



The American Society for Clinical Nutrition, Inc.
THE CLINICAL DIVISION OF THE AMERICAN SOCIETY FOR NUTRITIONAL SCIENCES
The American Journal of Clinical Nutrition



November 16, 2004

NIH Public Access Comments
National Institutes of Health
Office of Extramural Research
6705 Rockledge Lane, Room 350
Bethesda, MD 20892-7963

Dear Dr. Zerhouni,

I am writing as the Editor-in-Chief of the *American Journal of Clinical Nutrition*, the most highly cited independent scientific journal in the nutrition sciences, to express my concern over the NIH initiatives to modify the time tested and highly successful independent publishing models for academic scientific journals. My concern is also based on my 35 year history as an NIH- funded medical scientist who understands that the advance of medical science depends not only on federal funding but on the rigorous process of peer review of all written scientific reports before publication. Also, as an NIH-funded medical scientist who serves on a study section, I am deeply concerned over the financial obligations of the proposed NIH plan for author support of publications through increasingly scarce research funds. Since no budget has been presented for the open access proposal, I am concerned that the increased costs to NIH for developing and maintaining this system will be significant and may reduce funding for research.

While the goal of open access to all scientific data at some point in time is laudable and our articles are free to the public after 12 months, many considerations mitigate against rapid dissemination of scientific results through any governmental agency. These include:

* Most reputable science already undergoes fair and disinterested rigorous peer review by independent scientific journals that are supported by numerous academic scientific societies. In most cases, these journals permit open public access to published peer reviewed scientific articles within 6 to 12 months of publication by contracts with commercial on-line companies. Thus, instead of depositing the final publisher version of the papers into PubMed Central, I propose that NIH link to our published version of the article.

* Contrary to arguments for the immediate dissemination of scientific results, most academic scientific journals are published at reasonable cost with reasonable subscription fees. Only a few commercial publishers charge exorbitant fees that jeopardize the whole process.

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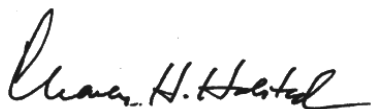
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* Reasonable subscription fees that are charged by independent scientific journals are essential for the survival of the independent scientific societies that sponsor the journals. Elimination of this model would spell the demise of these independent societies, such as the American Physiological Society, the American Society for Clinical Nutrition, and many others. These societies support not only independent journals but also scientific conferences for sharing of ideas that are essential for scientific discovery and many educational programs that advance the medical profession.

* Complete open access and governmental dissemination of scientific results risks the erosion copyright protection experimental results. In the present model, copyright protection is held by the independent journals and their sponsoring independent academic societies that publish the results. Elimination of copyright protection can permit misleading distortion of scientific data by industries whose profits are dependent upon marketing of products that have been developed through scientific discovery. For example, the field of clinical nutrition that my journal represents is particularly vulnerable to distorting marketing claims in view of the intense public interest in diet and health. Distortion of scientific data for marketing purposes could threaten the reliability of scientific evidence for other scientists and more importantly the public and governmental agencies that make public health policy.

Summarizing, there is no need to discard the present model of independent peer review and publication that for over a century has provided the backbone for the scientific enterprise of which the United States is the undisputed world leader. To do so would risk the demise of many independent professional scientific societies that have made immeasurable contributions to the entire process of scientific discovery and its implementation, while loss of copyright protection of published results would open the door to commercial distortion of any scientific result with potential disastrous implications for public policy.

Sincerely,



Charles H. Halsted, MD
Editor-in-Chief
American Journal of Clinical Nutrition