



Group Tied to Dr Oz Critics Has Critics Too

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When 10 physicians recently sent a letter to Columbia University urging it to fire faculty member and TV personality Mehmet Oz, MD, for what they call his unscientific opposition to genetically modified food and promotion of "quack treatments," they inadvertently put someone else on the hot seat.

Four of the 10 signatories are past or present officials of the American Council on Science and Health (ACSH), a nonprofit group created in 1978, as it says, "to add reason and balance to debates about public health issues." In op-ed pieces, studies, media interviews, and Congressional testimony, members of the ACSH and its members have supported genetically modified foods, fracking, and e-cigarettes, all in the cause of battling "junk science." Its web site lists more than 300 individuals — including more than 100 physicians — as members of its advisory board.

Like Dr Oz, the group has its share of critics. They say that contrary to its stated mission, the ACSH is a dissembling "front group" for large corporations that fund it in exchange for ACSH defending products and practices that threaten public health. Its connections to politically conservative, pro-business think-tanks and foundations further this impression.

"They have a history of aligning themselves with the positions of companies who happen to provide substantial funding," said Diana Zuckerman, PhD, president of the National Center for Health Research, which advocates for the health and safety of women, children, and families. "It's a group we always look at with skepticism."

ACSH has backers who are not confined to corporate funders. The website features an endorsement from Edwin Feulner, a former president of the right-leaning Heritage Foundation. "ACSH has stood as a bulwark against the contemporary Luddites who see the beginning of civilization's end in every technological advance that reaches the market place," Feulner is quoted as saying.

Another endorsement on the ACSH website is not quite what it seems, however. It comes from Michael Osterholm, PhD, MPH, director of the Center for Infectious Disease Research and Policy (CIDRAP) at the University of Minnesota.

"It's hard to get people away from the extreme positions," Dr Osterholm is quoted as saying. "That's why I support ACSH so much...I believe it's one of the most centrist and most intellectually honest groups we've got today!"

In an interview with *Medscape Medical News*, Dr Osterholm said that he supplied the endorsement about a decade ago. Now he wants it deleted.

"I'm no longer a member of that group," Dr Osterholm said. "I have concerns about how this group operates and the positions they take. I don't believe it's the best science."

Dr Osterholm said he has formally asked ACSH to remove his name and the quote from its website, but to no avail. "I might have to call a lawyer," he said.

ACSH declined to grant an interview with any of its officials, including Gilbert Ross, MD, the group's acting president and executive and medical director as well as one of the signatories of the letter seeking Dr Oz's dismissal from Columbia University (the letter was signed not just by people connected with ACSH). ACSH spokesperson Erik Lief replied to some questions in writing.

The other signatories with an ACSH connection are Jack Fischer, MD, a member of the group's board of trustees and an emeritus professor at the University of California, San Diego; former trustee Henry Miller, MD, a fellow at Stanford University's Hoover Institution; and former trustee Glenn Swogger Jr, MD, the retired director of the Will Menninger Center for Applied Behavioral Sciences at the Menninger Foundation in Topeka, Kansas.

Dr Oz intends to answer his accusers on *The Dr Oz Show* on April 23. He will discuss his views on genetically modified food, which he contends should be labeled, and alternative healthcare practices. "We will not be silenced," he has vowed.

Trustee Resigns Over ACSH Support of E-Cigarettes

Like Dr Osterholm, Paul Offit, MD, is another prominent scientist who has experienced a change of heart about ACSH.

A professor of pediatrics in the Division of Infectious Diseases at The Children's Hospital of Philadelphia, Dr Offit is listed on the ACSH web site as serving on its board of trustees. However, he told *Medscape Medical News* that he is resigning from the board as of today because the group's support of e-cigarettes lacks sufficient evidence. The ACSH hails them as "potentially life-saving devices" and "a method of tobacco harm reduction."

"My resignation has nothing to do with the Oz letter," said Dr Offit. "When they supported e-cigarettes, that's when they crossed the line. They can't say it's an exit strategy for cigarette smoking yet." Dr Offit said that as a pediatrician, he worries that e-cigarettes could get more children addicted to nicotine. (*Disclosure: Dr Offit is an advisory board member and contributor to Medscape Infectious Diseases*).

He said he tendered his resignation from the board of trustees several months ago, but that Dr Ross talked him out of it.

Dr Offit said he also is "not crazy" about the group's support of fracking. He credits the ACSH, however, with taking the right position on other issues.

"They've done many things I've liked," he said. "What they say about vaccines, and dietary supplements, and certain unrealistic fears about chemicals in the environment is true. I've appreciated their bravery."

Monsanto: We Had Nothing to Do With the Oz Letter

For the fiscal year ending June 30, 2014, ACSH reported total public support and revenue of \$1.4 million. Where that money comes from is not clear. In a statement emailed to *Medscape Medical News*, the group said that it chooses not to disclose its funding sources "as they are irrelevant to our scientific investigations and positions."

"Only science-based facts hold sway in our publications, even if the outcome is not pleasing to our contributors," ACSH stated.

A 12-year-old essay by the group's founder, the late Elizabeth Whelan, sheds some light on ACSH finances. Roughly 40% of contributions come from corporations, another 40% from

foundations, and the remaining 20% from the sale of ACSH publications, wrote Whelan, who died last year.

An investigative piece that appeared in *Mother Jones* magazine in October 2013 named ACSH donors. Working from what it called internal ACSH documents, the magazine reported that the group "depends heavily on funding from corporations that have a financial stake in the scientific debate it aims to shape." Contributors in the second half of 2012, according to the magazine, included Chevron (\$18,500), Coca-Cola (\$50,000); Bayer Cropscience (\$30,000), and tobacco conglomerate Altria (\$25,000). *Mother Jones* reported that ACSH also had pursued donations from Monsanto, DowAgro, and the Exxon Mobile Foundation.

Asked for a response to the *Mother Jones* article, ACSH shared a statement that it addressed to the magazine.

"If you disagree with our scientific positions, why not try to attack our science and engage in meaningful dialogue and discourse that will benefit the American people instead?" ACSH said. "You should know that over our existence, our scientific rigor has not been successfully challenged, which is why our funding sources are frequently targeted instead."

In terms of financial ties, ACSH is often associated with Monsanto because it has frequently defended its glyphosate herbicide as well as the genetically engineered agricultural seeds that the St. Louis-based firm sells. *Medscape Medical News* asked Monsanto whether it has funded ACSH in the last 5 years, and what it thinks about the accusation that ACSH is a front group for companies such as itself.

In an email, Monsanto spokesperson Charla Marie Lord said "over the years we have provided modest grants to the American Council on Science and Health to sponsor specific projects such as the recent GMO publications that were prepared and edited by recognized subject experts." Lord did not answer the "front group" question, but volunteered that "Monsanto did not have anything to do with the letter regarding Dr Oz."

Dr Offit, who is resigning from the ACSH board of trustees, sympathizes with the group over the accusation that it is a hired gun of industry. As the co-inventor of the rotavirus vaccine and an outspoken opponent of the antivaccination movement, he's come under the same criticism.

"People accuse me of being in the pocket of the pharmaceutical industry," he told *Medscape Medical News*. "I would argue that I would never have a conflict of interest."

"I think it doesn't matter who funds you. What matters is whether what you say is accurate," Dr Offit said.

Top ACSH Official Regrets Signing Letter

Another issue that has put ACSH on the defensive is the criminal past of executive and medical director Dr Ross. In 1993, a jury found him guilty of Medicaid fraud, racketeering, mail fraud, and other offenses in the course of working in a sham clinic in New York City, according to government records.

Participants in the scam, which extended to a string of "dirty and unsanitary" clinics, submitted fraudulent Medicaid claims for unnecessary tests and office visits. They recruited patients by prescribing them drugs that could be resold on the street. Dr Ross was sentenced to 46 months in prison, a term lengthened by his perjury during the trial. He was released in December 1997 after 23 months behind bars.

In February 1998, Ross became a medical projects coordinator at the ACSH. His license to practice medicine in New York was fully restored in 2004 after the state's Office of the Professions concluded that Dr Ross was "genuinely remorseful for his misconduct," including his perjury. Dr Ross had chalked up his involvement in the Medicaid fraud scheme to sheer greed during a time of financial stress. One of his character witnesses before the state was ACSH founder Elizabeth Whelan. She said ACSH hired Dr Ross knowing about his criminal conviction, and that his work was "impeccable."

"Applicant's background has never been an issue in terms of hurting the credibility of the ACSH, or as a source of attacking one of its publications," a state report said in summarizing Whelan's testimony.

Whelan would later defend Dr Ross when *Mother Jones* aired his fraud conviction in a 2005 article. "The reality is that the transgression did occur and that it has been paid for in full — but that has no relevance to his superb work at ACSH during the twenty-first century," she wrote. "Let us move on."

After requesting an interview with Dr Ross about his fraud conviction, *Medscape Medical News* received this written statement attributed to him:

"Given the mistake I made more than 20 years ago, I now recognize that I should not have added my name to (the) letter," Dr Ross is quoted as saying. "Even though I believed in the letter's content — to focus attention on the often-questionable medical advice Dr Oz dispenses on TV —

I see that by doing so it only opened me up to personal criticism. It also diverted necessary attention away from challenging many of Dr Oz's unscientific claims. My involvement was solely based on trying to protect America's public health."

Influential or "Slowly Circling the Drain"?

In the universe of think-tanks and foundations, ACSH has collaborated on projects with the Washington Legal Foundation, the Manhattan Institute, the Pacific Research Institute, the Heartland Institute, and the Cato Institute, according to its website. ACSH also has a connection to the Competitive Enterprise Institute (CEI).

The latter group's founder and former president, Fred Smith, is listed as an ACSH trustee. The CEI funded and coordinated the plaintiffs who challenged the legitimacy of health-insurance premium subsidies under the Affordable Care Act in states that did not establish their own insurance marketplace or exchange. The Supreme Court will rule on that case in the coming months.

Medscape Medical News asked the Cato Institute if someone there would comment on whether the ACSH is a helpful, credible source of information on health and safety. A spokesperson said there was no one available to address that issue.

Other less conservative-leaning groups were willing to go on the record. One of them is the Center for Science in the Public Interest (CSPI), a group honored by the US Food and Drug Administration (FDA) in 1996 with an award for promoting public health, particularly in regards to nutrition. "You have led the public in understanding the connection between diet and health," then FDA commissioner David Kessler, MD, said at the time. Dr Kessler now serves on the CSPI board.

On its website, ACSH says that it protects the public from groups such as the CSPI "that use 'junk science' and hyperbole about risk to promote fears about our food, pharmaceuticals and chemicals, and other environmental and lifestyle factors."

In an interview with *Medscape Medical News*, CSPI spokesperson Jeff Cronin didn't seem fazed by the criticism. Cronin called the ACSH a "fringy front group" that has "slowly been circling the drain for several years."

"They like to position themselves as opposite of us, but I don't detect that they have any influence on the Hill or in the food industry," Cronin said. "They've become much less visible in the last decade."

CSPI says on its website that it derives most of its \$17 million in annual revenue from sales of its publication Nutrition Action Healthletter, with another 5% to 10% coming from private foundations. It does not accept corporate funds or government grants.

Dr Zuckerman of the National Center for Health Research said that while her group may disagree with the CSPI from time to time, "their scientific integrity and knowledge is not in question."

"They don't take money from industry, so they're on a different side than ACSH," she said. Roughly 90% of her own group's funding, she added, comes from individual donors and foundations. "We don't take money from pharmaceutical and medical device companies."

Dr Zuckerman said that in criticizing the ACSH, she is not holding a brief for Dr Oz. "I think he's been very disappointing," she said. "He started out providing useful information, but more and more, his program has been flacking products that are not proven to work."

That said, Dr Zuckerman distrusts the motives of current and past ACSH officials who want Dr Oz fired.

"This seems like a political effort to shut him up on genetically modified products," she said. "I could be wrong, but I don't think ACSH is coming from a position of deep concern for consumers."