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## Truth Is Stranger Than Phiction

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The drug industry's literary misadventure.

By Shannon Brownlee and Jeanne Lenzer



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The pharmaceutical industry long ago perfected the art of getting its marketing message into other people's mouths. *Amgen* quietly paid Rob Lowe to appear on a *CNN* talk show to chat up the company's cancer drug; antidepressant manufacturers routinely underwrite patient advocacy organizations, like the *National*

*Alliance on Mental Illness*, that pump up their drugs.

But "third-party strategy," as it's known in the advertising world, has recently had its perils for PhRMA, the major lobbying group that represents drug manufacturers. The plan was to commission a fictional thriller to hype the dangers of buying prescription drugs from Canadian pharmacies. But now the authors have rewritten their novel to make a drug company the villain, and PhRMA wishes it had never heard of the idea.

The original plot of *The Spivak Conspiracy*, the book's working title for a time, revolved around an attack on the United States by villainous Croatian Muslims, whose weapon of choice is tainted drugs sold to Americans through Canadian pharmacies. It's against the law to reimport American drugs. But some drugs cost as little as one-tenth of their U.S. price when purchased in Canada, and a lot of Americans have been hopping over the border to fill their prescriptions or buying drugs from Canadian pharmacies via the Internet. Last year, they bought nearly \$1 billion worth of imports, cutting into the drug companies' profits.

That's why a book that could scare Americans away from buying Canadian drugs sounded like a good idea to Mark Barondess, divorce lawyer to the stars and a consultant to PhRMA, the Pharmaceutical Research and Manufacturers of America. Last spring, Barondess took the idea to Valerie Volpe, then a PhRMA deputy vice president. He says Volpe agreed to commission the deal for up to \$300,000 and set up an account for the project. After Barondess asked to withdraw \$100,000, Volpe e-mailed him to say he could take out the funds after an attorney at PhRMA cleared the withdrawal. Barondess says he gave \$75,000 from the PhRMA account to Los Angeles publisher Phoenix Books (contrary to his previous assertions on NPR that Phoenix wasn't paid by PhRMA). Barondess kept \$25,000 for his services.

Phoenix Books hired ghostwriter Julie Chrystyn to produce a manuscript. *The editor was to be Jayson Blair, the disgraced former New York Times reporter.* According to Chrystyn, Blair was fired from the book project four days after he began editing. Chrystyn then teamed up with Kenin Spivak, a lawyer and former Hollywood executive turned telecom entrepreneur. They banged out a manuscript about the villainous, drug-poisoning Croatians in less than two months.

Both sides say the deal began to fall apart last July, after Baroness rejected the manuscript on the grounds that it was badly written. Spivak counters that this was Volpe's fault: He claims she insisted that the manuscript include long polemics about drug policy and *wanted to dumb the book down to appeal to women*, who buy the majority of Canadian drugs.

Spivak says that when Baroness killed the project, he collectively *offered the co-writers \$100,000 to keep the deal quiet.* In exchange, according to a partial copy of the agreement we obtained, he asked the authors to sign an agreement promising not to disparage "Baroness, the pharmaceutical industry, or PhRMA" in any "public, private, or promotional statements or writings." Baroness doesn't dispute that he offered Spivak and Chrystyn money and asked for a nondisparagement agreement. But he claims that he was reacting to the writers' threat to bad-mouth the industry unless they were paid.

In the end, Spivak and Chrystyn turned down the money, rewrote the book, and retitled it *The Karasik Conspiracy*. The thriller is due out next month. We've read part of an early draft, and we can't recommend it as great literature. But the book has an instructive new bad guy: A large pharmaceutical company, so far unnamed, has poisoned Canadian-sold drugs—and then tried to make it look like a bunch of terrorists were behind the plot.

Since the book's villain turned into a drug company, PhRMA has been trying to distance itself from the venture. Calling the deal with Phoenix an "underhanded and sneaky idea," Ken Johnson, PhRMA's senior vice president of communications, denies that higher-ups at the trade group authorized the book and says it was the work of a low-level, "renegade" employee. Volpe has been suspended.

But when the dust-up over the conspiracy thriller is over, PhRMA's worries over drug reimportation won't be. The industry has independent researchers and renegade state governments to contend with. Drug companies have long defended the high U.S. drug prices, which fuel the appeal of cheaper imports, as necessary to cover its investment in research and development. Yet in a paper published earlier this month in the British medical journal *BMJ*, two researchers report that "lower prices do not lead to less research." Non-American drug companies, according to study authors Donald W. Light and Joel Lexchin, "fully recover their research and development costs, maintain high profits, and sell drugs at substantially lower prices than in the U.S."

In recent months, a growing list of states and cities (Illinois, Wisconsin, Maine, Minnesota, Nevada, Rhode Island, Oklahoma, Texas, and Vermont, and the cities of Boston and Washington, D.C.) have decided to flout federal law and begin buying

cheaper Canadian drugs for state employees and Medicaid recipients. Meanwhile, Congress is considering a bill that would loosen the ban on drug reimportation.

Perhaps more fiction is in order.

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