

The National News Council

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COMPLAINT NO. 113

(Filed March 17, 1977)

BARRETT (LEHIGH VALLEY COMMITTEE AGAINST HEALTH FRAUD, INC.)
against
PARADE MAGAZINE

Nature of complaint; Dr. Stephen Barrett, chairman of the Lehigh Valley Committee Against Health Fraud, Inc., complained that an article on the separation of Dr. J. Anthony Morris from the Food and Drug Administration which appeared in the nationally distributed Sunday newspaper supplement, Parade, on March 13, 1977, was biased. Said the complainant:

The article, which suggests that J. A. Morris was fired from the FDA because he opposed the swine flu program is entirely one-sided. Despite the fact that the FDA's point of view is readily obtainable, no FDA spokesman is quoted in the article.

Dr. Barrett charged that the article, in reducing the reason for Dr. Morris' firing to the fact that he opposed the swine flu program, ignored a number of other factors for that firing, including a questioning of the doctor's scientific methodology and alleged misconduct in connection with his work with the FDA.

Response of the news organization: Mr. Jess Gorkin, editor of Parade, defended Dr. Morris and the article in a letter to The Council dated May 5, 1977, which said: "We believe our article is a fair statement of the situation. . . ."

In his letter, Mr. Gorkin elaborated on the sequence of events in Dr. Morris' involvement with the swine flu vaccine

programs and his criticisms of them. He also commented on the writers' investigation of Dr. Morris:

Before writing the Parade article Alexander Cockburn and James Ridgeway delved into the Morris case, but more important, they had a chance to see the man operating week after week all during the swine flu program. They were extremely impressed by him and remain so.

Background: Information about the complaint was received from Dr. Barrett and the Food and Drug Administration as well as from Jess Gorkin, editor of Parade.

In 1975, the F.D.A. expert Panel on Viral Vaccines and Rickettsial Vaccines reviewed Dr. Morris' research projects.

According to a letter sent to Dr. Barrett by William E. Braunig, consumer safety officer of the Office of Legislative Services, F.D.A., that expert panel found "that Dr. Morris' research was grossly unsatisfactory."

The letter said that the panel members, all research scientists in virology or vaccines, "were selected by a public nomination process approximately two years before they were asked to review Dr. Morris' research program." In addition, it said, one panel member was nominated by Dr. Morris and his attorney.

The F.D.A. sent out a press release in October, 1976, reviewing Dr. Morris' case. It stated that the events leading up to Dr. Morris' separation "dated back to 1972." Referring to the findings of the expert panel in 1975, the release said:

The panel found that in many cases his research was poorly conceived, poorly designed and poorly executed. The panel concluded that Dr. Morris' research was wasteful of government resources.

In a letter dated July 11, 1975, Dr. Morris was notified by Dr. Harry M. Meyer, Jr., director of the Bureau of Biologics, that he intended to remove him from his position with the bureau on charges of insubordination and inefficiency. The charge of insubordination related to his failure to attend required departmental meetings, failure to furnish requested information to his supervisors and unauthorized expenditure of funds. The charge of inefficiency related to his scientific procedures, including poor study design, inadequate use of controls, inadequate records and improper conclusions.

Dr. Morris appealed the severance and an Employee Appeals Hearing was held on March 16, 1976. The examiner, Mr. Henry L. Moore, upheld a majority of the charges. However, he concluded:

There is little doubt that Dr. Morris deliberately failed to accept or to follow proper directions and orders of his supervisors. He admits and attempts to mitigate this behavior throughout his responses to the charges. There is also evidence that much of Dr. Morris' defiance of authority stemmed from changes in management personnel and poor communications to subordinates of changes of management philosophy. Dr. Morris, it appears, had more or less operated his laboratory under only broad general program directions for any number of years. His resistance to radical changes in supervision, while ill advised, perhaps does not entirely defy understanding.

I find further that his 'insubordination' while in some instances willful, to be generally lacking in malice, and in most instances of minimal seriousness.

The sustained reasons concerned with scientific inadequacies are found to be less substantial even than the reasons related to insubordination. . . . I conclude, because of the nature of the charges and the evidence in support of them, that the proposed removal is excessively severe for the reasons which are sustained.

He recommended a five day suspension without pay.

Dr. Alexander M. Schmidt, commissioner of Food and Drugs, did not accept the examiner's recommendation. In a letter to Morris dated July 12, 1976, he said:

I cannot agree, however, to the characterization of the sustained charges of insubordination as being 'of minimal seriousness.' On the contrary, the kind of behavior exhibited by you toward your scientific colleagues and administrative superiors directly challenges the integrity of scientific process and the ability of the Food and Drug Administration to carry out its mission.

. . . .

Further, I most emphatically disagree with the Examiner's thought that 'the sustained reasons concerned with scientific inadequacies are found to be less substantial even than the reasons related to insubordination.' Failure to observe any of the rules of good science can render the entire study useless.

Dr. Morris was dismissed and the Civil Service Commission, which reviewed the case, upheld that dismissal. Taking cognizance of the hearing examiner's recommendation that Dr. Morris be suspended for five days, Jess Gorkin, editor of Parade, noted the following:

But the FDA commissioner disregarded this finding and fired Morris outright. His firing came just a few days after he had written to the commissioner raising questions about the manufacture of swine flu vaccine. Moreover, Morris had been quoted in a major article in the Washington Post attacking the swine flu program. HEW took this article seriously enough to deliver a reply from Dr. T. Cooper, the department's chief health official. He was the man in charge of the swine flu program.

Morris' difficulties with the FDA started when the scientific community as a whole began to realize that killed flu vaccines were not especially safe or effective. This led to a move to develop a live flu vaccine. Morris put the first live flu vaccine into mice. The acceleration of cancerous

tumors in mice followed its administration. Morris saw this as a possible danger sign. At least one scientist on the government's vaccine review panel was sufficiently alarmed by the scientist's finding that he asked Morris to drop his concern lest the live vaccine not be introduced.

The argument that Morris was not involved in performing research on swine flu overlooks the fact that swine flu vaccine was combined with PR 8 vaccine to make it grow faster. Morris was a long-time researcher in the area of all killed virus vaccines and in 1969 had published a scientific paper suggesting that PR 8 might have caused the 1918 flu pandemic.

Conclusion of The Council: The story of Dr. J. Anthony Morris and his dismissal from government service is obviously a complex one which the authors of the Parade article in question have chosen to reduce to one which is simple. It is -- in their manner of presentation -- a case of good guys vs. bad guys with Dr. Morris emerging as the good guy whose revelations about the government-sponsored swine flu program marked him as an outspoken enemy of entrenched and self-interested bureaucracy.

The article starts with the headline: SCIENTIST J. ANTHONY MORRIS -- HE FOUGHT THE FLU SHOTS AND THE U.S. FIRED HIM.

There is no disputing that he fought the flu shots and that the government fired him. But in between the two events lies a saga of governmental hearings, witnesses testifying to the competence of Dr. Morris' scientific methodology and conflicting evidence. However, nowhere in this article by the Messrs. Cockburn and Ridgeway is there any indication of the breadth of the controversy or that there might be some substantive arguments on any side other than Dr. Morris' -- arguments that could

and should have been presented without affecting the authors' basic point of view.

The Council, thus, does not challenge the right of the authors to champion Dr. Morris' case. Rather, the issue before The Council is whether in this instance the presentation was so one-sided as to have strayed beyond an acceptable range of editorial judgment.

The article neglected the other side of this controversy, and the arguments advanced by the opponents of Dr. Morris were ignored. As a result, an essential element of the story was clearly missing.

The complaint is found warranted.

Concurring: Brady, Cooney, Ghiglione, Green, Isaacs, Lawson, Leonard, McKay, Renick, Roberts, Rusher, and Salant. Abstentions: Otwell, and Pulitzer.

Dated: September 20, 1977.