publications telling people over age 65 that its pneumonia vaccine, Pneumovax, is available and that Medicaid will reimburse for it. A Merck spokesman said the company cannot comment on whether it plans to repeat such ads but that the results were "satisfactory." The company views advertising the availability of its vaccine as a public service and notes that public health agencies frequently advertise the availability of pediatric vaccines. "The distinction between this and general ads for drugs is very clear," says the Merck spokesman.

Also last year, Peoples Drug Stores purchased a full page ad in the Washington *Post* to announce that it carries the Burroughs Wellcome drug, Zovirax, which can be used to treat herpes. Joseph Pollard of Peoples Drug Stores says that this advertisement, too, was meant as a public service to make consumers aware of the drug. "We filled a number of prescriptions but not enough to pay for the ad," Pollard remarks.

Another type of promotion is Pfizer's "Healthcare" series, run as advertisements in *Time*, *Newsweek*, the *New York Times*, and the *Wall Street Journal*. Although it does not mention specific drugs in its "Healthcare" ads, Pfizer describes diseases such as angina which can be treated with Pfizer's drugs.

In addition, companies have been filing into Millstein's office to show him proposed ads directed toward the public. Hayes has said some of the proposed ads were appalling, but others were quite impressive. Ciba-Geigy, for example, who is considered a forerunner in the push to advertise to consumers, received a letter from the FDA saying its presentation to the agency was "interesting and provocative" and that its plan "represent a major initiative."

But if the recent FDA meeting is any indication, outside of industry, vocal supporters of prescription drug advertising to the general public are hard to find. Most participants were neutral or opposed to the idea and some companies—Ciba-Geigy for example—were reluctant to come on strong in a public forum, in part because neither the companies nor the FDA are ready to discuss specific proposed ads.

Even the Pharmaceutical Manufacturers Association has not yet reached a consensus among its members on the issues.

Among opponents who spoke at the FDA meeting, Fred Wegner, representing the 14 million member American Association of Retired Persons, said, "Drug industry advertising and promotion is harmful to the national health. Who wants it anyway?" Americans already take too much medicine and the proposed ads would only make matters worse, he noted. Other countries, including Great Britain, Canada, West Germany, France, and Italy prohibit advertising prescription drugs to consumers, Wegner said, although, when asked, he confessed he did not know why. Representatives from the American Pharmaceutical Association and the Consumer Federation of America also spoke out against direct-to-consumer advertising.

Charles Adams, executive vice president of the American Association of Advertising Agencies, suggested modifying the fair balance regulation for broadcast media so that an ad need only state that the drug is a prescription product, that "Almost all pharmaceutical products have side effects and limited use," and that only a physician can determine who should take the drugs.

Taylor of Ciba-Geigy was one participant who favors a new ad policy. "The question we've been asking is, Is there information that encourages patients to go to physicians for treatment when they need it? Advertising would serve an important need if it encourages noncompliant patients or if it encourages patients to work with their physicians. If advertising can play a role in meeting these needs, I think it's something that should be explored."

Although he kept silent at the meeting, Jerald A. Breitman, who is manager of the department of public policy planning at Hoffmann–La Roche, told *Science* that his company, like Ciba-Geigy, is seriously interested in advertising prescription drugs to consumers.

He suggests that a possible way to make consumers aware of Hoffmann–La Roche's drugs would be to discuss a disease, such as hypertension or heart disease, and then end the ad with a list of drugs that Hoffmann–La Roche makes to treat the disease. A Lederle spokesman, who was not at the FDA meeting, told *Science* that he would like to see ads detailing the cost of developing drugs and the effort and care his company takes. Specific Lederle drugs would also be listed, he said.

One thing that was clear at the FDA meeting is that no one—not even the drug companies—wants to rush into advertising prescription drugs to consumers. "This particular question does not admit easy or obvious solutions," Hayes said. "It is important that we have a substantive dialog. We do not want to make decisions on an ad hoc basis. The issue is too broad and too profound."

—GINA KOLATA

Opposition Sends OMB Back to Drawing Board

The Office of Management and Budget (OMB) has withdrawn proposed regulations which nonprofit organizations insisted would have stifled their ability to communicate with government.

OMB's initiative was directed specifically at organizations that receive federal contracts and grants. The stated aim of the regulations was to prevent both industry and nonprofits from using federal dollars directly or indirectly for political advocacy. Nonprofits complained vehemently that the restrictions would bar them from legally permissible advocacy activities using private funds.

In OMB's usage, political advocacy covered both lobbying in the familiar sense of seeking to influence legislation and activities intended to sway other decisions in government.

In recent years, industry, particularly defense contractors, have been accused of using federal funds to lobby for decisions beneficial to their own business interests. Conservatives have complained that public interest groups use federal funds in a variety of ways to achieve political or ideological aims.

OMB publication of proposed revisions of its Circular A-122, "Cost principles for nonprofit organizations" in the 24 January *Federal Register* triggered an outpouring of protest from nonprofits and formation of a coalition of such organizations to oppose the draft regulations.

A general objection by the nonprofits was that the proposals by OMB far exceeded the powers delegated to it by Congress for rule-making and seemed to be in conflict with existing law. Advocacy activities of nonprofits are governed principally by the Tax Reform Act of 1975. The act sets dollar limits on lobbying activities by tax-exempt nonprofits that elect to operate under its provisions and defines more clearly than had been done in the past the types of such activities allowed.

The sharpest specific objection to the proposed rules was that they required a separation of advocacy from other activities so complete as to be impracticable for many nonprofits,

particularly small ones. The rules, for example, apparently forbade an employee of a nonprofit receiving federal funds to spend any portion of his time on advocacy if that person performed any other duties. The rules also proscribed all communication with federal agencies or Congress except on the direct request of the government entity. A nonprofit organization, for example, apparently would be prohibited from sending a report or other information to Congress or a federal agency unsolicited.

With the help of some effective political advocacy on Capitol Hill by the nonprofits, the OMB proposal provoked a strong response in Congress. Representative Jack Brooks (D–Texas) chairman of the Committee on Government Operations took the lead. After hearings before his committee on 1 March, Brooks and Government Operations ranking minority member Representative Frank Horton (R–N.Y.) sent a letter to OMB director David Stockman calling for withdrawal of the rules. The letter drew 170 congressional cosigners in 2 days.

On 10 March OMB announced that the regulations had been withdrawn and that a new version of the revisions would be published within several months, an event the nonprofits will await in the en garde position.

—JOHN WALSH

Animal Welfare and Fetal Research in Bill on NIH

The House reauthorization bill for the National Institutes of Health (NIH) has passed the health subcommittee with several provisions concerning animal welfare and fetal research. The animal welfare provision is one of the more controversial measures of the bill, which the full Energy and Commerce Committee is likely to mark up by late April.

The amendment on animal welfare, sponsored by Representative Doug Walgren (D–Pa.), goes farther than any of the other bills introduced this year on the same issue. But it is still less stringent than the one Walgren proposed during the past session.

It includes several requirements that scientists will probably dispute. One would require annual inspections of researchers' "study areas," which, according to an NIH official, could be interpreted as a scientist's laboratory. It would require a scientist to explain in federal grant applications the use of animals in his or her research. The amendment also authorizes that $20 million be spent over the next 3 years to develop a plan to study current use of laboratory animals and a way to distribute information about alternative methods.

Another part puts into statute what is already basically NIH policy. The measure would require that animal welfare committees at institutions be comprised of three members, of which one member is a veterinarian and another is a person not affiliated with the institution. NIH policy prescribes a five-member committee, including one veterinarian.

Walgren's bill passed relatively easily in the health and environment subcommittee, which is chaired by Henry Waxman (D–Calif.). But at the last minute, a more moderate bill sponsored by Edward Madigan (R–Ill.) captured several votes. Madigan proposed that the National Academy of Sciences conduct an 18-month study of use of animals in research.

Although Madigan initially had no support for his amendment, he eventually won the votes of several members. His proposal lost 7 to 10. The increased support for his measure may indicate that Walgren's bill will have a tougher time in full committee. A Senate counterpart to Madigan's proposal has already been introduced by Labor and Human Resources Committee chairman Orrin Hatch (R–Utah) and Edward Kennedy (D–Mass.). The senators intend to maneuver the proposal to passage as an amendment to the Senate NIH bill.

In addition to the animal welfare provisions, the House bill also includes an amendment concerning fetal research. But this year, the biomedical community is likely to find the current proposal much less troublesome than last year's. The present amendment, sponsored by Waxman, would simply codify some of the current federal regulations governing human experimentation. William Dannemeyer (R–Calif.), who unsuccessfully sponsored a much more controversial bill last year, agreed to go along with Waxman. Dannemeyer's bill would have brought fetal research to a virtual halt by prohibiting studies on "a living human fetus or infant, whether before or after induced abortion." As yet, there is no Senate version of the amendment.

Another provision in the House bill would transfer the National Institute of Occupational Safety and Health to NIH. An identical measure failed last year in Congress and its prospects of passage in this session are equally dim. Senator Hatch is strongly opposed to the move.—MARJORIE SUN

CDC Chief to Step Down

William H. Foege, the director of the Centers for Disease Control (CDC) in Atlanta, announced on 6 April he will resign as director, but will be staying on at the agency to concentrate on two specific programs. Foege, 47,

William H. Foege

who assumed the job in 1977, is apparently tired of administrative responsibilities.

Foege told Edward Brandt, Jr., Health and Human Services assistant secretary of health that he wanted to shift gears and focus his attention on CDC's international projects, and also agency-academia programs, such as training grants and fellowships. Foege was responsible for CDC's successful campaign to eradicate smallpox throughout the world.

Brandt has already formed a search committee to select a new director and Foege has agreed to stay on until a replacement is found.

—MARJORIE SUN