

Clinton outlaws genetic discrimination in federal jobs

Deborah Josefson *San Francisco*

President Clinton has signed an executive order forbidding the US federal government from using genetic information in employment decisions. The order, which is effective immediately, protects all 2.8 million federal employees from genetic discrimination.

The federal government is the largest individual employer in the United States. By signing the order, President Clinton anticipates the greater role that genomics will have in the near future as the human genome is deciphered, and the decision sets an example for the private sector.

In a conference at the American Association for the Advancement of Science President Clinton said:

"We must not allow advances in genetics to become the basis for discrimination against any individual or any one group. By signing the executive order, my goal is to set an

example and pose a challenge for every employer in America, because I believe no employer should review your genetic records along with your resumé."

Specifically, Mr Clinton's order prevents federal employers from requesting or requiring employees to undergo genetic testing of any kind. It forbids discrimination based on any test that an employee or an employee's relative may have taken and bans genetic classifications of employees in such a way that may deprive them of certain advancement opportunities, such as overseas work or promotions.

The new law also forbids federal employers from disclosing genetic information to third parties. The executive order will allow special exceptions for research purposes, medical treatment of employees, and to ensure occupational health and safety. For instance, testing for

mutations induced by work related radiation exposure and for epidemiological database purposes would be allowable under the new law.

President Clinton's order is based on pending legislation in Congress, the Genetic Nondiscrimination in Health Insurance and Employment Act of 1999. This law was introduced into the Senate by two Democrats, senator Tom Daschle of South Dakota and representative Louise Slaughter of New York. It has not yet been enacted, but if passed, would extend federal protections to the private sector.

Currently, only a handful of genetic tests are available, but more are likely to be developed in the next five years. Genetic tests for breast and ovarian cancer, Alzheimer's disease, Huntington's disease and cystic fibrosis are available now, but many people are reluctant to get tested because of fear of employment and insurance discrimination.

There have been scattered reports of denials of coverage in both the private and governmental sectors based on the results of such tests. □

Additives may be displayed on cigarette packs

Muhunthan Thillai *BMJ*

Cigarette manufacturers in Europe may be forced to display a list of their products' top 10 additives on the side of their packets. Giving evidence to the House of Commons health select committee last week, the health secretary, Alan Milburn, said that consumers had a right to know exactly what they were smoking.

"When I go into a supermarket to buy some food, I see what's in it and then make a choice on whether or not to buy it," said Mr Milburn. "Smokers should have the same rights."

Mr Milburn said that a Europe-wide directive to force tobacco companies to disclose the names of over 600 additives in cigarettes would be drafted by May this year. The list of additives would first be published on the Department of Health's website and then on the sides of cigarette packets.

"If I have the legal powers to do this then it is absolutely appropriate as secretary of state that I make the information on additives available to the public," said Mr Milburn. Currently the tobacco industry provides the Department of Health with a list of all the additives used in cigarettes, but without a breakdown by brand. Mr Milburn said that the companies had a chance to make good for past deeds: "They have got a chance to do the decent thing by disclosing the brand names and I believe they have an obligation to do so."

The presidency of the European Commission is currently held by Portugal, which is pressing hard to bring in the new legislation. The directive will also lead to bigger health warnings on packets and a ban on the use of terms such as "low tar" and "mild tar," which are thought to be confusing for smokers.

The directive will also reduce the maximum levels allowed for tar, nicotine, and carbon monoxide in cigarettes. There are also plans to introduce an independent scientific body in Europe to monitor issues related to tobacco companies. □

Nestlé accused of breaking international code

Gavin Yamey *BMJ*

A former employee of Nestlé, Syed Aamar Raza, has publicised internal company documents that he says provide evidence that the company has breached the international code on marketing breast milk substitutes (*BMJ* 1997;314:165).

The documents are reproduced in *Milking Profits*, a report published by The Network, a non-governmental organisation which campaigns for the "rational use of medication in Pakistan."

The report highlights Nestlé's donation of gifts to doctors as a reward for promoting its products, a practice outlawed by the code. Other alleged violations include direct marketing of products to



In countries where the water is unsafe, a bottle fed child is up to 25 times more likely to die from diarrhoea than a breast fed child

mothers and the provision of free supplies of breast milk substitutes.

Mr Raza commented: "This is the first evidence of malpractice from inside the company."

Mr François-Xavier Perroud, vice president of Nestlé, denied allegations of malpractice: "As anywhere in the world, Nestlé's marketing of breast milk substitutes in Pakistan is in line with the World Health Organisation

code, and if errors occur they are promptly corrected."

The Advertising Standards Authority upheld a complaint against Nestlé last year, ruling that the company went "too far" in claiming that it had marketed infant formula "ethically and responsibly" (*BMJ* 1999;318:417). □

Milking Profits can be ordered via email (info@babymilkaction.org) or on 01223 464420, price £5.50.