



Beware of backroom deals in the name of 'science'

The term 'sound science' has become Orwellian double-speak for various forms of pro-business spin, says Colin Macilwain.

Scientific and environmental groups enjoyed a small victory in Washington DC earlier this year, when an insidious little item called the sound-science bill was removed from farm legislation signed into law by US President Barack Obama on 7 February.

The defeat of the bill was but a minor skirmish, however, in a broader, global war that rumbles on over how science should be used in regulating everything from smoking to pollution.

The term 'sound science' may sound innocuous — comforting, even. Don't be fooled. In policy circles, its use is now pretty-much confined to the determined band of brothers who make their livings trying to roll back government regulation, by fair means or foul.

Many of these people are neo-conservatives — members of the powerful right-wing cult whose founder, former Trotskyist Irving Kristol, adopted various tricks from the revolutionary politics of the far left. One of these was the casual misuse of the word 'sound' to denote colleagues or ideas as being ideologically reliable.

'Sound science' is thus science that big business knows it can trust. In its name, businesses that sell contentious products are working night-and-day to deflect rules and regulations by exploiting a schoolboy image of science to make their case.

And whatever the issue — nuclear power, pesticides, pharmaceuticals, alcohol, oil or coal — they take the basic game plan from the lessons learned by the tobacco industry over the past twenty years.

I don't think many people realize that shares in British American Tobacco (BAT), the world's second-largest tobacco company, have risen tenfold since the year 2000 — while the main UK stock index, the FTSE 100, has stood still. It has been party time for BAT shareholders, even though everyone knows that cigarette smoking kills thousands. Even as cigarettes are being pushed to the edges of social acceptability in the United States and parts of Europe, much larger and more lucrative markets keep opening up.

That is because the tobacco industry has learned to game the regulatory and trade system. Back in 1993, it hijacked the term sound science, when it set up The Advancement of Sound Science Coalition to question early evidence linking passive smoking to cancer. The coalition pioneered an effective approach that abuses science to hold back regulation for long enough for BAT and others to haul in extraordinary profits.

Today, regulatory efforts such as plain packaging and bans on menthol cigarettes are held up by legal challenge, often using language inserted into global trade agreements by industry lobbyists. This creates boundless opportunities for malfeasance. As Nicandro Durante, BAT's chief executive, told the *Daily Telegraph* on 27 February: "There is no scientific evidence that banning menthol is going to bring any real public health benefit to the population."

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Too right, there isn't. Because no-one has ever tried to ban menthol cigarettes for long enough to test it, the scientific evidence cannot exist. It is no wonder that purveyors of everything from booze to nuclear power look at BAT's chutzpah and share price and think: I'll have some of that.

Big business learned some time ago that its besuited representatives were unlikely to win stand-up public fights against environmentalists or health advocates over issues such as tobacco packaging. They might not even win them in cases, such as genetically modified crops, in which they have a respectable claim. It is much more effective to act behind the scenes and cut to the real issue — which is how government regulators and trade negotiators write their rules.

That is what the sound-science bill, which was introduced by Stephen Fincher (Republican, Tennessee) and ended up in the House-passed version of the farm bill, tried to do. It would have covered every federal agency, although it originated in farmers' concerns about possible regulation of antibiotic use in animals. It required, among other things, that US regulators favour data from research that is "experimental, empirical, quantifiable, and reproducible". Which sounds fair enough, until you think about it: the approach would discount, for example, the use of weather modelling, or of data collected from one-off events, such as natural disasters.

Fortunately, scientific and environmental groups rumbled what the bill was really about, and got it turfed out of the farm bill just before it reached Obama's desk. However, dealing with such provisions is a bit like whack-a-mole. There is another mole already in sight on Capitol Hill: the Secret Science Reform Act, now under con-

sideration by the House science committee, to stop the Environmental Protection Agency from using data that are not publicly available in its assessments.

And who could argue with that? Well, one issue with making all such data public is that it gives industry grounds for refusing to hand confidential data over, as it would then become public.

In the end, regulatory arguments are more philosophical than scientific in their nature. Environmentalists advocate caution in the face of uncertainty; industry wants cost-benefit analysis.

The natural sciences have little to say on which approach is wiser. Industry, however, has become adroit at using the concept of sound science to advocate the latter path. Too many researchers, as well as the wider public, are taken in by the claim that when someone says they are seeking the scientific answer to a regulatory question, they mean what they say. They very rarely do. ■

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