



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
National Health and Environmental Effects Research Laboratory  
Research Triangle Park, NC 27711

OFFICE OF  
RESEARCH AND DEVELOPMENT

June 8, 2009

Hugh Tilson, Ph.D.  
Editor-in-Chief  
Environmental Health Perspectives  
NIEHS  
PO Box 12233  
Research Triangle Park, NC 27709

Dear Dr. Tilson,

This Review Panel was appointed by Environmental Health Perspectives (EHP) to consider two possible violations of EHP journal policy pertaining to the paper *Elevated Lead in Drinking Water in Washington, DC, 2003-2004: The Public Health Response* [Guidotti, T. et al, *Environmental Health Perspectives*, 115:695-701 (2007)]. The Panel reviewed materials provided by EHP and the paper's senior author, Dr. Tee Guidotti, relevant to the two issues. On May 18, 2009, the Panel met by telephone conference call to discuss the issues and the materials. Having completed its review and deliberations, the Panel respectfully submits this report to EHP which sets forth the Panel's conclusions and recommendations.

**1. Whether the senior author failed to disclose a competing interest in violation of EHP's Competing Interests Policy.**

Upon examining the submitted material, the Panel found that the senior author (Dr. Guidotti) met the requirements of EHP by correctly identifying the source of support in the acknowledgement section of the manuscript and published article and by properly completing the Competing Financial Interests Declaration. Furthermore, the multiple e-mail exchanges between the District of Columbia Water and Sewer Authority (DCWASA), George Washington University, and Dr. Guidotti on final contract language provided the Panel with sufficient assurance that the parties did not intend for any interference in Dr. Guidotti's exercise of complete academic freedom. Based on the evidence provided, the authors' freedom to design, conduct, interpret, and publish their research was not compromised by any controlling sponsor. Further affirmation of this understanding is provided in a letter to EHP dated March 3, 2009, from Mr. Jerry Johnson, General Manager of DCWASA, in which he states that DCWASA fully understood the terms of the contract which prohibited the Authority from any actions that would impede Dr. Guidotti's exercise of academic freedom. Based on the evidence provided, the Panel concludes that no violation of EHP's Competing Interests Policy occurred and recommends that no corrective action is necessary with regard to this issue.

**2. Whether the senior author failed to satisfy a condition precedent for the publication of the paper resulting in a published version that differed substantively from what was approved by EHP and its reviewers.**

In general, the Panel found the very lengthy evolution of this manuscript to be challenging to follow and comprehend (e.g., two "call-backs" by the author to correct data, numerous submitted versions, and extensive exchanges between the senior author and editor). While the "red-lined" manuscript that Dr. Guidotti submitted to EHP on August 22, 2006, contained the recommended changes – in particular, a revised "key sentence" regarding conclusions of the study agreed upon by the senior author and editor – the subsequent three submitted versions did not (August 29, January 9, and January 17). Yet, the reappearance of the original and disputed "key sentence" apparently went unnoticed by both the senior author and the journal editor. Many other inconsistencies were apparent between the earliest and subsequent versions. For example, the abstract format was changed early on to conform to journal style, but in subsequent versions the abstract reverted to earlier forms. While this inattention to detail is unfortunate, the Panel finds no evidence on the part of the author to deceive or subvert the publication process and, thus, no basis for sanctions by EHP.

However, the Panel feels that the author must correct his failure to substitute key statements in the published paper. As a remedy, the Panel recommends that the author submit an erratum to EHP and proposes the following:

*"In the Discussion section, paragraph 14 [p.701], of the article by Guidotti et al., the first two sentences ("There appears to have been no identifiable public health impact from the elevation of lead in drinking water in Washington, DC, in 2003 and 2004. This may reflect effective measures to protect the residents, as 153 reported compliance with recommendations to filter their drinking water.") should have been replaced with the following sentence: "Measures to protect residents from exposure to lead in drinking water may have prevented more frequent elevations in blood lead."*

*"The authors apologize for this error."*

If the author declines to comply with this request, then the Panel recommends that the EHP editors publish an appropriate erratum such as follows:

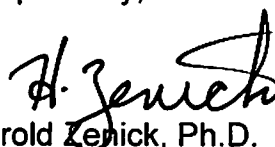
*"In the Discussion section, paragraph 14 [p.701], of the article by Guidotti et al., the first two sentences ("There appears to have been no identifiable public health impact from the elevation of lead in drinking water in Washington, DC, in 2003 and 2004. This may reflect effective measures to protect the residents, as 153 reported compliance with recommendations to filter their drinking water.") should have been replaced with the following sentence: "Measures to protect residents from exposure to lead in drinking water may have prevented more frequent elevations in blood lead."*

*"The authors had agreed to include the substituted sentence but failed to do so."*

Finally, the Panel is concerned that statements, which were attributed to the "Editors" at EHP and to the Editor-in-Chief by the Washington Post (February 13, 2009), were not based on full information and appeared to have presumed certain facts about the authors' relationship with the funding agency. The Panel recognizes the difficulties in dealing with the press regarding controversial issues. Nonetheless, we strongly urge the EHP editors to closely examine their policy and procedures for responding to media when ethical or legal issues arise in connection with papers published in EHP.

The Panel appreciates and acknowledges the thorough process that the Editor-in-Chief established which we believe has provided a fair and impartial review of these charges.

Respectfully,

A handwritten signature in black ink, appearing to read "H. Zenick". The signature is fluid and cursive, with a large initial "H" and a stylized "Z".

Harold Zenick, Ph.D.  
Review Panel Chair

On behalf of the Review Panel, including Drs. Peter L. Goering and Allen J. Wilcox

Postscript: The senior author (Dr. Guidotti) has had an opportunity to review the contents of this report and has indicated, through counsel, that he has no changes to suggest. He has also indicated that he is willing to submit to EHP the erratum recommended by the Panel above.