

September 21, 2020

Dear Dr. Morabia,

We write to express our concern over the recent inclusion of tobacco industry voices in the Experimental Forum 1 (The 2020 Food and Drug Administration Guidance on E-Cigarettes) section of the June 2020 issue of AJPH.<sup>1</sup>

Despite the stated intent of the AJPH forum to “facilitate a dialogue among public health practitioners on emerging health issues that might otherwise go unnoticed,”<sup>1</sup> we believe that Derek Yach of the Philip Morris International (PMI)-funded Foundation for a Smokefree World (FSFW)<sup>2</sup> and Brad Rodu, a longtime recipient of industry funding,<sup>3</sup> have significant conflicts of interest and are biased. Therefore, it stands to reason that they are not seeking to advance a dialogue about public health, but rather act as paid spokesmen with the intent on muddling science in service of the tobacco industry’s agenda. Legitimizing their voices in a peer-reviewed journal dedicated to the promotion of public health undermines the scientific integrity of AJPH. Further, if the reputation of AJPH depends on the trust of the readership, its trust is diminished by giving voice to any industry selling products that kill over 480,000 people each year in the U.S. alone and over 7 million worldwide.<sup>4,5</sup>

The tobacco industry has long engaged in documented and widescale efforts to subvert regulation by, among other things, downplaying scientific findings on the hazards of smoking, the addictive nature of nicotine, and the harms of secondhand smoke.<sup>6</sup> In the landmark 2006 racketeering ruling *United States v. Phillip Morris*, the industry was found to have “mounted a coordinated, well-financed, sophisticated public relations campaign to attack and distort the scientific evidence demonstrating the relationship between smoking and disease, claiming that the link between the two was still an ‘open question’” and that the industry “suppressed, concealed, and terminated scientific research; they destroyed documents including scientific reports and studies.”<sup>6</sup> The ruling goes on to warn that the tobacco industry’s conduct would likely continue into the future: “There is a reasonable likelihood that Defendants’ RICO violations will continue in most of the areas in which they have committed violations in the past.”<sup>6</sup>

Tobacco industry funding of research and infiltration in scientific journals is also nothing new; the inclusion of tobacco industry-funded research has been debated for at least two decades.<sup>7</sup> There are numerous examples of published sponsored research distorting scientific findings and then using that research to undermine regulatory policies.<sup>8-18</sup> A 2019 *Tobacco Control* article on industry efforts to laud nicotine’s positive benefits found that: “Non-industry-funded authors reported both positive and negative findings, while industry-funded authors reported positive findings almost exclusively. Because scientists with ties to the tobacco industry continue to publish work on the benefits of nicotine, it is important that researchers and journal editors consider industry bias in studies of the health effects of nicotine.”<sup>15</sup>

It has been established that the FSFW is not, in fact, independent from its sole patron, PMI.<sup>19-21</sup> FSFW has infiltrated public health spaces despite being roundly rejected by the World Health Organization (WHO). The WHO has repeatedly refused to partner with FSFW, saying of their launch: “When it comes to the Foundation for a Smoke-Free World, there are a number of clear conflicts of interest involved with a tobacco company funding a purported health foundation, particularly if it promotes the sale of tobacco and other products found in that company’s brand portfolio.”<sup>22</sup> In 2019, WHO reaffirmed their opposition

to partnering with FSFW and went on to urge both governments and the public health community to reject them as well.<sup>23</sup> The FSFW is widely regarded as part of a long-planned tobacco industry effort to undermine the WHO's position and exploit divisions within the tobacco control movement by pushing for an industry "seat at the table" in policymaking.<sup>20,24,25</sup> Despite its rhetoric to the contrary, analyses of the FSFW's governing documents demonstrate that it cannot be regarded as independent of its funder.<sup>20</sup>

Yet the editors of the AJPH Experimental Forum solicited commentary from FSFW President Derek Yach.<sup>1</sup> They justified Yach's inclusion by curiously stating that: "Corporate interests have a voice in the regulatory process."<sup>1</sup> This idea stands in stark contrast to the basic ideals of public health as enshrined in Article 5.3 of the WHO Framework Convention on Tobacco Control (WHO FCTC), which states: "There is a fundamental and irreconcilable conflict between the tobacco industry's interests and public health policy interests" and which cautions against corporate social responsibility activities by the tobacco industry.<sup>26</sup>

Yach, himself a former WHO employee, once recognized the inherent danger in allowing the tobacco industry to infiltrate scientific spaces, warning in a 2001 AJPH commentary *Junking Science to Promote Tobacco*: "The tobacco industry continues to fund, directly or indirectly, prestigious academic centers and scientists in its effort to achieve scientific credibility."<sup>27</sup> Once Yach assumed the position of president and spokesperson for FSFW, he ceased to be an appropriate voice in scientific debate based on his own statements. Their subsequent opinions are thereafter no longer independent, unbiased, or represent the interest of the public's health.

While the editors do acknowledge Yach's affiliation with PMI in the forum's introductory article, they fail to mention Rodu's ties to the tobacco industry.<sup>1</sup> Although both Yach and Rodu's articles themselves contain a reference to industry funding, these conflicts of interest appear at the end and are easily overlooked. AJPH readers may not recognize their names or necessarily be familiar with the work of the Foundation for a Smokefree World.

Legitimizing corporate interests in scientific journals sets a dangerous precedent. We ask that you employ a commercial determinants of health perspective, which identifies intersecting corporate interests as a driver of non-communicable diseases and a threat to public health.<sup>28</sup> As a 2018 scoping review on industry-sponsored research published in AJPH aptly concluded: "The influence on the research agenda has given the industry the potential to affect policymaking by influencing the type of evidence that is available and the kinds of public health solutions considered. The results of our scoping review support the need to develop strategies to counteract corporate influence on the research agenda."<sup>29</sup>

It is ultimately your responsibility to establish appropriate guardrails against undue influence. As stated in AJPH's Policy on Ethical Principles, among the primary responsibilities of the editor-in-chief is "to protect and strengthen the integrity and quality of the journal and its processes."<sup>30</sup>

We therefore urge AJPH to commit to a change in its editorial policy which expressly rejects corporate interests generally, and the tobacco industry specifically. We ask that AJPH join *Tobacco Control* and others in adopting a formal policy against publishing research funded by the tobacco industry or tobacco industry employees as a commitment to scientific integrity free from corporate interests.<sup>31-35</sup>

It is corrosive to the longstanding practice of peer review to ask external experts to review corporate editorials. Industry-funded articles should not be given the imprimatur of "peer review," as indicated in the web versions of the articles. Further, if the journal decides that it is of interest to publish these

corporate editorials, they should be clearly identified in the title as “industry’s point of view.” Not only were these industry articles included in the forum, but Yach’s article was open-access—giving it even more prominence than other, more balanced, academic contributions. We remain committed to scientific discussion based on open, transparent, data-driven dialogue without conflict of interest. Invitations to industry-funded individuals certainly do not meet this standard and must be disavowed.

The tobacco industry has a long and egregious history of undercutting tobacco control efforts by infiltrating established scientific spaces and sowing doubt. We trust that you share our commitment to preserving honest scientific dialogue and protecting against those seeking to bolster private interests.

Sincerely,

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