

speed in assuring the institute's future before the best researchers are lured away. Although the Max Planck Gesellschaft has traditionally followed every recommendation from Wissenschaftsrat to found a new institute, it has sometimes taken years to open them, and then only when another institute has been closed or the Gesellschaft has received a budget increase.

A spokesman for the Gesellschaft, Michael Globig, says that an internal committee will be formed, probably in June, to examine the question. The committee is expected to make a recommendation by March 1992, about the possibility of taking over the Halle institute. But the recommendation, if it comes, can be carried out only if Bonn and the *Länder* make new money available. "We don't plan to close another institute to open this one," says Globig.

In another important development, Wissenschaftsrat is for the first time asking policy-makers to reduce the scope of western institutions in a particular field so as to shift part of the focus of that research to the east. The advisory council is urging the western German Aerospace Research Centre (DLR) and the eastern Institute for Cosmos Research (IKF) to work together in order to make the most of the experience of IKF. This could be best achieved, says the council, by founding a new DLR institute at IKF in Berlin for planetary remote sensing, and setting up two affiliated groups to be supported by the Max Planck Gesellschaft.

The recommendation is partly an explicit recognition of the excellence of the East German space flight programme, which was well funded because of its publicity and diplomatic value for the state, demonstrated in several joint space missions with the Soviet Union. And Wissenschaftsrat has determined that space science in eastern Germany is also outstanding, especially in remote sensing and planetary science — areas where, it notes, there are some gaps in the western research programme.

One of the most surprising results of the latest round of evaluations is the relatively strong support received from Wissenschaftsrat by researchers at former East German Academy institutes for economics and social sciences — which are generally considered to have been tainted by East Germany's state-enforced Communist ideology. Simon, himself a historian of law, asserts that evaluators found some outstanding groups of researchers, isolated even within their own institutes, who are worth saving. These researchers, Simon says, are less burdened by their past than he had thought, in part because their institutes had very little internal coherence and were divided into clusters of 5 to 8 people cut off from other groups.

Wissenschaftsrat recommends that a new institute for empirical economic research be set up in eastern Germany as well as a "commission for investigating the social and political transformation of the new *Länder*".

Steven Dickman

Where angels fear to tread...

Washington

FROM fetal tissue to animal rights, the new 102nd Congress is proving that, like its predecessor, it has not met a research controversy it did not like.

Last week, Representative Henry Waxman (Democrat, New York) fired a warning shot across the bow of the administration by introducing a bill that would reverse the contentious existing ban on federally funded fetal-tissue research. It would also make break-ins and protests at animal facilities a federal crime, and boost participation of women and minorities in federally funded clinical trials.

The bill is essentially identical to a proposal Waxman introduced last year, too late to be considered as the 101st Congress drew to a close (see *Nature* 348, 101; 8 November 1990).

Although the legislation — with the full force of the powerful US anti-abortion movement against it — is unlikely to pass as it stands, Waxman intends to use it as an opportunity to hold hearings at which he can grill administration officials on their fetal-tissue policy. Bernadine Healy, the new director of the National Institutes of Health, is expected to be called on 15 April to explain her defence of the ban (see *Nature* 350, 178; 21 March 1990).

Another provision in Waxman's bill joins other new and pending congressional legislation aimed at combating animal-rights attacks on research facilities. It would designate as federal crimes break-ins at federally funded health facilities, as well as protests that involve "obstruction through intimidation".

Federal offences carry stiffer penalties and

investigations than simple state crimes, as most animal-related break-ins are now considered.

In the Senate, a similar break-in bill was reintroduced earlier this year by Howell Heflin (Democrat, Alabama). Heflin's bill passed the Senate last year, but the 101st Congress closed before a matching bill could be passed in the House of Representatives. That companion bill — by Texas Democrat Charles Stenholm — is also to be reintroduced soon.

Stenholm is informally circulating his legislation to gain support, and is said to have more than 100 representatives ready to sign on as cosponsors. Although the three bills differ in some details, research lobbyists are focusing their energies on the Heflin and Stenholm package as the most likely to pass. On the opposite side animal advocates are also mobilizing their forces for battle, and a stiff lobbying war over the bills is expected.

On the theory that support is where you find it, the animal activists have established an uneasy alliance with the anti-abortion movement in opposition to the break-in bills. Last week, the National Right to Life Committee came out in opposition to the Waxman provision, arguing that activist protests at animal facilities are legally similar to protests at abortion facilities — something they would not like to see made a federal offence.

Using a slightly different rationale, the American Civil Liberties Union also opposes the bill, on the grounds that deterring legitimate protest violates the First Amendment right to free speech.

Christopher Anderson

LEGISLATION

A Bill of Rights for fruit and vegetables?

Washington

AN unusual piece of legislation in Colorado has caught the attention of vegetable haters in that state. The Disparagement of Perishable Agricultural Food Products Act is aimed at discouraging slanderous campaigns about fruits, vegetables, meats and other produce.

The bill, which has passed both the Colorado State Senate and House of Representatives and needs only the signature of Governor Roy Romer to become law, has become the butt of many jokes in the press. Would President Bush be precluded from making his anti-broccoli sentiments public in the state of Colorado? Will the term 'meat-head' become actionable?

The bill is not as crazy as it sounds, says sponsor Steve Acquafresca, a legislator from a heavily agricultural part of the state. "There is a terrific need out there to provide victims of false food scares with the means

to recover all or part of their damages," says he. Not vegetables themselves, mind you, but food producers.

Acquafresca's bill was motivated in part by the Alar scare in the United States two years ago, when environmental groups launched a campaign to convince the public that small amounts of Alar, a preservative used on apples, would cause cancer. The resulting scare cost apple growers in Colorado and the rest of the country an estimated \$130 million. Under the new legislation, victims of food scares might be able to collect damages.

The requirements of the bill are fairly rigorous: in order to file a claim, the victim must show that whoever spread the rumour knew that the information was false, and it applies only to "malicious or negligent false food safety scares that are conveyed in a public campaign manner", says Acquafresca.

Diana Steele