

Industry group “threatens” journals to delay publications

Several scientific journals, including *The Lancet* titles, have received letters from the industry-funded Mining Awareness Resource Group (MARG), warning against “publication or distribution” of papers from a US government study of diesel exhaust and lung cancer.

The letter, signed by attorney and lobbyist Henry Chajet, advises journals to refrain from disseminating papers from the study until a court case and congressional directives are “resolved”. The letter warns of unspecified “consequences” should journals disseminate papers from the study.

“I have never seen anything like this before”, *Occupational and Environmental Medicine* editor Dana Loomis said. “It is vague and threatening. This has a chilling effect on scientific communications—a matter of grave concern.”

The US National Cancer Institute (NCI) and National Institute for Occupational Safety and Health (NIOSH) have jointly administered the US\$11.5 million Diesel Exhaust in Miners Study (DEMS) since 1992. DEMS was designed to assess lung cancer risk among more than 12 000 underground miners exposed to diesel exhaust, controlling for potential confounders such as tobacco smoking. MARG has repeatedly filed suit and lobbied Congress securing orders requiring DEMS scientists to share data with MARG and lawmakers for a 90-day review period, before publication.

In August, 2011, the agencies were found in contempt of court after MARG alleged that data and documents “needed for meaningful scientific review” had been withheld from Congress. The US Justice Department has appealed the contempt finding to the US Court of Appeals for the 5th Circuit, where a ruling is expected as soon as March this year.

Three papers from the study have been accepted for publication in the

Annals of Occupational Hygiene (which also received MARG’s letter) and the *Journal of the National Cancer Institute*, but publication has been postponed at the study authors’ request until resolution of the appeal. “They are government scientists so their hands are tied”, Loomis said.

If the lower court’s order is upheld, publication of the papers could be delayed indefinitely by claims that some records have not been disclosed, suggested retired government occupational epidemiologist Peter Infante.

The International Agency for Research on Cancer (IARC) Monographs Programme is scheduled to re-evaluate diesel exhaust’s carcinogenicity in June, having listed re-evaluation as a priority since 2003. When IARC last reviewed diesel exhaust in 1989, it was deemed “probably carcinogenic to humans”. Statistically robust DEMS findings could alter that assessment, but IARC evaluations may only consider papers published or accepted for publication in the “openly available scientific literature”, Nicolas Gaudin (IARC, Lyon, France) told *The Lancet Oncology*. “We have not seen any results papers from the NCI/NIOSH study.”

“We want the Working Group to base its evaluation on the best and most relevant scientific evidence”, said IARC Monographs Programme Director Kurt Straif.

“We remain hopeful that the legal process in the USA will be concluded in a timely fashion so the Agency can provide decision-makers with the most reliable basis for protecting the health of people worldwide”, said IARC Director Christopher Wild.

The US Health and Human Services Department’s National Toxicology Program (NTP) Report on Carcinogens has also proposed diesel exhaust particulates for assessment this year.

“I am not aware of any kind of previous attempt to influence scientific journals not to accept papers

for publication, except through normal peer review”, said Vincent Coglianò, a former IARC Monographs Programme Director and acting director of the US Environmental Protection Agency’s Integrated Risk Information System (IRIS) programme, which assesses chemical toxicity and carcinogenicity. “This means that a potentially authoritative study will not be in the public domain, so people would not know the results.”

If MARG’s letter to journals represents “more than an isolated incident—if we were to find out in the aftermath of this attempt with diesel, that this has happened with several other workplace or environmental contaminants, then you would start to wonder if past assessments were complete”, Coglianò warned. “It would raise doubts about the completeness and credibility of the scientific literature.”

“Threats of litigation made to journal editors could become another tactic used by industry when economic interests are potentially jeopardised by scientific evidence of harm”, said Celeste Monforton (George Washington University, Washington, DC, USA). “Some editors may not want to run the risk of being dragged into a lawsuit and the associated costs.”

Chajet refused to comment, but provided a press release stating in part: “it appears the reviews by IARC and NTP are being prompted by NIOSH and NCI researchers and we believe documents and communications between agency personnel are being exchanged”.

“Ironically, [Chajet] said previously that industry’s objective is to ensure proper scientific scrutiny”, Loomis said. “That is precisely what is not happening as a result of their actions. We need to allow these papers to see the light of day so they can be evaluated.”

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For more on industry and Congressional pressure on US government carcinogens assessments see [News](#)
Lancet Oncol 2008; **9**: 518;
Lancet Oncol 2010; **11**: 118;
Lancet Oncol 2011; **12**: 731;
Lancet Oncol 2012; **13**: e56

For MARG attorney Henry Chajet’s letter to scientific journals see <http://news.sciencemag.org/scienceinsider/DEMS%20documents.pdf>

For Celeste Monforton’s essay detailing the history of MARG and the US government’s diesel exhaust study see <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1470492/pdf/0960271.pdf>