



# US public health agency is sued over failure to release emails from Coca-Cola

Martha Rosenberg

Chicago

US Right to Know, a campaign group for transparency in the food industry, has sued the Centers for Disease Control and Prevention (CDC) over its failure to release correspondence between agency officials and current and former employees of Coca-Cola requested under freedom of information rules.<sup>1</sup>

Within days of filing the suit on 21 February the group said that it had received a small batch of new documents from the CDC. Asked whether the quick response was an attempt to stop the lawsuit, Gary Ruskin, co-director of US Right to Know, said “possibly,” but the group still sought the additional emails specified in the suit “to uncover the extent and nature of the CDC’s relationship with Coca-Cola.”

Coca-Cola provides funding to a host of medical organizations including the American Heart Association, the American Lung Association, the American College of Cardiology, and the American Academy of Pediatrics. It also contributes to Harvard Medical School/Partners in Health, other major universities, recreation and fitness groups, and ethnic and minority organizations.

The drinks maker also funds the CDC itself through the non-profit CDC Foundation, created by Congress in 1992 to encourage relationships between CDC and industry.<sup>2</sup>

Last year *The BMJ* reported on Coca-Cola’s secret influence on medical and science journalists by funding journalism conferences, including those held by the nonprofit National Press Foundation, based in Washington, DC.<sup>3</sup> US Right to Know hopes that the lawsuit will further expose Coca-Cola’s influence on CDC personnel and policies. “Why should the CDC let Coca-Cola lobby it?” asked Ruskin. “The government should not be for sale. It is destructive of public trust.”

Previous emails obtained by US Right to Know have shown that Barbara Bowman, former director of the CDC’s Division for Heart Disease and Stroke Prevention, agreed to try to help Alex Malaspina, a Coca-Cola strategist and former executive, to soften the World Health Organization’s stance on soft drinks. WHO published a new sugar guideline in 2015 and the next year blamed full sugar soft drinks for rising child obesity around the world, especially in developing countries.

In 2014 Bowman, a former Coca-Cola employee, wrote in an email to Wamwari Waichungo, a Coca-Cola vice president, asking him to “please change to my personal email address.” Bowman left the CDC in June 2017.

Among the current or former CDC officials whose correspondence with Coca-Cola the lawsuit seeks is Michael Pratt, who served as senior adviser for global health at the agency until leaving for the University of California at San Diego in 2016.<sup>4</sup> While working at the CDC Pratt was also scientific adviser to ILSI North America, a group founded by Coca-Cola’s Malaspina in 1978.<sup>5</sup> Pratt has written at least seven papers funded by Coca-Cola including one in the journal *Obesity*, which found “no significant associations between dietary patterns and obesity” in the children studied.

The theory that obesity is caused primarily by a lack of exercise rather than excessive calories—called “energy balance”—is aggressively promoted by Coca-Cola to fight falling sales. To spread the message Coca-Cola funded the Global Energy Balance Network, a US based nonprofit group, to the tune of \$1.5m (£1.1m; €1.2m). Coca-Cola shaped the group’s messages and content and even helped choose its leaders.<sup>6</sup> The network, widely reviewed as a front organization, was shut down in 2015. To promote the “energy balance” theory Coca-Cola funded a \$1m exercise program in Georgia overseen by Brenda Fitzgerald, a health commissioner who went on to become CDC director. Fitzgerald said that she would continue to accept Coca-Cola’s money as CDC director but resigned her post in January because of her holding of tobacco stocks.<sup>7</sup>

- 1 Ruskin G. US Right to Know sues CDC for documents about its ties to Coca-Cola. US Right to Know. 21 Feb 2018. [https://usrtk.org/https://www.huffingtonpost.com/carey-gillam/cdc-official-exits-agency\\_b\\_10760490.html#news-releases/u-s-right-to-know-sues-cdc-for-documents-about-its-ties-to-coca-cola/](https://usrtk.org/https://www.huffingtonpost.com/carey-gillam/cdc-official-exits-agency_b_10760490.html#news-releases/u-s-right-to-know-sues-cdc-for-documents-about-its-ties-to-coca-cola/).
- 2 Lenzer J. Conflict of interest: CDC accepts millions from corporations. CFS Treatment Guide. 23 May 2015. [www.cfstreatmentguide.com/blog/conflict-of-interest-cdc-accepts-millions-from-corporations](http://www.cfstreatmentguide.com/blog/conflict-of-interest-cdc-accepts-millions-from-corporations).
- 3 Thacker P. Coca-Cola’s secret influence on medical and science journalists. *BMJ* 2017;357:j1934.28428177
- 4 Cook M. UCSD hires Coke-funded health researcher. *San Diego Union-Tribune* 29 Sept 2016. [www.sandiegouniontribune.com/news/watchdog/sd-me-watchdog-ucsd-20160929-story.html](http://www.sandiegouniontribune.com/news/watchdog/sd-me-watchdog-ucsd-20160929-story.html).
- 5 Gillam C. More Coca-Cola ties seen inside US Centers for Disease Control. *Huffington Post* 2 Aug 2017. [https://www.huffingtonpost.com/carey-gillam/more-coca-cola-ties-seen\\_b\\_11287198.html](https://www.huffingtonpost.com/carey-gillam/more-coca-cola-ties-seen_b_11287198.html).
- 6 Emails reveal Coke’s role in anti-obesity group. *CBS News* 24 Nov 2015. <https://www.cbsnews.com/news/emails-reveal-coke-s-role-in-anti-obesity-group/>.
- 7 Dyer O. US public health chief resigns over tobacco investments. *BMJ* 2018;360:k556. 10.1136/bmj.k556 29420198

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