

March 12, 2014

Dear Committee on Publication Ethics,

We wish to submit the following complaint to COPE. As required by COPE, we provide below a summary of the concerns in under 500 words and an outline of the points within the COPE Code of Conduct which are relevant to the concerns.

We look forward to hearing back from you and will be happy to provide any further information required.

Kathleen Ruff, [kruff@bulkley.net](mailto:kruff@bulkley.net)  
On behalf of the signers listed below

## **Complaint to Committee on Publication Ethics**

### **Pertinent Facts**

Carlo La Vecchia, Associate Editor, European Journal of Cancer Prevention (EJCP), submitted an article, [\*Role of stopping exposure and recent exposure to asbestos in the risk of mesothelioma\*](#), on Wednesday, September 28, 2011 to EJCP Editor-in-Chief, Jaak Janssens, who acted as peer reviewer and approved its publication four days later on Sunday, October 2, 2011.

La Vecchia and co-author, Paolo Boffetta, stated their review of the scientific literature showed “consistent evidence that for workers occupationally exposed (to asbestos) in the distant past, the risk of mesothelioma is not appreciably influenced by subsequent exposures. Further, stopping exposure does not materially modify the risk of mesothelioma over subsequent decades.”

La Vecchia and Boffetta stated they had no conflicts of interest. This is untrue. They were paid consultants to the Montefibre company, which faced charges regarding asbestos-related deaths of workers. In March, July and November 2011, the authors were paid to write briefs and testify in court, putting forward the arguments contained in the article.

The authors and the editor violated [EJCP’s conflicts of interest instructions](#), which require that: “Authors must state all possible conflicts of interest in the manuscript, including financial, consultant, institutional and other relationships that might lead to bias or a conflict of interest”.

The authors disclosed false funding information, which enhanced the article's credibility, stating: "This work was conducted with the contribution of the Italian Association for Cancer Research (AIRC), project No. 10068." AIRC provided no funding for the article.

## **Complaint**

This conduct, in our opinion, violates articles 1,2,3,5,8,12,15,17 of COPE's Code of Conduct and Guidelines for Journal Editors (see below).

- Written evidence of the above misconduct was submitted to Prof. Janssens through a complaint signed by over 140 scientists, health defenders and organisations. He has not addressed the misconduct.
- Readers were given false information regarding the authors' funding and conflicts of interest.
- The editor has not accepted accountability for correcting serious misinformation.
- The Editor-in-Chief has no known expertise on the asbestos issue, yet acted as expert peer reviewer. He approved the article for publication in four days. This constitutes improper peer review processes.
- The journal provided no description of peer review processes; has not published a correction showing the authors' relevant competing interests; did not ensure that the article was reviewed by suitably qualified reviewers.
- No policies were in place for handling submissions from an Associate Editor to ensure unbiased review.
- The editor provided no information on any mechanism to take the complaint further or how to refer the complaint to COPE.
- The Editor did not have a system for managing board members' conflicts of interest.
- The Editor did not publish a list of board members' relevant interests, such as the fact that the Associate Editor co-owned a consulting company that contracted with industries to publish articles regarding health risks of their products.
- The Editor failed to enforce his journal's stated conflict of interest requirements.



## CODE OF CONDUCT AND BEST PRACTICE GUIDELINES FOR JOURNAL EDITORS

### 1. General duties and responsibilities of editors

1.1. Editors should be accountable for everything published in their journals

1.6. maintain the integrity of the academic record

1.8. always be willing to publish corrections, clarifications, retractions and apologies when needed.

### 2. Relations with readers

2.1. Readers should be informed about who has funded research or other scholarly work and whether the funders had any role in the research and its publication and, if so, what this was.

#### **Best practice for editors would include:**

- *ensuring that all published reports and reviews of research have been reviewed by suitably qualified reviewers (including statistical review where appropriate)*
- *informing readers about steps taken to ensure that submissions from members of the journal's staff or editorial board receive an objective and unbiased evaluation*

### 3. Relations with authors

3.4 A description of peer review processes should be published, and editors should be ready to justify any important deviation from the described processes.

#### **Best practice for editors would include:**

- *publishing relevant competing interests for all contributors and publishing corrections if competing interests are revealed after publication*

- *ensuring that appropriate reviewers are selected for submissions (i.e. individuals who are able to judge the work and are free from disqualifying competing interests)*

- *publishing details of how they handle cases of suspected misconduct (e.g. with links to the COPE flowcharts)*

## **5. Relations with editorial board members**

### **Best practice for editors would include:**

- *having policies in place for handling submissions from editorial board members to ensure unbiased review*

## **8. Editorial and peer review processes**

8.1. Editors should take all reasonable steps to ensure the quality of the material they publish, recognising that journals and sections within journals will have different aims and standards.

## **12. Ensuring the integrity of the academic record**

12.1. Errors, inaccurate or misleading statements must be corrected promptly and with due prominence.

12.2. Editors should follow the COPE guidelines on retractions.

## **15. Complaints**

15.1. Editors should respond promptly to complaints and should ensure there is a way for dissatisfied complainants to take complaints further. This mechanism should be made clear in the journal and should include information on how to refer unresolved matters to COPE.

## **17. Conflicts of interest**

17.1. Editors should have systems for managing their own conflicts of interest as well as those of their staff, authors, reviewers and editorial board members.

17.2. Journals should have a declared process for handling submissions from the editors, employees or members of the editorial board to ensure unbiased review.

### **Best practice for editors would include:**

- *publishing lists of relevant interests (financial, academic and other kinds) of all editorial staff and members of editorial boards (which should be updated at least annually).*

## **SIGNED BY THE FOLLOWING INDIVIDUAL SIGNERS AND ORGANISATIONS**

**NOTE:** Titles and affiliations are given for identification purposes only. Some of the signers have been involved in asbestos litigation.

Dr. Joseph LaDou, MS, MD, Division of Occupational and Environmental Medicine, University of California School of Medicine, San Francisco, CA USA

Dr. Jean Zigby, MD, Family Physician, Palliative Care Specialist, President, Canadian Association of Physicians for the Environment

Dr. David Egilman, MD, MPH, Editor, International Journal of Occupational and Environmental Health (IJOEH); Clinical Professor, Department of Family Medicine, Brown University, Attleboro, USA

Dr. Erica Frank, MD, MPH, Professor and Canada Research Chair, University of British Columbia; Founder, President, + Research Director: NextGenU.org + Healthy Doc=Healthy Patient; Research Director, Annenberg Physician Training Program; Former Co-Editor-in-Chief, *Preventive Medicine*

Dr. Dennis Pocekay, MD, MPH, Assistant Clinical Professor of Public Health Sciences & Internal Medicine, SOM, University of California Davis; Education Committee, Western Occupational & Environmental Medicine Association; former Assistant Clinical Professor of Family & Community Medicine, SOM, UC SF; The Permanente Medical Group, Inc., Chief of Occupational Medicine, San Rafael/Petaluma (CA), Northern California Clinical Lead for Occupational Health and Safety Services (retired), USA

Kathleen Ruff, Former Director, British Columbia Human Rights Commission; Co-Coordinator, Rotterdam Convention Alliance; Founder, RightOnCanada.ca; Senior Human Rights Adviser, Rideau Institute, Canada

Dr. James Brophy, PhD, Visiting Research Fellow, University of Stirling, Scotland; former Executive Director, Occupational Health Clinics for Ontario Workers, Canada

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Dr. Yeyong Choi, PhD, Director of Asian Citizen's Center for Environment and Health, Seoul, Korea

Sharon Kramer, Advocate for Integrity in Health Marketing, San Diego, California, USA

Dr. Morris Greenberg, MB, FRCP, FFOM, former, HM Medical Inspector of Factories, UK

Laurent Vogel, Researcher in the European Trade Union Institute (ETUI), Belgium

Dr. Colin L. Soskolne, Professor Emeritus, University of Alberta, Edmonton, Canada; Fellow, Collegium Ramazzini, Italy; Fellow, American College of Epidemiology; Adjunct Professor, University of Canberra, ACT, Australia; two term Past-President, Canadian Society for Epidemiology and Biostatistics (2007-2009, 2009-2011), Canada

Dr. Giuseppe Leocata, MD, Medico del Lavoro, Fondazione IRCCS 'Ca Granda' Ospedale Maggiore Policlinico Milano, Unità Operativa Complessa 'Medicina del Lavoro'; Dipartimento Area della Medicina Preventiva, Milan, Italy

Professor Leslie London, Director: School of Public Health and Family Medicine, University of Cape Town Health Sciences Faculty, South Africa

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Marc Hindry, professeur, Université Denis Diderot, Paris 7, France

Dr. Peter Infante, D.D.S., Dr.P.H., F.A.C.E., Peter F. Infante Consulting, LLC; Formerly Director, Office of Standards Review, Health Standards Program, Occupational Safety & Health Administration (OSHA), Washington, D.C., USA

Dr. Habibullah Saiyed, MBBS, PhD (Occ Health), International Consultant to World Health Organization on chemical safety; Former Director, National Institute of Occupational Health, Ahmedabad, India

Dr. Barry Castleman, ScD, Environmental Consultant; Fellow, Collegium Ramazzini, Italy; author, *Asbestos: Medical and Legal Aspects*, USA

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Dr. Pietro Barbieri, Director of Local Authority on Occupational Health and Mesothelioma Register of Brescia Province, Northern Italy

Dr. Maria Angela Vigotti, BS, Senior Researcher in Environmental Epidemiology, Biology Department, Pisa University, Italy; President, Italian Association of Epidemiology (1990-1992)

Dr. Shuaib Ismail Manjra, MBChB, MmedSci, BSc (Med)(Hons) DOH, University of Cape Town; works with patients who have contracted asbestosis

Dr. Enzo Merler, MD, Veneto Mesothelioma Registry, Occupational Health Unit, Local Health Authority, National Health Service (SPISAL AULSS 16), Padova, Italy

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Dr. Guadalupe Aguilar Madrid. MD, MSc, PhD, Research Unit in Health at Work. Researcher Level 1. National System of Researchers. National Council for Science and Technology. (CONACYT), Mexico

Dr. Michel Guillemin, PhD, Private Consultant in Occupational Health; Professor Emeritus at the University of Lausanne, Switzerland; Past director of the Institute for Work and Health in Lausanne, Switzerland

Dr. Glenn Shor, PhD, Lecturer, University of California Berkeley, School of Public Health, Berkeley, CA, USA

Dr. Josette Wier, MD, Smithers, BC, Canada

Alain Bobbio, secrétaire national de l'Association Nationale de Défense des Victimes de l'Amiante (ANDEVA), France

Dott. Antonio Romanelli, Dirigente Medico, Registro Mesoteliomi Regione Emilia-Romagna, Italy

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Dr. Gemma Gatta, MD, Epidemiologist, Fondazione IRCSS, Istituto Nazionale Tumori, Italy

Dr. Susanna Cantoni, MD, Occupational Health, Local Health Authority, Milan, Italy

David Gee, Senior Adviser, Science Policy, Emerging Issues, European Environment Agency, Copenhagen, Denmark

Association of Asbestos Relatives and Victims (AFeVA), Casale Monferrato, Italy, representing 35.000 citizens and more than 1,800 victims of asbestos.

Ban Asbestos Network of India (BANI)

ToxicsWatch Alliance (TWA), India

Medicina Democratica Onlus, Italy

International Ban Asbestos Secretariat

Association Nationale de Défense des Victimes de l'Amiante (ANDEVA), France



RightOnCanada.ca

A Walk to Remember Victims of Asbestos, Canada

Asian Network for the Rights of Occupational and environmental Health (ANROEV)

Occupational and Environmental Health Network of India (OEHNI), India, working with asbestos victims in different parts of the country

Canadian Association of University Teachers, Canada

Federation of Germans Victims Groups