British guidelines set out standards for genetic tests

[LONDON] The British government has published a set of voluntary guidelines setting out the conditions — including commitments to quality, confidentiality and the counselling of customers — that it expects companies selling genetic tests directly to the public to comply with.

The guidelines have been drawn up by the Department of Health's Advisory Committee on Genetic Testing. The committee's chairman, Marcus Pembrey, professor of paediatric genetics at the Institute of Child Health in London, said last week that a voluntary code was considered preferable to legally enforceable regulations.

Two British companies, University Diagnostics Limited and Leeds Anti-natal Screening Services, offer mail-order tests for cystic fibrosis mutations to potential parents, with all other forms of genetic testing taking place through the National Health Service. But the number of companies involved is expected to increase in the next few years, as is the range of tests on offer.

Tessa Jowell, the public health minister, said last week that the government hoped that all such companies would agree to follow the guidelines as this would ensure that "such services are available without need for more formal controls". One requirement is that all testing laboratories would be accredited by a recognized body. □

'Policy vacuum' worry as Australian minister quits

[ADELAIDE] Australia's Coalition government, led by prime minister John Howard of the Liberal party, has been plunged into crisis following the forced resignation last Friday (26 September) of Peter McGauran, Minister for Science and Technology, in the wake of the departure of two other ministers.

McGauran first denied charges of falsely claiming personal allowances for official travel but then admitted some, including having billed the government for a charter flight on which National party officials — not himself — had travelled. McGauran became the third ministerial victim of the controversy over travel irregularities following Opposition attacks, and the first science minister ever to resign.

The government's disarray over the resignations means that the replacements for McGauran and the other ministers are not expected to be announced for a week.

McGauran had served 18 months in the post, and overseen two rounds of cuts to research funding, but was respected by leaders of the scientific community. Although science policy was not a cause of the crisis, McGauran's actions have made it one of the focal points of the political controversy.

Only a month ago, he announced a new research reactor costing A$300 million (US$215 million), the largest government commitment to a science and technology facility in Australian history (see *Nature* **389,** 109; 1997).

AUSPIC

McGauran: oversaw two rounds of cuts.

According to John Stocker, the chief scientist, speaking before McGauran's resignation, the minister had not sought advice on the reactor proposal from him or the official advisory body, the Australian Science and Technology Council, which Stocker chairs and which carried out two substantial studies of nuclear fuel, science and technology 12 years ago.

Martyn Evans, the Opposition spokesman for science, says the Labor party and the minority Democrats are seeking a Senate inquiry into the reactor decision. Speaking at the congress of the Australian and New Zealand Association for the Advancement of Science, being held in Adelaide this week, Evans said: "Further delay and confusion while a new minister settles in will add to the pressure on the research community."

Scientists are alarmed about the vacuum created by the departure of their minister at a time when contentious recommendations of major reports were due to be resolved by McGauran and his senior minister, John Moore (see *Nature* **388,** 509 & 819; 1997).

Peter Pockley

Nobel laureates face libel suits from 'water memory' researcher

[PARIS] The long-running saga of research on the 'memory of water' has reopened with a splash, with libel suits being filed against three scientists — including two Nobel prizewinners — by Jacques Benveniste, the French researcher who claimed in 1988 to have shown that extreme dilutions of antibody solutions could retain their biological activity (see *Nature* 333, 816; 1988).

The charges are based on statements made by the scientists in January in the newspaper *Le Monde* which suggested that Benveniste's research may have been fraudulent.

A court battle is now on the cards. This week, lawyers representing two of those being sued — Georges Charpak, who won the Nobel prize for physics in 1992, and his colleague Claude Hennion, from the School of Industrial Physics and Chemistry in Paris — said they intend to fight the libel charges, first on procedural grounds, but if necessary by investigating Benveniste's research.

A spokeswoman for a Paris-based law firm, Kahen and Associates, says that, as a civil servant, Benveniste should have filed a penal suit and not a civil one. If this is confirmed by the court, she adds, it would annul the procedure, and prevent Benveniste from suing again on the basis of the *Le Monde* articles — although he could bring new charges on any statements made by the scientists elsewhere.

But she adds that, if this first approach fails, the law firm is ready to counterattack in other ways. It could argue that Charpak and Hennion made their statements "in good faith", or seek to prove that Benveniste did indeed commit fraud.

Lawyers representing François Jacob, who shared the 1965 Nobel prize for physiology or medicine and is also being sued, were unavailable for comment.

Benveniste describes the attempt to halt the suits on legal grounds as "pathetic", and adds: "It is incredible that a Nobel prizewinner, with the sense of responsibility that this [status] carries, could affirm that his scientific colleague was a fraudster and then try to get off with legal arguments."

Benveniste says that none of the scientists has provided proof of fraud, and he decided to sue to defend his honour and professional integrity. He claims that he wrote to the scientists earlier this year saying that if they retracted the statements he would not take further action, but that he received no reply. He says he will seek damages of FFr100,000 (US$17,000).

The controversy includes Benveniste's more recent research, in which he claims to be able routinely to transmit biological activities to water or cultured cells electronically, to store such signals on computer discs, and to send them over the Internet.

Benveniste, whose laboratory was closed in 1994 by INSERM, the national biomedical research organization, now operates from the privately funded Digital Biology Laboratory at Clamart near Paris. He admits difficulty in raising the laboratory's running costs of FFr100,000 a month, but predicts that "when it takes off it will be the next Microsoft".

Declan Butler