

Chapter 7

MUSCLING THE MEDIA

If you are learning about the many of the facts in this book for the first time, it is no accident. Many of the world's media, particularly in the United States, have been the target of an intensive pro-biotech campaign by the industry. Hence, there has been a chronic under-reporting of GM concerns—especially the health risks. The following stories provide examples of how public opinion about GM foods has been manipulated.

Muscling Television

When Monsanto's Bob Collier was asked why rbGH had not been approved in Europe he said the European Union "approved it technically from a safety standpoint, but the dairy policy there was such that they still have price supports . . . it proved to be a moratorium based on market issues not health issues."

Reporter Jane Akre, from a Fox television station in Tampa, Florida, was surprised at Collier's explanation. She thought, "I knew I had read a statement from the European Union stating that the as yet unknown health issues were a problem."¹ Akre was recalling a December 1994 letter from the Vice President of the Agriculture Committee of the European Commission to the director of the FDA stating, "Consumers in the European Community and their representatives in the European Parliament are apparently much more concerned about the unresolved human health issues related to recombinant Bovine Somatotropin than your agency was when it authorized the product."²

But Akre was a bit vague on the details and Collier, as Monsanto's dairy research director, was certainly an expert on the subject. Akre figured, "Oh well; he must know something I don't."

She asked Collier whether injections "rev" up the animal. He said the hormone "does not change the basal metabolic rate, it merely increases the amount of milk produced." Again Akre was surprised. She knew the drug had been called "crack for cows," and had read in Monsanto's own literature, "Cows injected with Posilac [Monsanto's brand name for rbGH] may experience periods of increased body temperature unrelated to illness." Akre thought, "Even the warning label that comes with Posilac makes some mention of an increased metabolism for the animal." But Collier was a senior fellow, a dairy scientist with a Ph.D. He was in charge of the division that sells rbGH. Akre once again decided that she must have been missing something. She would check her documents later.

Akre recalled, "Collier then told me that the cost of maintenance of an rbGH-injected animal doesn't change. 'That's not true,' I thought and asked him, 'What about higher feed costs and medical costs?' Collier replied, 'It does require more feed to produce more milk so I'm not saying you shouldn't provide more feed, it means there is no extra cost in addition to that for more milk.'"

"At this point," Akre said later, "I remembered the media-schooling that people from Monsanto go through before they appear on camera. And I think I just saw an example of the dance. I'm beginning to think it isn't me. In fact, I'm starting to get a little angry at being taken advantage of and at myself for letting that happen."

Akre redirected the conversation to IGF-1, the growth hormone associated with cancer. Akre recollected, "I asked about the limited testing for the effects of altered milk on humans. Collier tells me 'because the concentration of IGF-1 and bST doesn't change, there is no change in exposure, so the FDA concluded there is no indication that long-term chronic studies were justified.'"

Now Akre was ready. She reached into a stack of papers on her lap—research she had collected and some of the five pounds of documents sent to her by Monsanto, which, she is sure, they didn't expect her to read. Akre pulls out the Juskevich and Guyer report in *Science* 1990 that says Monsanto's own studies show an increase in IGF-1 in milk from treated cows. Collier responded by trying to reassure her that the National Institutes of Health (NIH) and the Government Accounting Office also review the process for human safety and concluded that the test process used by Monsanto was correct.

Again, Akre reached for her papers. She reported, "I pull out an American Medical Association report that says further study is needed as to the effects of IGF-1 on humans." Akre pointed out that the NIH also said more study is needed.

Collier then insisted that IGF-1 and bovine growth hormone (bGH) are digested, that there is no increase in concentration for bGH, and that bGH is not bioactive on humans. Akre interpreted this as a diversion to get her off the point. She knew that "dutiful reporters would write that down and the story would be over; no problem." But Akre refused to get sidetracked onto bGH. From what she read, IGF-1 is the real problem. And the studies show it is *not* digested.

Throughout the interview, Akre noticed that Collier fidgeted, cleared his throat, stumbled through his answers and was obviously uncomfortable. When Akre challenged him on an apparent contradiction, he would frequently say, as if rehearsed, "I'm glad you asked me that question." And Collier would habitually use the exact phrases that Akre would later hear repeated by other Monsanto and dairy industry spokesmen. "They all say exactly the same thing," recalled Akre. "It's the same wholesome product. . . . The milk is the same. . . . Our federal regulators have said consuming milk and meat from bGH-treated cows is safe. . . . It's not an issue to us or the FDA. . . . This is not something that knowledgeable people have concerns about."¹

But Akre did have concerns. She and her husband, investigative reporter Steve Wilson, worked for three months, digging deep into broken promises, cancer links, corporate lies, and influence in the FDA. Nothing was yet proven, but the red flags were there, especially concerning human health issues. All this and more was to be revealed to the public in a four-part news series. Or so they thought.

The reporters “seemed like a television dream team,” reported the British newspaper, the *Independent*. Akre was a former CNN anchor-woman and reporter. Wilson was a three-time Emmy Award winner whom *Penthouse* described as “one of the most famous and feared journalists in America” due to investigative reports he made exposing defects and hazards on Chrysler and Ford vehicles.³

WTVT Fox 13, a Florida TV station, hired Akre and Wilson in 1996 to beef up their news reporting. Within weeks, they were onto something. Wilson had discovered that although Florida grocers had publicly pledged not to buy milk from hormone-injected herds, they were doing so. And then in February 1997, Akre caught Collier on-camera making several statements that contradicted even Monsanto’s own studies.

During his interview, Collier claimed that there wouldn’t be any problem with increased levels of antibiotics in the milk since every truckload of milk is tested. But scientists and Florida dairy officials admit that each truckload is tested only for penicillin-related antibiotics. There’s also a spot check for one other antibiotic done every three months. Their monitoring would miss the majority of the more than sixty varieties of antibiotics used by dairy farmers. Thus, it is likely that milk from rbGH-treated cows contains illegal levels and varieties of antibiotics. (According to data stolen from the FDA and published in *The Milkweed*, during a nine-month period from 1985 to 1986, employees at Monsanto’s own experimental dairy farms applied more than 150 applications of a wide array of veterinary medicines not approved for dairy cattle by the FDA.⁴)

Collier said on camera, “We have not opposed” voluntary labeling of products as rbGH-free. The reporters show, however, that Monsanto filed lawsuits against two small dairies to force them to stop labeling their milk as rbGH-free. According to *Rachel’s Environment and Health Weekly*, “the dairies folded and Monsanto then sent letters around to other dairy organizations announcing the outcome of the two lawsuits—in all likelihood, for purposes of intimidation.”⁵

Monsanto also supported legislation in Illinois that prevents dairies from telling consumers that their cows do not contain rbGH, and a research scientist reported that in spite of the New York City council vote of eleven to one to label milk with rbGH, “Monsanto was able to influence legislative votes so a mandatory label law was not enacted.”⁶ The documentary also reported that the Florida Commissioner of Agriculture and Consumer Affairs, who opposes labeling, received generous contributions from Monsanto toward his campaign and had been carefully schooled at a dairy conference on how to speak to consumers and discourage labeling.

When a Florida farmer informed Monsanto about health problems in his herd that started when he began rbGH, the farmer said that Monsanto told him “You’re the only person having this problem so it must be what you’re doing here, you must be having management problems.” However, Monsanto had already found in its own research that “hundreds of other cows on other farms were also suffering hoof problems and mastitis, a painful infection of the cow’s udders.”⁶ Furthermore, the law required Monsanto to notify the FDA about any adverse reactions such as the Florida farmer’s complaints. But after four months of repeated phone calls by the farmer and even a visit by Monsanto to his farm, the FDA had heard nothing about it. Monsanto officials claim that “it took them four months to figure out that Knight [the farmer] was complaining about rbGH.”⁵ Knight eventually had to replace 75 percent of his herd.

Seeds of Deception

The Fox news series even included an excerpt from Canadian national television in which a government official described how a Monsanto representative offered her committee a \$1 to 2 million bribe if they recommended rbGH approval in Canada without further data or studies of the drug. A Monsanto spokesman said the officials misunderstood their company's offer of "research" funds.

The station invested thousands of dollars in radio advertising to promote the series, which was scheduled to air on Monday, February 24, 1997. But on the Friday before, Monsanto's lawyer faxed a letter to Roger Ailes, the head of Fox News in New York and the former director for media relations for President George H. W. Bush. The strongly worded letter detailed why the news series was, in Monsanto's opinion, biased and unscientific. In an interesting twist, one argument used in the letter was that "peer review is a basic protocol of scientific research."⁶

The letter also threatened, "There is a lot at stake in what is going on in Florida, not only for Monsanto, but also for Fox News and its owner." According to Akre and Wilson, this was the part of the letter that was of most concern to Ailes. Fox owned the Florida station; media mogul Rupert Murdoch owned Fox. Monsanto is a major advertiser with Fox TV nationwide. Moreover, Rupert Murdoch owns Actmedia, a major advertising agency used by Monsanto. If Monsanto pulled their advertising, this disagreement could be costly. The news series, which had already passed a review by attorneys, was pulled for "further review."

The Florida station's general manager, himself a former investigative reporter, did not back down. He studied the documentary with the station's lawyers and found that "nothing in the [Monsanto] letter raised any credible claim to the truthfulness, accuracy, or fairness of the reports."⁶ He offered Monsanto another interview. Monsanto asked to see the questions in advance. The reporters insisted that no good journalist does that,

but offered instead to supply a list of the topics. Monsanto declined the offer. The station re-scheduled the news series for a week later.

Monsanto's attorney immediately sent another, stronger letter to Ailes, this time indicating that the news story "could lead to serious damage to Monsanto and dire consequences for Fox News."⁶ The airing was postponed indefinitely.

Soon afterward, the Florida station's general manager and news manager were fired. According to Wilson, the new general manager was a salesman with no experience in television. In one of their first meetings together, Wilson realized the considerable gap between their motivations. To decide whether to run the story, the manager began by calculating the bottom line for the station. He figured he would lose advertising revenue from the supermarkets and from the dairy industry. Monsanto might also pull its advertising of agricultural products from Fox affiliates around the nation. Wilson tried to convince the manager to run the story on its merits. He said Monsanto's whole public relations campaign was based on the statement that milk from rbGH-treated cows is "the same safe wholesome product we've always known." But even Monsanto's own studies showed this to be a lie, and it could be endangering the public. Wilson recalled, "I tried to appeal to his basic sense of why this is news. He responded, 'Don't tell me what news is. We paid \$2 billion for these television stations and the news is what we say it is. We'll tell you what the news is.'"⁷

According to Wilson, "He said, 'What would you do if I killed the story?' I said, 'I would be very disappointed.' But he asked me again what I would do. I couldn't figure where he was going with this. Again I told him I would be concerned. Then he made his point clear. He asked, 'Will you tell anybody?' Nobody had asked me that in all my years of television."

Wilson replied that he wouldn't go around beating a drum about it. But if someone asked why the show was canceled, he wasn't going to lie.

He told the manager, “I think I will refer them to you.” At that point, the manager knew he had a problem. He couldn’t count on Akre and Wilson to shut the whole thing up. So he embarked on a different strategy.

In a subsequent meeting the manager offered to pay about \$150,000 to the couple. They would be paid the full amount of what was remaining on their contract, but they were free to go—essentially fired. But there was a catch. They were to agree never to talk about rbGH again—not on Fox and not for any other news organization.

But the veteran news team believed that “killing a public health story was unthinkable.”¹ Wilson explained their position to the manager, “We think it’s a matter the public should be aware of. We’re not going to sell out our First Amendment rights to essentially do our jobs as journalists. I’m never going to agree for any amount of money you offer me to gag myself from revealing in some other time and place what’s going on here.”

Wilson said, “He looked at us with this blank stare like he’d never heard such a thing. And he said, ‘I don’t get it. What’s with you people? I just want people who want to be on TV. . . . I’ve never met any people like you before.’ He just offered us 6 figures and to him what we were being asked to do in exchange was no big deal. Why in the world would we turn it down? And lose a chance to continue to be on TV—as if that is such a big deal that one would sell one’s soul to continue to do it.”⁷

Thus, instead of giving in to his request for silence, they offered to re-write the documentary to make it more palatable. But each time they presented a script to Fox attorneys—who had taken over the editorial process—they were instructed to make it *more* favorable to Monsanto. Over the next six months, they did eighty-three re-writes.

Among the numerous changes, Akre and Wilson were instructed never to reveal that the FDA’s approval of rbGH was based on “short-term” testing. They were allowed to include an interview with Samuel Epstein, M.D., who stated there are “lines of evidence showing that consumption of this milk poses risks of breast and colon cancer.” The

reporters were instructed, however, “not to include information that details the basis for this frightening claim.”⁶ They had to remove all mention of IGF-1 and any relevant studies and were not to use the word cancer again in any of the segments—referring only to “human health implications.” The reporters also had to downplay Epstein’s credentials. According to a website that documents the rewrites and the dispute, despite Epstein’s “three medical degrees, a professorship of Occupational and Environmental Medicine at the University of Illinois School of Public Health, his frequent Congressional testimony as an expert on public health and environmental causes of cancer, his authorship of seven books [including the prizewinning 1978 book *The Politics of Cancer*], and countless editorials appearing in some of America’s leading newspapers, [the] reporters were repeatedly blocked from describing him more completely. . . . Original references to him as a ‘reputable scientist’ which was acceptable in Versions 1–3, was later changed to ‘respected scientist’ which was acceptable in Version 11, and then ‘well-credentialed M.D.’ which was okay in Versions 10–18 until, ultimately, reporters were told no such reference was acceptable.” The final reference was simply “Scientist, University of Illinois.”⁶

Similarly, the credentials of a second scientist, William von Meyer, were stripped. The first version said: “Dr. von Meyer has spent thirty years studying chemical products and testing their effects on humans. He’s supervised many such tests on thousands of animals at schools such as the University of London and UCLA. He’s headed agricultural, chemical and genetic research at some of America’s most prestigious companies.” The final version of the script referred to him simply as ‘scientist in Wisconsin.’ The reporters were also ordered to remove his quote: “We’re going to save some lives if we review this now.”

Despite the intense scrutiny of every claim that opposed rbGH, Akre and Wilson “were repeatedly instructed to include unverified and

even some outright false statements by Monsanto's dairy research director."⁶ These included:

- Dr. von Meyer "has no credentials in human safety evaluation."
- "The cancer experts don't see the health issue. . ."
- "There are no human or animal safety issues that would prevent approval in Canada once they've completed their review, not that I'm aware of."

Monsanto's director also repeated a popular Monsanto claim that "Posilac [rbGH] is the single most-tested product in history." According to the reporters, however, "experts in the field of domestic animal science say that this claim is demonstrably false."

The journalists were told to leave in the Monsanto comment that "the milk has not changed"⁶ as a result of injecting cows with the hormone. And they were eventually told to include a statement that milk from rbGH-injected cows is the same and as safe as milk from untreated cows. "Monsanto insisted that this statement be aired,"³ said the *Independent*. According to the reporters, management even threatened to fire them if the statement was not included. But Akre and Wilson believed it wasn't true and presented scientific evidence to support their position.

Akre said, "We knew it was a lie. Monsanto's own study showed it was a lie. Yet we were told to leave that statement in without refutation, even though we had contrary evidence. That's falsifying the news."¹

After presenting all their evidence to Fox's lawyer demonstrating that Monsanto's claims were false, according to Wilson she replied, "You guys don't get it—it isn't about whether you have your facts right or whether it's true. It's the fact that we don't want to put up \$200,000 to go up against Monsanto."⁷

Fox suspended the couple for "insubordination," then fired them altogether in December. Six months later, Fox hired another reporter, one with much less experience, to prepare another broadcast that contained the Monsanto statement.

Wilson said, “This is the first time I know of that a newspaper or broadcaster has opted not to kill a story but to mold the story into a shape that the potential litigant and advertiser would like.” According to the *Independent*, “Fox categorically denies that it ever asked for false information to be included and says that the reporters were not willing to be objective.”³

Akre and Wilson sued the station based on Florida whistle-blower laws. The jury awarded Akre \$425,000. Fox appealed and the case was overturned. The appeals court ruled according to a strict interpretation of Florida law. Wilson and Akre had used the Federal Communications Commission’s policy against news distortion as the basis of their claim. But this policy was not defined as a “rule, law, or regulation,” required by the wording of the whistle-blower laws.

A few days after their decision, on Valentine’s Day 2003, the court also declared that Akre and Wilson had to pay Fox’s legal fees. Fox had hired more than a dozen lawyers, including former President Clinton’s personal attorney, David Kendall. The costs are expected to run into the millions. The couple is planning an appeal to the Florida Supreme Court. They’ve given up trying to collect damages and are now just trying to protect themselves against the multimillion-dollar legal fees. According to Akre, “The ruling could gut all whistle-blower law in the state, if those who file complaints can be saddled with huge legal fees. You might as well throw the whistle-blower laws right out the window. It will kill them.”¹

The reporters have won several awards and recognitions, including a special award for Courage in Journalism from the Alliance for Democracy, the Joe A. Calloway Award for Civic Courage, and the Award for Ethics from the prestigious national Society of Professional Journalists. They were also the only journalists ever to receive the Goldman Environmental Prize, which included \$125,000. Details of the suit, and videos and scripts of the documentary are available at www.foxbghsuit.com.