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ONE HUNDRED TENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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January 7, 2008

DENNIS B. FITZGIBBONS, CHIEF OF STAFF
GREGG A. ROTHSCHILD, CHIEF COUNSEL

Mr. Jeffrey B. Kindler
Chairman of the Board, CEO
Pfizer, Inc.
235 East 42nd Street
New York, NY 10017

Dear Mr. Kindler:

Under Rules X and XI of the Rules of the U.S. House of Representatives, the Committee on Energy and Commerce and the Subcommittee on Oversight and Investigations are investigating the use of celebrity endorsements of prescription medications in direct-to-consumer advertising.

We are aware of television advertisements for Pfizer's Lipitor with Dr. Robert Jarvik, who appears to state in the advertisement that he takes Lipitor. We are concerned that consumers may misinterpret the health claims of a prescription drug promoted in a direct-to-consumer advertisement utilizing a celebrity physician. We are also concerned that Dr. Jarvik's qualifications may be misinterpreted in this advertisement campaign given that he may not be a practicing physician with a valid license in any State.

Therefore, we ask that you provide the following:

1. Any and all records relating to the advertisement campaign for Lipitor, including but not limited to, all contracts, e-mails, correspondence, and scripts for all television and print advertisements with Dr. Jarvik;
2. All records relating to Dr. Jarvik's association with Pfizer, including any contractual arrangements relating to his appearance in any Lipitor advertisements;
3. All financial records relating to Dr. Jarvik's association with Pfizer, including how much money he or any member of his family or any business entity associated with him or any member of his family has ever received from Pfizer, its subsidiaries, contractors or subcontractors;

Mr. Jeffrey B. Kindler
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4. Any records relating to the veracity of any claims made by Dr. Jarvik in any of the advertisements on behalf of Pfizer, including but not limited to, his use of Lipitor. Said request includes any due diligence done on behalf of Pfizer or its contractors, including any medical records indicating Dr. Jarvik's specific diagnosis and purpose for using the drug; and
5. All records relating to Dr. Jarvik's professional qualifications and why Pfizer chose him as their spokesman for Lipitor.

In addition, we ask that you do not destroy, dispose of, or tamper with any records relating to Dr. Jarvik and his association with Pfizer until the conclusion of this inquiry and that you notify all contractors involved in this advertisement campaign of this preservation request.

Please deliver copies of the requested records to the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce, Room 316, Ford House Office Building, no later than two weeks from the date of this letter. Please note that for the purpose of responding to this request, the terms "record" and "relating" should be interpreted in accordance with the attachment to this letter. After review of the records, we may require additional records and/or staff interviews with Pfizer officers, employees, or with Dr. Jarvik.

Thank you for your prompt attention to this matter. If you have any questions related to this request, please contact us or have your staff contact John F. Sopko or Paul Jung of the Committee staff at (202) 226-2424.

Sincerely,



John D. Dingell
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

Attachment

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable John Shimkus, Ranking Member
Subcommittee on Oversight and Investigations

ATTACHMENT

1. The term "records" is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated.
2. The terms "relating," or "relate" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.