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**PRESS RELEASE**

## **CONFLICTS OF INTEREST IN THE LOSING CANCER WAR**

Breaking news has reinforced concerns on long-standing, major conflicts of interest in the National Cancer Institute (NCI). However, the key role of these conflicts in losing the winnable cancer war remains virtually unrecognized.

Over 20 personal injury suits, filed in L.A. County Superior Court on February 6, allege that the Prostate Cancer Foundation, established in 1995 by Michael Milken, the securities felon turned philanthropist, together with former NCI Director Richard Klausner and prominent NCI-funded clinicians and researchers, have systematically promoted a dangerous dietary supplement.

The supplement, named PC-Spes (PC for prostate cancer, and Spes, Latin for hope), was manufactured and marketed by International Medical Research (IMR) in California. PC-Spes is illegally laced with prescription drugs, including diethylstilbestrol.

PC-Spes has been widely sold to prostate cancer patients, and to healthy men to maintain "good prostate health without any adverse reaction." Apart from no evidence for any benefits, several consumers have died, and symptoms and prostate-specific antigen (PSA) levels in cancer patients have been dangerously masked by the supplement's potent estrogenic effects.

NCI's nationwide Comprehensive Cancer Centers have also played a major role in promoting the supplement. These include New York's Memorial Sloan-Kettering (MSK), currently headed by former National Institutes of Health (NIH) Director Harold Varmus, and the University of California at Los Angeles, and San Francisco. Prominent scientists and oncologists at these Centers have conducted clinical trials with the supplement, and held shares and controlling interests in IMR, whose Directors include Klausner, as Executive Director of the Gates Foundation Global Health Program. Klausner is under Congressional investigation for violating ethics rules by accepting "Lecture Awards" from Cancer Centers while he was NCI Director. Apart from violations of informed consent regulations for patients in clinical trials, the institutions and scientists involved are in violation of California's Corporate Criminal Liability Act, which requires reporting of "any serious concealed danger," as posed by prescription drugs in the supplement.

The PC-Spes revelation illustrates major conflicts of interest embedded in the NCI. Following passage of the 1971 National Cancer Act, inaugurating the War Against Cancer, President Nixon appointed a three-member NCI executive Cancer Panel. Benno Schmidt, its first Chairman, was a

senior drug company executive, with close ties to chemical, oil, and steel industries. He was followed in the 1980's by Armand Hammer, the late oil magnate, and Chairman of Occidental Petroleum, a major manufacturer of industrial chemicals, involved in the Love Canal disaster. Not surprisingly, Schmidt and Hammer ignored cancer prevention, let alone the major role of industrial carcinogens. Instead, they focused on the highly profitable development and marketing of cancer drugs. This fox guarding the chicken coop relationship was mirrored in the MSK's Board of Overseers, most of whom were chief executives of drug, petrochemical, and steel industries. This relationship was admitted by Samuel Broder, former NCI Director, in a 1998 *Washington Post* interview. "The NCI has become what amounts to a government pharmaceutical company."

NCI's conflicts of interest have remained unchanged despite the escalating incidence over the last three decades of childhood cancers and adult cancers unrelated to smoking, and despite substantial evidence relating these cancers to avoidable exposures to industrial carcinogens (see our 02/23/04 press release).

These conflicts were illustrated in a highly publicized June 30, 2003 CNBC TV program "Titans (of Cancer Research) with Maria Bartiromo." Four cancer "titans" ignored concerns on cancer prevention, while enthusing on claimed major breakthroughs in treatment, particularly with targeted biotech drugs. Included was Varmus, President of MSK Cancer Center, and past recipient of major NCI research funds. In 1995, Varmus struck NIH's "reasonable pricing clause," protecting against gross industry profiteering from the majority of drugs developed with taxpayer dollars, while giving NIH staff free license to consult with the drug industry. Another "titan" was Dr. John Mendelsohn, President of NCI's University of Texas MD Anderson Cancer Center, embroiled in conflicts of interest over ImClone's targeted drug Erbitux, besides having served as Enron's consultant and Board member. Mendelsohn has also been a key player in the National Dialogue on Cancer (NDC), established by the American Cancer Society (ACS) in 1998. The Chairman of NDC, recently renamed C-Change, is the urologist Andrew von Eschenbach, prior ACS President-elect, and NCI's current Director. Of particular interest is the concordance between the NDC and Milken's Prostate Cancer Foundation. As noted in the Washington insider *Cancer Letter*, Milken "is the single most influential player in oncopolitics within the last decade."

NDC's, still largely unrecognized, objective is the transfer of legislative control of the nation's cancer agenda from the public to the private sector. Straining credulity, NDC's initiative is being handled by Edelman PR, the major international lobbyist for the tobacco industry, and fast food and beverage companies, now targeted by anti-obesity litigation.

While the ACS has long been recognized as the tail that wags the NCI dog, the latest example of this relationship is exemplified by the joint planning of a privatized massive tumor tissue bank. This would cost up to \$1.2 billion to operate, apart from billions in construction costs. Furthermore, this initiative would be rife with conflicts of interest, exempt from the provisions of the Federal Advisory Committee and Freedom of Information Acts, and free from federal technology transfer regulations.

Now striking nearly one in two men and over one in three women in their lifetimes, cancer is too critical to be surrendered to special interests. The current Congressional investigations of conflicts of interest by NCI and other NIH scientists who consult for drug companies should be extended to more fundamental NCI conflicts, and their responsibility for the current cancer epidemic. Surely, the public has an unarguable right to know of such information.

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