United States Senate
Committee on Finance

Sen. Chuck Grassley · Iowa
Ranking Member

http://finance.senate.gov
Press_Office@finance-rep.senate.gov

For Immediate Release
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Grassley calls on FDA to allow scientific opinion and dissent at Monday meeting on Avandia

WASHINGTON – Sen. Chuck Grassley wants to make sure that FDA scientists can speak freely about any concerns they may have regarding the diabetes drug Avandia during a meeting planned for Monday to discuss cardiovascular risks associated with the drug.

He also has called on the FDA Commissioner to address possible problems with this meeting being organized by FDA officials responsible for approving new drugs instead of FDA officials responsible for assessing the safety of drugs after they're on the market. Grassley specifically raised concerns regarding potential conflicts of interest with one of the speakers at the meeting and some of the meeting's voting members.

This morning the New York Times ran a story about a new report from federal drug reviewers indicating that patients who take Avandia face an increased risk of heart attacks compared to those taking a similiar drug.

Grassley has questioned the FDA's delayed response to this and other risk information and asked the Commissioner to account for allegations that two senior FDA scientists were taken off work on Avandia after raising concerns about the drug's safety.

Overall, strengthening the FDA Office of Surveillance and Epidemiology has been a central focus of Grassley's efforts to fix problems at the FDA.

In January, he and Sen. Christopher Dodd introduced, for the second time, two bills to revamp and prioritize the post-market surveillance process within the FDA and to greatly expand public access to information about all clinical trials through a registry and results database. Their bills are S.468, the Food and Drug Administration Safety Act of 2007, and S.467, the Fair Access to Clinical Trials Act of 2007. In May, Grassley offered an amendment to the Food and Drug Administration Revitalization Act of 2007 that would have made the FDA office that studies drugs after they're on the market an equal partner with the FDA office that initially approves drugs for all post-approval decisions related to the safety of drugs that are on the market. The amendment was defeated by only one vote.

Grassley has conducted active oversight of the FDA for the last three years and has put pressure on the drug safety agency to act with more independence and transparency in order to restore public confidence and strengthen public safety, especially when it comes to drugs already on the market. Grassley has called the FDA's relationship with the drug industry "too cozy" and has revealed instances where agency leaders suppressed scientific dissent regarding agency actions and drug-safety recommendations.

The text of the letter Grassley sent late Thursday to the FDA Commissioner regarding the Monday meeting on Avandia follows here.

July 27, 2007

Andrew C. von Eschenbach, M.D.
Commissioner
U.S. Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

Dear Commissioner von Eschenbach:

As Ranking Member of the United States Committee on Finance (Committee), it is my duty under the Constitution to conduct oversight into the actions of the executive branch, including the activities of the Food and Drug Administration (FDA/Agency). As part of my ongoing inquiry into the diabetes drug, Avandia, I, along with Chairman Baucus, sent you a letter last Tuesday to address reports that two FDA medical experts had been removed from a safety review of Avandia (rosiglitazone) after they voiced concerns about the drug's safety. I also expressed concerns to you regarding an upcoming advisory committee meeting.

I am now writing you again regarding the joint meeting of the Endocrinologic and Metabolic Drugs Advisory Committee and the Drug Safety and Risk Management Advisory Committee (ACM) that is scheduled for July 30, 2007. Among other things, I am concerned about FDA's actions with regard to this meeting and possible conflicts of interests.

First, I reiterate that this meeting was organized by the Office of New Drugs (OND), the office that approved Avandia, instead of the Office of Surveillance and Epidemiology (OSE), which better understands post-marketing drug safety. The issues surrounding Avandia are, after all, about post-marketing safety. In addition, it has been reported to me that during a recent FDA meeting to prepare for Monday's ACM, a high level FDA official attempted to intimidate OSE staff members by informing all staff present that FDA is to speak with "one voice" on Monday. The problem, Dr. von Eschenbach, is that the "voice" with which FDA typically likes to speak when it comes to post-marketing drug safety is OND's voice, the same voice that put Avandia on the market.

Accordingly, I would appreciate receiving your immediate assurance that OSE will be permitted to voice its position with regard to Avandia at the ACM on Monday whether or not it concurs with OND. Specifically, I wish to ensure that the office that better understands the

post-marketing safety questions related to Avandia may freely express its scientific opinion during this public meeting. In light of the fact that time is of the essence, please feel free to call me or any member of my staff to respond to this inquiry.

Further, I am curious about a possible institutional conflict of interest that may have been overlooked by OND when it planned this ACM. I note that Dr. David J. Gordon with the National Institutes of Health (NIH) is a featured speaker and non-voting member of the Advisory Committee. He will be discussing the use of rosiglitazone in an ongoing NIH trial called BARI 2D. This study is apparently quite large and may involve a substantial investment of NIH resources.

In addition, the ACM also includes three other NIH experts who will be voting. While I do not doubt that Dr. Gordon will provide sound expert opinion on the NIH study, as will the other NIH officials, I wonder if there is an inherent institutional conflict of interest for NIH that was not considered by the FDA. More specifically, I wonder if a recommendation to remove or otherwise limit the use of Avandia will in any way negatively impact the ongoing NIH study, thereby influencing NIH officials. Your thoughts on this would be greatly appreciated.

Finally, I would like to speak with Dr. Gerald Dal Pan to fully understand OSE's role in organizing the July 30 ACM. I request a brief teleconference for tomorrow, Friday, July 27. I anticipate this call will take no more than 15 minutes of his time.

Commissioner von Eschenbach, I hope that you recognize the importance of gaining the trust of the American public on drug safety. I hope to work with you on this issue to ensure that the American people will all have an improved FDA in the future.

Sincerely,
Charles E. Grassley
Ranking Member

cc: Dr. Zerhouni