

To: Virginia Barbour, President, Committee on Publication Ethics (COPE)
Iratxe Puebla, COPE Membership Assistant

June 5, 2014

Dear Dr. Barbour and Ms Puebla,

Thank you for your message of May 26, 2014.

Our complaint of March 12, 2014 provided specific evidence documenting contravention of articles 1, 2, 3, 5, 8, 12, 15, 17 of the Committee on Publication Ethics (COPE) Code of Conduct and Guidelines for Journal Editors.

We wish to emphasize that Prof. Janssens' response fails to address most of these matters, such as:

- Prof. Janssens has taken no initiative to correct the false funding information.
- Prof Janssens has not provided evidence that, at the time of its submission (September 2011), the Boffetta and La Vecchia manuscript was submitted to an external peer reviewer. If no external peer review was conducted at the time, this is an extremely unusual practice for a scientific journal.
- Prof. Janssens states that his expertise to act as the sole reviewer of the manuscript written by his co-editor consisted in his having attended a presentation on this topic some months before. He says that it took him a couple of days to read the manuscript and to accept the paper. We do not believe this constitutes serious, independent peer review and we do not believe this is the standard of review that COPE recommends or would accept.
- Prof. Janssens says that in 2014 an independent reviewer selected by him investigated possible conflicts with regard to the La Vecchia and Boffetta paper. This is long after the paper had been published. He has not made public this report or the identity of the reviewer. We believe it is insufficient to present a post-hoc investigation by an unnamed reviewer as a credible way to address serious allegations of misconduct.

With regard to the issue of conflict of interest, our complaint alleged that:

- The Editor did not have a declared system for managing board members' conflicts of interest, as required by article 17.2 of the COPE Code of Conduct.
- The Editor did not publish a list of board members' relevant financial 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, as recommended by COPE's Best Practices for Editors (article 17, Conflicts of Interest).
- The Editor failed to enforce [his journal's own published conflict of interest requirements](#), 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”.

In his response, Prof. Janssens ignores all these facts.

Please note the following further facts:

- Prof. La Vecchia and Dr. Boffetta received financial compensation to write briefs and testify in court in July 2011 and November 2011 on behalf of the companies, which were facing charges regarding the asbestos-related deaths of workers from mesothelioma. On September 28, 2011, they submitted their article to the European Journal of Cancer Prevention (EJCP), putting forward the same arguments as they did in court on behalf of the company. These were not, as Prof. Janssens states “possible activities of both authors for the industry”. They were de facto specific activities that, according to the journal’s own Conflict of Interest requirements, were required to be declared but which were not.
- Prof. Janssens further states that “both authors have clearly declared that they didn’t receive any payment from the industry that was related to the subject ‘asbestosis and cancer risk’”. The work the authors were paid to do by the companies was on ongoing exposures to asbestos and mesothelioma risk. The topic of the article the authors submitted to the EJCP, in between carrying out the paid work on the same topic for the companies, was ongoing exposures to asbestos and mesothelioma risk. Prof. Janssens is thus putting forward misleading information. Furthermore, it is, in our opinion, irrelevant whether the two authors were paid for the specific article topic in question. They were (a) paid by the companies and (b) the companies have an interest in the topic on which they wrote. This constitutes a conflict of interest that needed to be disclosed.
- When testifying in a court case on behalf of companies denying carcinogenicity of acrylamide in April 2014, Dr. Boffetta stated that he had been paid by the Edison company to prepare a report and to testify in court at the same time as he and Prof. La Vecchia submitted their article to the EJCP. Dr. Boffetta stated that: “I testified about the association between asbestos and mesothelioma, yes.” When asked why, in the EJCP article, he and Prof. La Vecchia had not declared as a conflict of interest the fact that they were testifying for the defense in an asbestos/mesothelioma criminal case, Dr. Boffetta stated: “Yes, this is something we should have done, probably.”¹ Dr. Boffetta’s statement, which is on the public record, contradicts Prof. Janssens’ statement that both authors have told him that they had no conflict of interest that needed to be declared in the article.
- Prof. Janssens states that “Within ECP we did indeed a thorough investigation”, and that they concluded that there was no conflict of interest and that “the scientific content of the paper in question is sound, balanced and not influenced

¹ Paolo Boffetta, deposition, Council for Education and Research on Toxics vs. Starbucks Corporation et al., Superior Court of the State of California, April 7, 2014, transcript, page 230.

by possible activities of both authors for the industry.” We note that, showing an extreme lack of transparency, European Cancer Prevention provides no information on its website as to who are its board members (‘About Us’ http://ecpo.org/?page_id=2), except for identifying Prof. Janssens as the president and Dr. Belinda Johnston as the treasurer.. We are not aware of any published expertise by Prof. Janssens or Dr. Johnston on the topic of the article. Prof. Janssens’ statement that “the scientific content is sound, balanced and expresses the state of the art, and the paper has been objectively reviewed” is thus, in our opinion, lacking in credibility. Scientists who do have expertise on the issue, such as Dr. Benedetto Terracini and Dr. Dario Mirabelli, have rejected the conclusion of the unidentified board members of ECP and have criticized the article as misrepresenting the scientific evidence, including evidence from their own published research.

- This is not the first time that Prof. La Vecchia and Dr. Boffetta have been criticized over conflict of interest and distorted science that benefits companies by whom they had been hired as consultants. The Italian Epidemiology Association (IEA) issued a public statement in July 2013 expressing strong concern at the “biased and deliberately distorted, pseudo-scientific use of data” by Prof. La Vecchia and Dr. Boffetta in a report they wrote regarding the health impact of emissions from the ILVA steel works on the surrounding population and workers. The IEA noted that the researchers were in a position of clear conflict of interest as they were paid consultants for ILVA, a fact that they did not disclose in their report. (Comunicato stampa dell'AIE sull'ILVA di Taranto, Sul caso ILVA si sta facendo un uso distorto e strumentale delle evidenze scientifiche, <http://www.epiprev.it/comunicato-stampa-dellaie-sullilva-di-taranto>. English translation attached.)

Please note that this complaint is not a complaint from only one individual, Kathleen Ruff, but from over forty scientists and a dozen organisations.

We are more than willing to provide further information, if needed. We look forward to receiving your response and request that you respond to us all.

Sincerely,

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

Dr. Arthur L. Frank, MD, PhD, Fellow, Collegium Ramazzini, Italy; Professor of Public Health, Drexel University, USA

James Huff, PhD, Formerly, Associate Director for Chemical Carcinogenesis, National Institute of Environmental Health Sciences, USA; Fellow, Collegium Ramazzini, Italy

Dr. Richard A. Lemen, Ph.D., MSPH, Assistant Surgeon General, United States Public Health Service, USPHS (ret.), Rear Admiral, USPHS (ret.); Fellow, Collegium Ramazzini, Italy; Adjunct Professor, Rollins School of Public Health, Emory University, Atlanta, GA, USA

Leslie London, Chair of Public Health Medicine, University of Cape Town, South Africa

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. Colin L. Soskolne, Professor Emeritus, University of Alberta, Edmonton, Canada; Chair, International Joint Policy Committee of the Societies of Epidemiology (IJPC-SE); 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)