

Doubt is Their Product:

The Rise and Threat of the “Product Defense” Industry

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Tobacco's Campaign to Manufacture Doubt

"Doubt is our product, since it is the best means of competing with the 'body of fact' that exists in the minds of the general public. It is also the means of establishing controversy."

-Brown & Williamson Document No. 332506, 1969



Reports on

Tobacco and Health Research

Vol. 6 No. 2

July-August 1968

There is a steady stream of articles reporting research on the health hazards of tobacco. These articles are widely publicized, but less attention is given to articles which question the validity of these reports. This publication reports some of these articles.

Vol. 6 No. 2
July-August 1968
IN THIS ISSUE

Smoking and Fats, p. 1

TIRC Annual Report, p. 2

Emphysema, p. 3

Cancer Personality Pattern Is Reported To Begin in Childhood

New evidence of a personality pattern common to male lung cancer patients has been reported by a Scottish psychologist.* The pattern begins in childhood and does not appear to be related to smoking habits.

In a previous study, Dr. David M. Klassen of the University of Glasgow and an associate reported that male lung cancer patients have a significantly diminished outlet for emotional discharge. In addition, they said, such patients tend to bottle up or conceal

Verdict: 'Unproved'

Lung Specialist Cites 28 Reasons For Doubting Cigarette-Cancer Link

Although much has been written about possible causal relations of cigarette smoking to lung cancer, there is a good deal of evidence which does not fit this hypothesis, according to a California pulmonary specialist. In a review article digested below, he summarizes 28 reasons for his believing that cigarette smoking is not an important etiological agent in lung cancer, and that the real causes are unknown.

"There has been a virtual flood of literature 'associating' cigarette smoking with lung cancer," according to Dr. Larry Hyde, chief of pulmonary disease service, Veterans Administra-

Test Results: Smoking Fails To Raise Cholesterol Levels

HILL AND KNOWLTON

Hill and Knowlton, Inc.
International Public Relations Counsel
420 Lexington Avenue
New York, New York 10017
212 697-5600

Case Histories

The following pages contain case histories detailing Hill and Knowlton's work on selected environmental, and occupational health issues:

- o Siting a Municipal Waste Incinerator
- o Vinyl Chloride and Cancer
- o Asbestos and Human Health
- o Dioxin and Public Health
- o Fluorocarbons and Ozone Depletion
- o Saccharin and the FDA
- o Toxic Wastes Threaten Major Manufacturing Facility
- o Groundwater Contamination Harms Company Reputation

Fluorocarbons and Ozone Depletion

Problem/Situation

Scientific allegations that fluorocarbons released from aerosol spray cans were a threat to the earth's ozone layer had become a cause celebre in the media and government. Despite the fact that there was no real scientific proof of the charges, and that it would be years before facts could be assembled, the media fastened on the threat of increased skin cancer and the doomsday aspects of the story. Public concern and fear about the future caused fluorocarbon users to look to alternatives. Hill and Knowlton was asked by Du Pont to help calm fears, get better reporting of the issues, and gain up to two or three years before the government took action to ban fluorocarbons.



The Nobel Prize in Chemistry 1995

"for their work in atmospheric chemistry, particularly concerning the formation and decomposition of ozone"



Paul J. Crutzen



Mario J. Molina



**F. Sherwood
Rowland**

The Nobel Prize in Chemistry 1995

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[Presentation Speech](#)
[Illustrated Presentation](#)

Paul J. Crutzen

[Autobiography](#)
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[Interview](#)
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Mario J. Molina

[Autobiography](#)
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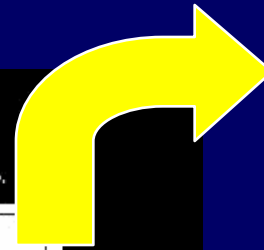
F. Sherwood Rowland

[Autobiography](#)
[Nobel Lecture](#)
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[Other Resources](#)

WINNING THE GLOBAL WARMING DEBATE – AN OVERVIEW

Please keep in mind the following communication recommendations as you address global warming in general, particularly as Democrats and opinion leaders attack President Bush over Kyoto.

1. ***The scientific debate remains open.*** Voters believe that there is *no consensus* about global warming within the scientific community. Should the public come to believe that the scientific issues are settled, their views about global warming will change accordingly. Therefore, *you need to continue to make the lack of scientific certainty a primary issue in the debate*, and defer to scientists and other experts in the field.
2. ***Americans want a free and open discussion.*** Even though Democrats savaged President Bush for formally withdrawing from the Kyoto accord, the truth is that none of them would have actually voted to ratify the treaty, and they were all glad to see it die. Emphasize the importance of *“acting only with all the facts in hand”* and *“making the right decision, not the quick decision.”*
3. ***Technology and innovation are the key in arguments on both sides.*** Global warming alarmists use American superiority in technology and innovation quite effectively in responding to accusations that international agreements such as the Kyoto accord could cost the United States billions. Rather than condemning corporate America the way most environmentalists have done in the past, they attack their us for lacking faith in our collective ability to meet any economic challenges presented by environmental changes we make. This should be our argument. *We need to emphasize how voluntary innovation and experimentation are preferable to bureaucratic or international intervention and regulation.*
4. ***The “international fairness” issue is the emotional home run.*** Given the chance, Americans will demand that all nations be part of any international global warming treaty. Nations such as China, Mexico and India would have to sign such an agreement for the majority of Americans to support it.
5. ***The economic argument should be secondary.*** Many of you will want to focus on the higher prices and lost jobs that would result from complying with Kyoto, but you can do better. Yes, when put in specific terms (food and fuel prices, for example) on an individual-by-individual basis, this argument does resonate. Yes, the fact that Kyoto would hurt the economic well being of seniors and the poor is of particular concern. However, the economic argument is less effective than each of the arguments listed above.



“The scientific debate remains open. Voters believe that there is ***no consensus*** about global warming within the scientific community. Should the public come to believe that the scientific issues are settled, their view about global warming will change accordingly. Therefore, ***you need to continue to make the lack of scientific certainty a primary issue in the debate...***”
(emphasis in original)

Marketing "Product Defense"

ASBESTOS, TOBACCO, PHARMACEUTICALS - WE'RE ALL NEXT!

- ◆ Scare science
- ◆ The loss of presumptive innocence
- ◆ Where will the liability end?

**Presented by
Mr. Joseph Huggard
The Weinberg Group LLC
18 June 2003**



Case Studies

SUPPORT TO DRUG MANUFACTURERS

The Food and Drug Administration proposed cancellation of a registered new drug. Cancellation requires an administrative hearing. THE WEINBERG GROUP was retained by two manufacturers of the drug under attack, to define strategy for the administrative hearing, identify the experts to be used in the continued support of the drug; assist in the preparation of the experts for written testimony, analysis of the testimony of experts for the Food and Drug Administration, and preparation for oral cross-examinations and preparation of the summary brief. This led to an extensive process with a written appeal from the first decision to the Commissioner and leading to 10 additional years of sales prior to the ultimate cancellation of the drug.

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Benzene

- US National Toxicology Program, Known Human Carcinogen (1980)
- IARC, Group 1 Carcinogen (1987)

Benzene and the Dose-Related Incidence of Hematologic Neoplasms in China

*Richard B. Hayes, Song-Nian Yin, Mustafa Dosemeci, Gui-Lan Li, Sholom Wacholder, Lois B. Travis, Chin-Yang Li, Nathaniel Rothman, Robert N. Hoover, Martha S. Linet**

sex. **Results:** For workers historically exposed to benzene at average levels of less than 10 parts per million (ppm),

the RR for all hematologic neoplasms combined was 2.2 (95% confidence interval [CI] = 1.1-4.2), and, for the combination of acute nonlymphocytic leukemia and related myelodysplastic syndromes, the RR was 3.2 (95% CI = 1.0-10.1). For individuals who were oc-

Journal of the National Cancer Institute, Vol. 89, No. 14, July 16, 1997

INTERNATIONAL LEVERAGED RESEARCH PROPOSAL

Project Description (1-2 sentences):

The proposed research is an investigation of the effects and dose response of hematological effects of benzene exposure in a population of workers in Shanghai, China (PRC) to respond to allegations from a nationwide study of benzene exposed workers in over 50 industries by researchers from the United States National Cancer Institute and the Chinese Academy of Preventative Medicine.

The research includes a case control study of Non-Hodgkin's lymphoma and acute myelogenous leukemia (AML), an investigation of the role of non-cancer diseases such as aplastic anemia and myelodysplastic syndrome in the progression to AML, and a determination of the dose response relationship between benzene exposure and biomarkers of both exposure and effect.

Background – Describe the Significant Issue(s) of Concern to Global Petroleum Industry that the Research Would Affect:

- The expected health effects of ambient air concentrations of benzene currently drive calls for the reformulation of motor gasoline which would have massive financial impacts on petroleum refiners.
- Concerns about localized impacts of benzene exposure are the basis for initiatives to control emissions from stationary sources such as refineries and marketing facilities.
- Benzene is a major determinant of the extent of required cleanup of many petroleum contaminated media such as soil and water.
- Litigation alleging induction of various forms of leukemias and other hematopoietic diseases from exposure to petroleum derived benzene result in millions of dollars in expenses to industry.

Project Value – How Will Research Results Enhance Industry’s Ability To Achieve Objectives On Issue Of Global Impact And Concern:

The planned research is expected to:

- Provide strong scientific support for the lack of a risk of leukemia or other hematological disease at current ambient benzene concentrations to the general population.
- Establish that adherence to current occupational exposure limits (in the range of 1-5 ppm) do not create a significant risk to workers exposed to benzene.
- Refute the allegation that Non-Hodgkins lymphoma can be induced by benzene exposure.

11. Financial Contributions

- a. The estimated budget is a **total sum of \$20,000,000** for all direct and administrative costs. Direct costs include the data collection, analysis, and summary of existing data; purchase, storage and analysis of test samples; characterization of the test materials; testing to be conducted by testing laboratories; monitoring and auditing of test data, and communication of results by the Oversight Committee. Administrative costs include but are not limited to: API overhead, staff salaries, travel, postage and express mail services telephone costs, and facility costs of meetings away from the API office in Washington, D.C.
- b. Individual companies will pay on a share basis. The number of shares a company will have is based on the following table:

Category	Number of Shares
U.S. Refiner (based in refinery capacity)*	
Small ($\leq 500,000$ bbl/day)	1
Medium ($> 500,000$ bbl/day and $\leq 1,500,000$ bbl/day)	2
Large ($> 1,500,000$ bbl/day)	3
Non-U.S. Refiner (no U.S. refineries)	1
Free-standing Chemical Company (outside refining sector)	2
Upstream Company (no refining operations)	1
Other (trade association, government, NGO)	negotiable

*U.S. refinery capacity will be determined based upon refinery ownership as of October 1, 2000. Capacity will be calculated using the Oil and Gas Journal's 2000 Petrowell Directory.

Seeding the Science

Commentary

An Extensive New Literature Concerning Low-Dose Effects of Bisphenol A Shows the Need for a New Risk Assessment

Frederick S. vom Saal¹ and Claude Hughes^{2,3}

¹Division of Biological Sciences, University of Missouri, Columbia, Missouri, USA; ²Department of Medical and Scientific Services, Quintiles, Research Triangle Park, North Carolina, USA; ³Department of Biology, East Carolina University, Greenville, North Carolina, USA

Table 1. Biased outcome due to source of funding in low-dose *in vivo* BPA research as of December 2004.

Source of funding	All studies		CD-SD rat studies		All studies except CD-SD rats	
	Harm	No harm	Harm	No harm	Harm	No harm
Government	94 (90.4)	10 (9.6)	0 (0%)	6 (100)	94 (96)	4 (4)
Chemical corporations	0 (0)	11 (100)	0 (0%)	3 (100)	0 (0)	8 (100)

Values shown are no. (%).

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BISPHENOLA BISPHENOLA BISPHENOLA BISPHENOLA

Volume 2 Number 1 April, 2000

A new journal of key scientific studies focused on the safety of bisphenol A, an important industrial intermediate used to manufacture polycarbonate plastics, epoxy coatings and other products.

The Bisphenol A Global Industry Group

What Were They Thinking?

The image displays three boxes of VIOXX (tolerolol, MSD) and two tablets. The top box is orange and labeled '12.5 mg 30's economy pack'. The middle box is blue and labeled '25 mg 30's economy pack'. The bottom box is white and labeled '25mg 5's convenience pack'. Below the boxes are two tablets: a white one labeled '(12.5mg)' and a yellow one labeled '(25mg)'. The boxes and tablets are arranged in a descending staircase pattern from top-left to bottom-right.

12.5 mg
30 TABLETS
12.5mg 30's
economy pack

25 mg
30 TABLETS
25mg 30's
economy pack

25mg 5's
convenience
pack

(12.5mg) (25mg)

Does Vioxx Increase CVD Risk?

In August 2001, JAMA publishes review of Vioxx trial by three scientists not associated with Merck:

- **Risk of cardiovascular event among those taking Vioxx, compared with naproxen, was 2.38 (95% confidence interval, 1.39-4.00; $P = .002$).**

Mukherjee DM, Nissen SE, Topol EJ. JAMA 2001;286:954-959.

Merck 's Counter-Attack: It's the Alleve, not Vioxx

October 2001, A group of Merck-affiliated scientists blame naproxen, not Vioxx:

- "Differences observed between rofecoxib and naproxen are likely the result of the antiplatelet effects of the latter agent."

(Konstam MA, Weir MR, Reicin AS, et al. Circulation 2001;104:2280-2288)

Merck 's Counter-Attack: It's the Alleve, not Vioxx

And December 2001 letter to JAMA:

- " We believe that the analysis of [Mukherjee, Nissen and Topol] provides no substantive support for their conclusions."
- Pointing to another study, they assert that "these findings support a protective effect of naproxen as the most likely explanation. "

Konstam MA, Demopoulos LA. Cardiovascular events and COX-2 inhibitors JAMA 2001;286:2809

Whose Analysis Was Correct?

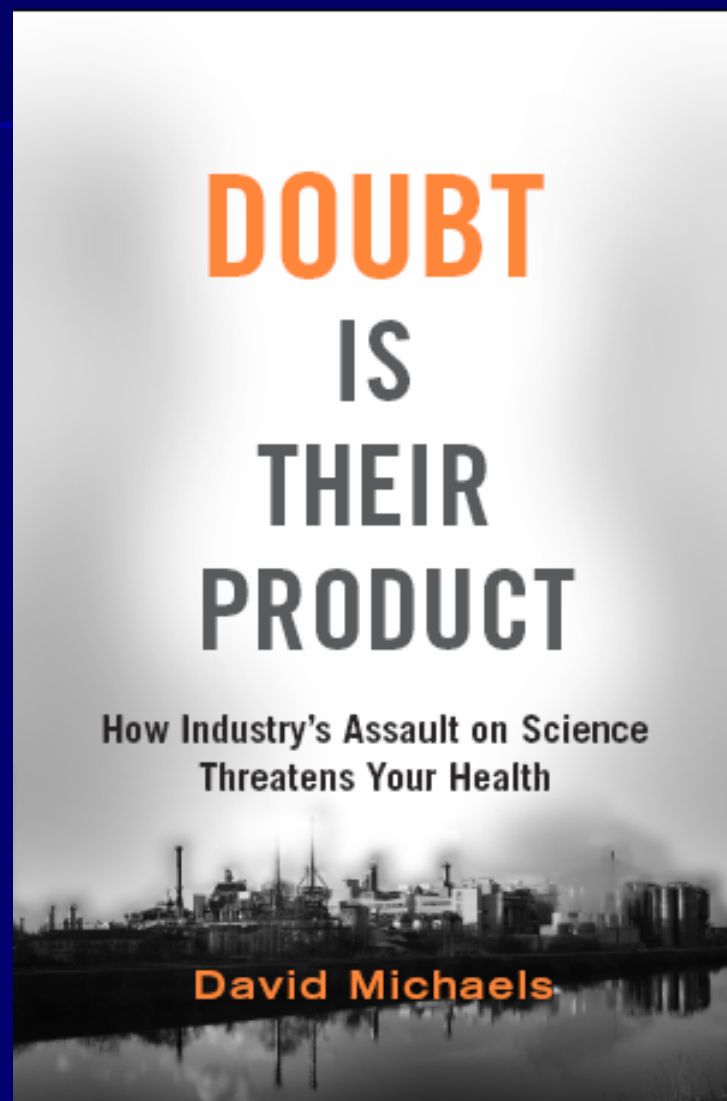
September 2004: Merck withdraws Vioxx after a placebo trial shows that Vioxx increases risk of heart attacks.

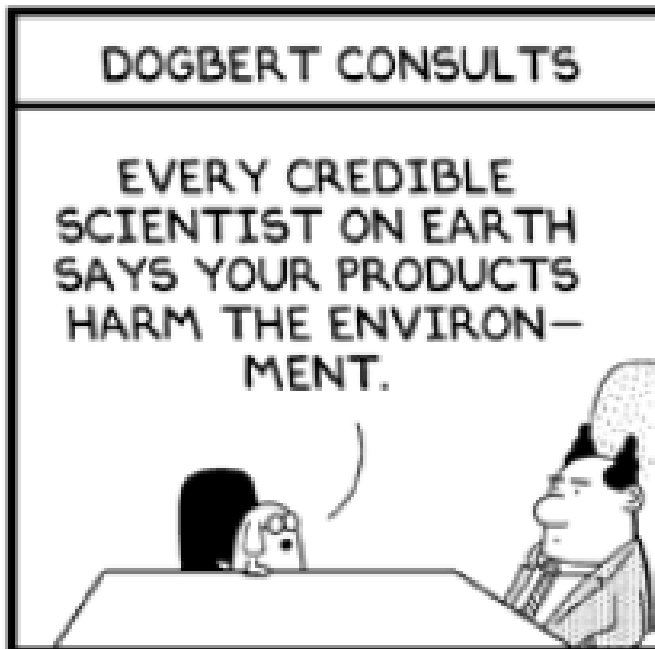
By then, an estimated 20 million Americans had taken the drug.

FDA scientists estimate Vioxx caused between 88,000 and 140,000 heart attacks in US alone.

Graham D, Campen D, Hui R, et al. The Lancet, 2005;365:475-481.

Shameless Self-Promotion





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October 30, 2007

What Can We Do About It?

- Full Disclosure and Publication of Conflicts
 - Online access to disclosed information, rather than leaving it to editorial judgment
- Eliminate Conflicts of Interest: “Managing” Conflicts is Not Enough
 - ban employees of product defense firms from federal science advisory committees

What Else Can We Do About It?

- Scientist Control of Work Product
 - No publication of papers whose first author did not have the unfettered right to publish
- Level the Playing Field
 - Equal treatment of public and private science

For More Information

- The Project on Scientific Knowledge and Public Policy:

www.DefendingScience.org

- The Pump Handle Blog:

<http://thepumphandle.wordpress.com>