

CEI

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NEWS

COMPETITIVE ENTERPRISE INSTITUTE

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AIDS PROTEST AT FDA: THE ISSUE IS FREEDOM

The Competitive Enterprise Institute, a Washington-based free market advocacy group, today expressed its support for the AIDS protest at the Food & Drug Administration headquarters.

Fred L. Smith, Jr., CEI President, stated: "This is essentially an issue of human freedom pitted against the bureaucratic quest for caution and neat statistics. Morally, it's not even a close contest. The real question is why Reagan's appointees, with their alleged devotion to individual rights and deregulation, are on the wrong side of the barricades here."

CEI characterized the protest as the first time in history that victims of "drug lag" have become politically organized. The term "drug lag" refers to the delay in the availability of new drugs that often results from FDA's regulatory process. It is frequently evidenced by such drugs being marketed abroad long in advance of their availability in this country.

According to Mr. Smith, drug lag victims in the past have simply been unaware of their predicament, and their problem is the inevitable result of the current regulatory scheme. "Most victims of untreatable diseases rarely know that there may be a potential cure for them somewhere in the administrative pipeline. At the same time, FDA wants to play it safe. If the agency mistakenly releases an unsafe drug, it will be blasted in congressional hearings and countless news stories. On the other hand, if it takes its time in approving a drug that could be saving people, who will know of the lives lost due to an overcautious agency? With this protest, it is becoming clear that people do know."

In a recent monograph, CEI argued that the current drug approval system should be replaced by one in which unapproved drugs, clearly labelled as such, would be available by prescription. The decision to use such a drug would be made by the individual and his or her physician, rather than by a federal agency.

Sam Kazman, CEI General Counsel, stated: "The current system turns AIDS patients into criminals. Rather than allow them to keep control of their own lives, it turns them into drug smugglers and covert operatives. When FDA does this under the guise of protecting people, it gives new meaning to the old joke about 'I'm from the government and I'm here to help you.' This is a morally bankrupt system. Scrapping it would save the lives of many, and restore hope and dignity to those who cannot be saved."