report of nearly 500 pages that makes a compelling case that individual choice is not sufficient to prevent obesity in the current environment of inexpensive high-calorie foods and drinks. The report recommends that industry and government take action to get cheap healthy foods into supermarkets and schools, and that the government intervene to ensure that the right dietary messages get through the flood of advertising. The report, of course, was criticized by the industry forces that would have the most to lose if such changes were implemented.

In this highly charged environment, a controversy over alleged conflicts of interest at the top of the European Food Safety Authority (EFSA) has led to media headlines, criticisms from the European Parliament and a feeding frenzy by some non-governmental organizations critical of EFSA (see page 294). Some of those rushing to judge EFSA might do well to remember, however, that whatever the body's shortcomings, it represents a marked improvement on what went before.

EFSA, which is based in Parma, Italy, was created in 2002 in the wake of the BSE scandal and other food crises. Public confidence in experts and governments had evaporated after it emerged that contaminated beef could cause new variant Creutzfeldt–Jakob disease in humans. At fault was a system in which economic imperatives too often blinkered experts and government ministries — not least departments of agriculture — in their assessment of risks and precautions. EFSA was created to change all that, as an independent agency that would provide scientific advice to the European Union and its member states, entirely separate from those responsible for making decisions. Not even the US Food and Drug Administration enjoys that degree of potential freedom from interference: it uses advisory panels of outside experts, but is ultimately part of a government department. This was made clear last year, when President Barack Obama's administration overruled the agency's decision to make the contraceptive Plan B One-Step (levonorgestrel) available to girls under 17 without a prescription (see *Nature* **480,** 413; 2011).

The powerful agrofood industry will always seek to influence policy, whether within EFSA, or in the European Commission, the European Parliament and national ministries that actually make the decisions. As in other technological industries, many experts have industry links, and scientists' own perceptions of risk can be biased by a pro-technology outlook that might, for example, lead them to be too enthusiastic about certain transgenic crops.

The safeguards against influence and bias should be the same everywhere: comprehensive and timely declaration of potential competing interests, transparency in decision-making, open airing of dissenting opinions and credible independent oversight. EFSA has taken many steps to implement such safeguards, and there seems to be little evidence that it is more affected than any other food-safety body by undue interest.

"Overseers must take care not to unfairly tar the reputations of scientific experts."

The media, non-governmental organizations and elected representatives and their institutions all have important oversight roles. But they also have a responsibility to keep concerns in perspective, and to avoid using them to further personal agendas. Overseers must take care not to unfairly tar the reputations of the many scientific experts who give their time generously and in complete independence to further public-health and science-based decision-making.

The public response to the 2009 swine-flu pandemic points to the risks of unsubstantiated suspicion of scientific advice. There were many wild claims that the medical response to the pandemic was being promoted by industry and industry-influenced experts to sell flu drugs and vaccines. This not only helped to fuel conspiracy theories that the pandemic was a hoax, but also diminished public confidence in health authorities at a time when it was sorely needed.

Advisory bodies must not tolerate shortcomings in procedures to disclose conflicts of interest, but they must defend themselves against any unfair tarnishing of scientific experts. Damage to reputation is extremely dangerous in a society in which the Internet can quickly convert exaggerated claims into supposed facts, and in a political climate in which 'elites' are often suspect. There is more to responsible oversight than just pointing out the problems — real or perceived. ■

Honest opinions

Proposals for a UK law on defamation highlight the power of scientific protest.

Give yourselves a hearty pat on the back. In March last year, *Nature* urged readers who live in the United Kingdom to write to their Member of Parliament with a plea for them to support reforms to the libel laws of England and Wales. Last week, a proposed law that would make most of the sensible and necessary changes was included in the Queen's Speech (an annual to-do list for the British Parliament). With the help of calm seas and a following wind, the libel-law reform, which has broad cross-party support, could be voted in as early as the autumn. (*Nature*'s UK-based readers cannot claim all the credit, of course — the proposed reform comes after a determined and impressive campaign from many individuals and organizations, including the human-rights groups Amnesty International and Global Witness, and the discussion forum Mumsnet.)

Several scientific groups, including the London-based charity Sense about Science, also helped the campaign. Many of the examples that were used to demonstrate that change was needed were scientists who found themselves threatened with legal action for what they viewed as honest academic criticism. *Nature* officially backed the campaign, and, as this issue went to press, still awaits the verdict of a libel suit brought against this journal by Egyptian researcher Mohamed El Naschie.

The proposed legislation directly addresses the concerns of researchers and scientific groups. It would extend a legal defence known as qualified privilege to statements published in peer-reviewed academic journals, as long as they were reviewed by the journal editor and one or more independent experts. This protection would also extend to those who subsequently publish a fair and accurate copy or extract of the original piece.

The new law would also extend the scope of a second existing legal defence against libel — known as fair comment — to cover aspects of scientific practice. Under the proposals, this would help to protect reports of critical statements made at press conferences and academic meetings that are judged to be in the public interest. Those who publish the details of conference proceedings would also be able to draw on this honest opinion defence.

There are other planned changes, too. One is a formal version of a defence currently based on responsible journalism, known in the trade as a Reynolds defence, which helps reporters and publishers to defend a libel claim if they can show, for example, that they checked facts and offered a proper right of reply. And would-be claimants will have to show that their reputation has suffered serious harm. Once in court, however, the burden of proof will remain largely on those who defend libel actions, not on those who prosecute them. Defendants will still have to show that any allegedly defamatory statements are true, which could leave them fighting an uphill battle, albeit equipped with sharper and more numerous weapons.

Still, scientists everywhere should celebrate the planned changes. Journalism on scientific matters has been threatened and stifled for too long. As we wrote in the Editorial in March 2011: "At *Nature*, we have too often been hindered in our core mission because of legal risks." We are not there yet, but we can look forward with optimism. ■

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