

The [New York Times reported](#) on Johnson & Johnson's lack of cooperation with the House Oversight Committee's investigation into the recall of pediatric medicines.

From the [NYT](#) :

A Congressional investigation into a recent recall of children's Tylenol and other pediatric medicines has been stymied by the manufacturer, Johnson & Johnson, investigators say, raising the prospect that new measures — like issuing of subpoenas to compel cooperation — could be invoked.

The unit of Johnson & Johnson that makes the over-the-counter drugs, McNeil Consumer Healthcare, is already under scrutiny by the Food and Drug Administration for a pattern of violations in manufacturing and quality control practices that have led to a number of recent recalls. The agency said last month that it was considering criminal penalties or other actions against McNeil.

Now Representative Edolphus Towns, a New York Democrat who is the chairman of the House Committee on Oversight and Government Reform, said Johnson & Johnson had used delaying tactics in its dealings with the committee and in some instances had provided misinformation — accusations the company denies.

Such conduct has cast Johnson & Johnson in an unusually negative light, Mr. Towns said, and might compel the committee to take more aggressive action as it looks into drug quality and safety issues raised by the recall. Other large corporations investigated recently by the committee, including Bank of America and the insurance giant A.I.G., were more forthcoming, Mr. Towns said.

“But we are not getting the kind of information and cooperation from Johnson that I would like,” Mr. Towns said in a telephone interview.

In a statement in late May on a company blog, McNeil said that it was undertaking comprehensive improvements in manufacturing and quality control systems.

But Mr. Towns said he found some recent actions by company managers troubling.

In particular, he faulted a company executive for implying during her sworn testimony that the “phantom recall” incident — in which contractors bought defective Motrin products off store shelves — was a limited and transparent transaction. Documents later provided by the company, he said, suggested more covert and larger-scale activity.

One purchase order among the evidence indicated that McNeil had hired a contractor in 2009 to visit 5,000 stores, or about 100 stores per state, for a fee of \$487,500. A document from another contractor, titled “Motrin Purchase Project (June 12, 2009),” instructed employees buying Motrin to “simply ‘act’ like a regular customer” and make “no mention of this being a recall.”

Mr. Towns said he was “troubled by the information that was given to us at the hearing versus what we are actually seeing now in the documents.” Earlier this month, Chairman Towns [asked the contractors to detail their role](#) in J&J's phantom recall of a certain type of Motrin.