

The Truth  *About Health*

Is This Any Way to Run a Major Pharmaceutical Company?
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It might be argued that pharmaceutical companies are just businesses, just like any corporation that manufactures clothing or home furnishings. But that would not be quite correct. In the case of pharmaceutical companies, consumers of their products put their health and their very lives in the hands of the companies whose products they are using.

When that trust is misplaced, the effects can be tragic: illness, pain, birth defects, even death. Take the example of Merck. This company marketed Vioxx, the pain reliever that was approved by the FDA in 1999 and then was withdrawn from the market in 2004 after a study and many complaints from the field showed that the drug was causing heart attacks and strokes. The withdrawal came four years after complaints began to surface. What can we learn about this company that so many people are trusting with their lives?

Merck's shady marketing practices on behalf of Vioxx and another Merck drug Zocor (intended to lower cholesterol levels) were revealed by a former Merck employee who turned whistleblower. In a lawsuit, he claimed that Merck violated federal Medicaid statutes by offering "deep discounts for the two drugs if hospitals used large quantities of those drugs in place of competitors' brands." This suit was settled in 2008 when Merck agreed to pay more than \$650 million to resolve the allegations regarding their failure to comply with Medicaid laws and the claim that they had "paid illegal remuneration to health care providers to induce them to prescribe the company's products." Merck also agreed to pay \$399 million plus interest for further Medicaid offenses as well as having given illegal kickbacks to physicians who agreed to use its products, disguising them as "training" or "consultation" fees.

Representative Henry Waxman described the misleading sales tactics used by Merck on May 5, 2005: "The first evidence of Vioxx's health risks were disclosed in March 2000, when Merck published the VIGOR study. This study showed that Vioxx had five times greater cardiovascular risks than naproxen. Doctors naturally asked Merck's representatives about the implications of Merck's study. In response, Merck gave its representatives a 'Cardiovascular Card' that indicated that Vioxx was actually eight to eleven times safer than anti-inflammatory drugs like naproxen. As we now know, this Cardiovascular Card was inaccurate and misleading. The data it cited did not support Merck's conclusions. During a staff briefing earlier this week, an FDA official said that the relevance of the studies presented in the card to the cardiovascular safety of Vioxx was 'nonexistent.' According to the official, it would be 'ridiculous' and 'scientifically inappropriate' to use the data in the way Merck did..." Then, when a major medical journal published an article critical of Vioxx, "Merck's response was to launch 'Project Offense' to overcome the cardiovascular obstacle."

Rep. Waxman concluded, "When it comes to the one thing doctors most needed to know about Vioxx – its health risks – Merck's answer seems to be disinformation and censorship."

In 2009, court documents made available through the University of California, emails sent back

and forth between Merck staff show lists of doctors they target to be “neutralized” or “discredited.”

In an October 15, 2001 email from Merck staffer Douglas Greene on how to handle doctors opposed to Merck’s products, he says, “We may need to seek them out and destroy them where they live....”

In another email from October 29, 1999, Merck staffer Thomas McCready discusses the handling for a troublesome doctor: “We need to neutralize this Physician as quickly as possible. As you can see, the negative position Dr. McMillen has taken has been detrimental to the growth of Vioxx.... Dr. McMillen fails to utilize any Merck provided information or slides to portray Vioxx positively.”

Merck currently manufactures Claritin ® allergy medication, Saphris ® atypical antipsychotic medication, Fosamax ® for osteoporosis, Propecia ® for male hair growth, and a variety of vaccines for measles, mumps, rubella, Hepatitis B, plus Gardasil ® for human papillomavirus.

Does this sound like a group you want to trust with the health of your family?

Source: U.S. Department of Justice, Merck to Pay More than \$650 Million to Resolve Claims of Fraudulent Price Reporting and Kickbacks, February 7, 2008 http://www.justice.gov/opa/pr/2008/February/08_civ_094.html

Source: FDA, FDA Public Health Advisory: Safety of Vioxx, May 22, 2009, <http://www.fda.gov/Drugs/DrugSafety/PostmarketDrugSafetyInformationforPatientsandProviders/ucm106274.htm>

Source: Merck spreadsheet, undated, downloaded March 13, 2010, <http://dida.library.ucsf.edu/pdf/oxx02v10>

Source: Merck email, October 15, 2001, <http://dida.library.ucsf.edu/pdf/oxx03j10>

Source: Merck email, October 29, 1999, <http://dida.library.ucsf.edu/pdf/oxx13j10>