

Tobacco Industry Urges E.P.A. to Reject Scientist for Study Panel

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WASHINGTON, Oct. 21 — Because of intense lobbying by the tobacco industry and opposition in Congress, a scientist with strong anti-smoking views may be eliminated as a candidate for membership on an Environmental Protection Agency panel that is to examine the dangers of secondhand cigarette smoke.

The scientist, Dr. David Burns of the University of California at San Diego, says he was told by an E.P.A. staff member that he has been taken out of consideration for the panel. An agency official denies that, saying no final decision on Dr. Burns's participation has been made.

But the official, Don Barnes, director of the Scientific Advisory Board, which will assemble the panel, acknowledged that Dr. Burns's anti-smoking views did make him a less desirable candi-

'Evidence' of a researcher's anti-smoking bias.

date and said that industry representatives had vigorously opposed his participation.

Mr. Barnes said Dr. Burns's outspoken views would undermine the panel's intention to remain balanced and unbiased.

Public Stance a Detriment

"In putting together panels, we try to find people who are knowledgeable but not too tightly involved and stay away from people who have taken publicly

identified positions" on the subject matter, Mr. Barnes said.

The Scientific Advisory Board was set up by Congress "to provide independent, non-government scientific advice to the E.P.A.," Mr. Barnes said. It occasionally forms subgroups, including specialists not among its 60 permanent members, to study particular topics.

Mr. Barnes said that Dr. Burns, aside from his anti-smoking bias, is well qualified for the smoking study panel. Dr. Burns, an associate clinical professor and member of the pulmonary unit at his university's medical school, drafted the Surgeon General's report on the risks of smoking in 1975 and has edited several Surgeon General's reports on other subjects.

Dr. Burns, said he learned from a news agency reporter on Thursday that he had been eliminated as a candi-

date to be one of the panel's eight outside experts.

He said he telephoned Robert Flaak, an assistant to Mr. Barnes, and was told the report was true. Dr. Burns said he then spoke with Mr. Barnes and was told only that the final makeup of the panel had not been determined.

Dr. Burns said that until the Tobacco Institute, an industry group, "set up meetings" in September with the E.P.A. Director, William K. Reilly, to oppose his candidacy he had been led to believe that he had been chosen.

"I was asked to be on the panel in July," Dr. Burns said. In July and August he received documents to be examined by the panel and a letter asking him to review them. He said he later discussed meeting schedules with E.P.A. staff members.

"That led me to believe that I was on the panel," Dr. Burns said.

But Mr. Barnes said Friday that the letter to Dr. Burns did not make it clear that the agency was still undecided. "We made a grievous error" in the wording of the letter, he said.

A Congressman Writes

Mr. Barnes said the September meetings with the Tobacco Institute influenced the agency's assessment of Dr. Burns.

"The tobacco industry did come in with evidence that Burns was biased," Mr. Barnes said. "I thanked them for the information. We then followed up on that and then did other inquiries about his background."

There has also been pressure from Congress. On Sept. 18, Representative Thomas J. Bliley Jr. of Virginia, the ranking Republican on the Energy and Commerce Subcommittee on Oversight and Investigations, wrote Mr. Reilly urging that the smoking study panel "consist of qualified individuals who have not already prejudged this issue in any manner." Mr. Barnes said that while Dr. Burns's name was not mentioned in the letter his identity was implied.

Mr. Bliley, a strong ally of the tobacco industry, represents a district in which the Philip Morris Company is the largest private employer. Elizabeth Frazee, spokeswoman for Mr. Bliley, said that he was concerned with bias on E.P.A. panels generally and that his letter addressed issues besides smoking.

Dr. Burns said his anti-smoking views parallel those of most scientists who have studied the subject closely. "There is no credible scientist who is going to meet" the agency's criteria of objectivity, he said.

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