

## NATION

## Probe says Gallo lied about HIV

By Joyce Price  
THE WASHINGTON TIMES

A government investigation has found that AIDS researcher Robert Gallo committed "scientific misconduct by falsely reporting the status" of an AIDS virus he received from the French in a landmark 1984 scientific paper he co-authored.

The report by the Department of Health and Human Services' Office of Research Integrity ended a lengthy probe into Dr. Gallo's role in the discovery of the human immunodeficiency virus. It reversed earlier findings by the National Institutes of Health's Office of Scientific Integrity, which exonerated the world-renowned scientist.

The ORI recommended increasing oversight of Dr. Gallo's laboratory at the National Cancer Institute for three years and putting a copy of the report in his personnel file.

Dr. Gallo reacted angrily, calling the conclusions "petty and misguided." He said he intends to appeal, which could lead to a hearing before an administrative-review judge.

The report limited his wrongdoing to a single sentence that appeared in an article in *Science* magazine. In the 1984 article, Dr. Gallo and three other NCI researchers discussed their isolation of HTLV-III, their name for the virus that causes AIDS.



Dr. Robert Gallo

The sentence says a virus received from the French in 1983, then known as LAV, had "not been transmitted to a permanently growing cell line for true isolation," so it was impossible to know if HTLV-III and LAV differed.

This was false, ORI said, because records found by investigator's showed LAV had been cultured in Dr. Gallo's laboratory.

Dr. Gallo said the sentence at issue referred to the inability of the French to grow the virus and was not intended to mean that the virus was

not cultured in his laboratory.

"After reviewing everything I and my colleagues have ever published on the discovery of the AIDS virus and the development of the AIDS blood test, ORI could only take issue with a few trivial mistakes and a single sentence written by me," Dr. Gallo said.

But ORI said Dr. Gallo's explanations are not credible. Even if his statement referred to the French, he was "guilty of misconduct," the report said. It charged that his statement "is intended to mislead the research community" into believing that LAV hadn't been grown in a permanent cell line so that researchers would use HTLV-III, not the French virus. This "constituted falsification in reporting research," ORI said.

The ORI report, like the earlier NIH findings, found scientific misconduct by Mikulas Popovic, a co-researcher in Dr. Gallo's NCI laboratory.

But ORI called Dr. Popovic's transgressions "relatively minor" and said they "should not preclude his employment as a scientist." It recommended that Dr. Popovic be subjected to close supervision in any research he conducts for the government.

Attorneys for Dr. Popovic said yesterday there is "no evidentiary basis for any findings of scientific misconduct" by their client. "As ORI acknowledges, the four findings of misconduct attributed to Dr. Popovic

are minor and do not invalidate his breakthrough research."

In 1984, Dr. Gallo isolated HTLV-III and proclaimed it the cause of AIDS. He then developed a blood test to detect the deadly virus.

Analysis later showed that his virus and LAV, discovered by Dr. Luc Montagnier and other scientists at the Pasteur Institute in Paris, were virtually identical.

The French said Dr. Gallo had stolen their virus, and they sued.

Under a 1987 settlement, Dr. Gallo and Dr. Montagnier agreed to share the title of co-discoverers of the AIDS virus and to share profits from sales of the blood test.

But two years later, published reports revived questions about Dr. Gallo's research.

In May 1991, Dr. Gallo wrote an article in *Nature* magazine in which he said the virus he isolated was the one shipped to him by the French. He attributed the problem to accidental contamination.

This year the Pasteur Institute demanded 100 percent of the royalties from sales of the blood test used to detect the AIDS virus. To date, the request has been denied. But Pasteur lawyers said the ORI findings will help their cause.

"The U.S. government's 1987 position — built on a faulty, two-virus theory — has been sitting at HHS like a ticking time bomb. It has now exploded," Robert Odle, attorney for the Pasteur Institute, said yesterday.