
If you haven’t seen it yet, this might be the most important book you will read this year. Remember the expose of the tobacco industry hiring scientists to do research casting doubt on the scientific findings, paying public relations firms to promote doubts about the science, and gaming the regulatory process to avoid or water down regulations, all to the detriment of public health? Michaels’ book demonstrates that this is now the default strategy of industries. It is everywhere. The strategy kills people.

As you can see from these reviews, the public health community has praised the book widely. To see why you should read it, take a look at this short version of the argument, from the Journal of Public Health.

It is a paradox of the scientific era that the means of finding the truth are increasingly suited to the purposes of those who wish to obscure it. Industries finance research and create professional associations and journals, all with the mission of defending their products from regulation. In one example from chapter six, the oil industry’s support for benzene research is done in anticipation of lawsuits and regulatory politics years down the road. The industrial interests find allies in Congress, and have learned to manage the use of expertise in courts (see the stories about Daubert in chapter thirteen).

Michaels’ advice for reform take two tracks. It is not likely that our entire approach to regulation will be changed anytime soon. That means the courts need to change in several ways:

- Scientific studies uncovered during discovery should not be hidden in secrecy agreements between plaintiffs and defendants—this will require judges to elevate the value of public health in a forum geared toward individual cases.
- Injured workers should be allowed to suit their employers (a change in the workers’ compensation system).
- Compensation systems, such as those set up for vaccines, nuclear weapons workers and others, should be nonexclusive and used more frequently.
- Do not allow regulations to preempt stronger state regulations or suits over the failure of regulations to protect public health (the industries were instrumental in the making of weak rules in the first place).

Michaels’ second track will require fundamental changes in our approach to regulation.

- Any and all sponsors of research need to be fully disclosed.
- Manufacturers must use a precautionary principle, testing chemicals before exposing workers and the public.
- Manufacturers must disclose their own scientific findings on toxicity of products.
- Any reanalysis of scientific findings needs to be done under conditions which guarantee objectivity and transparency (the International Society for Environmental Epidemiology has adopted guidelines).
- Corporate officers should personally certify, under penalties, that their submissions to regulatory processes are accurate and complete.
- Privately financed science should have its data available for inspection as openly as in publicly supported research.
- Do not allow any conflicts of interest on members of scientific panels, period.
- Require full public disclosure of information about hazards, to encourage shaming of offenders.
• Require corporations to develop and follow a hazard reduction plan, rather than regulate businesses chemical by chemical, and for each piece of equipment.
• The standard for exposure to hazards should be as low as reasonably achievable (ALARA).
• Different regulatory systems (EPA, OSHA, MSHA) should integrate their standards for exposure to hazards, and their enforcement.
• Allow states to pursue their independent initiatives into public health.

Here is how Michaels closes the book (264-5): The manufacture and magnification of scientific uncertainty endangers both the public’s health and programs to protect that health and compensate victims. It is time to return to first principles: Use the best science available; do not demand certainty where it does not and cannot exist.