received similar word that the industry would try to block his appointment two weeks ago. And at the same time, a drug-trade journal predicted that commissioner Ley "will have to take up the search for another candidate." The final blow came on Aug. 25. While Ley was on vacation, deputy commissioner Winton B. Rankin called the New Orleans doctor and told him his appointment was being withdrawn.

The PMA denied making any attempt to block Adriani's appointment. "We've taken no position pro or con," said PMA vice president William C. Cray. Another spokesman acknowledged, however, that Adriani is "obviously not regarded as a friendly figure toward the industry." The PMA statements strongly resembled those made by the AMA during the Knowles affair. And there were some in Washington who believed the AMA might have had a hand in the Adriani case because its journals depend on drug advertising. An AMA spokesman, however, said such a role and went on to say that Adriani was "amply" qualified for the FDA job.

By the end of the week, HEW spokesmen were claiming that the decision against Adriani had been made within the department and that, in fact, Adriani had never really been offered the job. "Dr. Ley couldn't make the offer under the law," said Deputy Under Secretary Frederic V. Malek. "It's not a political appointment, it's a civil-service appointment. He would not and did not make an offer—just told him that he was the leading candidate. According to Malek, HEW brass only learned of Adriani's candidacy two weeks ago from a story in a New Orleans newspaper. HEW Secretary Robert H. Finch and other top staffers decided Adriani wasn't the man for the job and passed the word that led to Rankin's phone call.

Scapegoat: Adriani insisted Ley had offered him the job and produced correspondence to prove it. "I am hopeful," said Ley in a letter last June, "that you will find the challenge of the Bureau of Medicine so intriguing that you will not be able to say no." Nor was there any doubt in Adriani's mind that he was being offered the post when he went to Washington in August to make a formal application. At the time, Adriani says, C.C. Johnson, HEW's administrator of consumer protection and environmental-health services, asked, "Will you take it?" And when Rankin made his fateful call, Adriani recalls, his words were: "The offer has been withdrawn; it got stopped above. We'd hoped to have you with us."

Summing up the affair, Adriani said: "They're backtracking. They're looking for a scapegoat."

Adriani's supporters concurred, convinced that pressures outside HEW had been applied. "It is quite obvious," said Senator Nelson, "that the pharmaceutical industry has again demonstrated its great power in keeping a distinguished spokesman for sound medical practice out of an important position." Dr. Roger O. Egeberg, Assistant Secretary of HEW, denied such charges, saying: "No special influence group played any part in this decision. Specifically, the so-called pharmaceutical lobby was not a factor, as has been widely speculated. If not the drug industry had a hand in the Adriani affair, it seems clear that the search for a new director for the Bureau of Medicine was somehow fumled into a new embarrassment for the Nixon Administration. And however the matter resolved itself, the drug industry will certainly remain under attack from Washington. The methods used by major drug manufacturers to extract outrageously high prices from the public will be under successful challenge in the years ahead," Senator Long warned, "regardless of whom the President names to hold this position."

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