

## EDITOR'S CORNER

### Conflict-of-Interest Policies in Addiction Science: The Spirit and Letter of the Law

**I**F YOU SAY THAT SOMEONE keeps to the letter of the law, you mean that he or she acts according to what is actually written in the policy or statute, rather than according to the general principles or spirit of it. This issue of the *Journal of Studies on Alcohol and Drugs* (JSAD) includes three letters to the editor that raise to a new level important questions about both the letter and the spirit of conflict-of-interest (COI) policies in addiction research. The questions deal with who needs to declare a COI; what needs to be declared; how do financial-support acknowledgements differ from COIs; and finally, who needs to know.

The spirit of COI policies that are now included in most addiction journals (and recommended by the International Society of Addiction Journal Editors) is to make addiction research more transparent by having authors declare financial as well as personal conflicts (sometimes called competing interests). The letter of that law is often respected at the expense of its spirit when authors declare funding sources but fail to indicate whether those sources constitute a real or apparent COI. The spirit may also be violated when the agenda of a funding source is dictated by an organization that has a financial interest in the outcome of the research.

#### *First, the letters*

The journal received an unsolicited letter recently from Smyth and Barry (2019), expressing concerns about the funding of reports issued by the Open Society Foundations, an organization supported by billionaire George Soros, who has actively supported cannabis legalization globally. The authors suggest that this support should be declared as a potential COI by cannabis researchers who receive it, on the one hand because the funding is directed at a particular policy outcome and on the other hand because it appears to exert a disproportionate influence on the policy research agenda and who is working on it.

In the second letter (solicited by the JSAD Editor), sociologist Robin Room (2019) argues that the “real worry . . . is that government funding of drug policy studies is so deficient” (p. 263). In Room’s view, this deficiency is compounded by what he calls “official orthodoxy on drug

policies,” which has limited government research agendas and their research funding to topics that are politically safe, such as drug prohibition and related treatment or prevention initiatives (p. 263). It follows that a mix of funding sources is needed, as long as the funding sources exert no direct or indirect constraints on intellectual freedom.

In the third letter (also solicited by the Editor), Jon Caulkins (2019) suggests the potential for bias in cannabis research is introduced not only by legalization ideology but also by financial gain, returning us to the issue of funding declarations that typically accompany the publication of scientific articles. Here we are offered the pessimistic view that echoes Orwell’s dictum, “Who controls the past controls the future. Who controls the present controls the past” (George Orwell, 1949). According to Caulkins, “Smyth and Barry’s letter suggests that we may need to adjust our notions of what it means to have a comprehensive conflict-of-interest policy. We may need to consider not only the many subtle ways authors can be influenced by a narrow set of usual suspects but also the many sources of the most corrupting form of influence, namely money” (pp. 261–262).

The three letters are symptomatic of both a growing threat to the integrity of addiction science and a healthy debate that could help prevent agenda-setting bias as well as biased research, whether the funding comes from governments or private interests.

As far as JSAD is concerned, these letters raise additional questions about our current COI policies and whether they are serving the best interests of addiction science. A recent submission illustrates this point. We received a manuscript from a group of authors whose research was funded by a foundation with an innocuous name whose mission was directly related to the subject of the article. Moreover, the foundation was supported by an industry that had a financial interest in the subject. Although the authors declared the funding source, they declared no COI. Further investigation indicated that one of the authors had received several million dollars from the same foundation for the university position he/she occupies, which was not declared as a COI. This case is not atypical. Authors often report funding sources that suggest at least a potential COI but fail to declare that they

personally have one. How do we deal with this anomaly and related issues?

*Who needs to declare a conflict of interest?*

A recent editorial in the *Journal of the American Medical Association* (Fineberg, 2017) argued that the “reasonable person standard” should be used to determine whether a COI should be declared (p. 1717). This is similar to what the late Griffith Edwards and English law courts referred to as “the man on the Clapham omnibus,” that is, an ordinary, intelligent, and reasonable person who can serve as the standard of good judgement in cases of negligence and other legal matters. Applying this concept to the COI issue, it means that the standard for declaration would be “when a reasonable person would interpret the financial circumstances pertaining to a situation as potentially sufficient to influence the judgment of the physician in question” (p. 1717). In the situations encountered by the JSAD Editor and Field Editors, we are dealing not only with physicians delivering clinical services to people with addiction but also with addiction scientists reporting their research, writing literature reviews, and publishing opinion pieces, as well as the broader issue of who controls the research agenda. How does the reasonable-person standard apply to these latter situations? A reasonable person would want to know not only the name of the funder or the funding agency but also how that relates to a real, apparent, or potential COI. A reasonable person would be less interested in whether authors think they have a COI than whether the association between the authors and the funding agency influences or has the potential to influence the outcome of the research.

In addition to investigators and authors of journal contributions, a reasonable person would also want to know whether the Editor of the journal and its Field Editors and reviewers have a COI with respect to the present article.

*What needs to be declared?*

Declaration of a COI does not mean that the person’s competing interest necessarily influenced their judgment. It only alerts the editor, the reviewers, and the readers of an article that a COI could have influenced the article’s content. Applying the reasonable-person standard, it is obvious that the intelligent reader would want to know who funded the research and whether the writer had, within a reasonable period of time, accepted funding from an individual or organization that might be construed as a real, apparent, or potential source of influence or had other financial involvements that might influence judgment on the topic at hand. A third ingredient is whether the writer had any nonfinancial reasons, such as personal or ideological differences, that might affect his or her objectivity.

Some of these declarations are straightforward, although authors often do not go beyond stating the name of an organization in order to explain funding sources in a way that a reasonable person would need to make an informed judgment. For example, if an organization with an innocuous name (e.g., “Institute for Tobacco and Health”) is supported directly or indirectly by the tobacco industry, then the declaration should explain that the institute is supported by the tobacco industry if that would not be obvious to the reader.

Another place where the current system breaks down in a significant way is the failure of some authors to declare a COI even after they accurately declare a source of funding that, to a reasonable person, would seem to be a real, apparent, or potential COI. This suggests that some authors do not seem to have the ability to apply the standard or that the COI instructions of many journals are inadequate. One solution to this problem would be for editors to take responsibility for drafting COI statements, in consultation with the authors. That way authors would be educated and editors would be assured that the full extent of a COI has been explored.

*What about agenda setting?*

As for agenda setting, this is an issue that is real but unlikely to be adequately addressed sufficiently in journal declaration policies. Smyth and Barry (2019) have identified a new source of agenda setting in cannabis research that is likely to increase with the commercialization of the cannabis market. Room (2019) points to the agenda setting agenda of noncommercial funders such as the U.S. National Institutes of Health.

According to a scoping review by Fabbri et al. (2018), corporate interests have the potential to influence public debate and policymaking by driving research away from questions that are the most relevant for public health. An example is the establishment in 1943 of the industry-funded Sugar Research Foundation, which served as a model for similar agenda-setting research organizations funded by the tobacco and alcohol industries (Kearns et al., 2015). These organizations were successful in channeling research attention away from meaningful and effective health policies, while at the same time misleading the public and the scientific community about their corporate agenda to prevent the erosion of profits. The strategies and tactics developed by these industries continue into the present era, and they are particularly salient in the addiction field, which deals with the harmful consequences of tobacco, alcohol, gambling, gaming, cannabis, and pharmaceuticals, all produced by powerful industries (Babor, 2016).

Fabbri et al. (2018) suggest that strategies to counteract corporate influence on the research agenda are needed, including heightened disclosure of funding sources and conflicts of interest in published articles to allow an assessment of commercial biases. They also recommend policy actions

beyond disclosure such as increased funding for independent research and strict guidelines to regulate the interaction of research institutes with commercial entities.

But what about the agenda setting of government agencies, which could drive research away from relevant policy questions that contradict, for example, the "War on Drugs" agenda? If a funding source has a particular agenda, and the agenda is consistent with the author's article, it is difficult if not impossible to separate selection factors from funder influence. As Robin Room suggests, most funding agencies have an agenda, but not all of them have a financial interest in the outcomes of a particular work. If the funding source has a commercial interest in a particular topic, that should be made clear to the reader through the normal declaration process.

#### *Why are declarations important?*

Declarations are important to inform readers of real or potential bias, to protect journals and authors from the threat to credibility that comes from an apparent COI, and to help scholars and editors monitor threats to the integrity of science. It was only through the implementation of mandatory reporting of funding sources by most scientific journals that inquisitive researchers were able to identify bias in the corpus of research in a variety of scientific areas that are associated with financial COIs. The fields of alcohol, tobacco, gambling, and drug research have been found to be especially vulnerable to these influences (see, e.g., Babor, 2016, 2017; Babor & Miller, 2014).

#### *JSAD's conflict-of-interest policy*

Based on the foregoing discussion, JSAD plans to revise its current COI policies in the following ways:

The Editor and all Field Editors will be asked to complete a COI declaration form that asks about all funding received for research, salary, consulting, and other sources in the past 5 years. If they have a real, apparent, or potential COI, they will be asked to recuse themselves from decisions on manuscripts that might be affected.

Authors of all JSAD contributions (e.g., original research articles, brief reports, reviews, commentaries, perspectives, letters, and editorials) will be asked to declare funding sources for those contributions, as in the past.

Authors will also be asked to declare other funding from industries or organizations during the past 5 years that might be construed as a real, apparent, or potential COI with respect to the current contribution, including individuals, foundations, think tanks, nongovernmental organizations, etc.

Although funding sources and COI declarations should not disqualify authors from publishing in JSAD, there are some types of contributions in which special protections

should be introduced. Some journals reserve the right to exclude authors with obvious COIs from contributing editorials and review articles because these forms of scientific communication are too important to entrust to an author with a potential financial interest in the subject. JSAD will therefore reserve the right to use this exclusion where appropriate.

Authors will also be asked to declare any personal COI that could be considered by a reasonable person to influence the work. However, the Editor reserves the right to edit the statement to advise readers of any COI they should be aware of, whether declared or undeclared by the authors. For example, if authors of an article on tobacco control state they received funding from the tobacco industry but have no COI, the Editor reserves the right to advise readers of a potential COI.

Regarding the receipt of funding from organizations such as the Open Society Foundations, which have a history of advocating for a particular position or policy and tend to restrict funding to those topics, at this time no additional declarations will apply other than the funding source and any explanatory information that would better inform the reader, such as providing a qualifier after mentioning the funding source (e.g., "an organization that supports research on a broad range of cannabis policies, including legalization").

### **Conflict of Interest Statement**

The author has no financial conflicts with the alcohol, gambling, pharmaceutical, or tobacco industries or with their foundations, social aspect organizations, or trade associations. The author has received research funding from the National Institute on Alcohol Abuse and Alcoholism, National Institute on Drug Abuse, Substance Abuse and Mental Health Services Administration, and the World Health Organization.

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