Conflict of Interest の 1 例

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The following case deals with the issue of conflict of interest (COI). The ICMJE states that a COI exists “when professional judgment concerning a primary interest (such as patient’s welfare or the validity of research) may be influenced by a secondary interest (such as financial gain). Perceptions of conflict of interest are as important as actual conflicts of interest.” COI can be divided mainly into financial and nonfinancial types. This case involves non-financial COI, which can be more difficult to detect than financial COI and its impact can be even more difficult to acknowledge.

Case number: 09–09

Authors Bearing Gifts

Case text (Anonymized)

The editor of an international journal is bothered: he has received a gift that looks expensive, though it might not be. The sender is an author of a paper submitted to the journal; he has just received a “major revisions necessary” decision. In previous emails, the author has suggested hosting the editor in “his native beautiful city”, an invitation the editor has acknowledged, saying he had already visited the city, and it was indeed beautiful! The author identified himself as a student in further emails, thanking the editor in flattering tones for the reviews.

The editor needs of course to acknowledge the gift (no letter was included), or perhaps to return it, but feels very uncomfortable with the situation. The possibilities for this gift range from an innocent gesture of a proud citizen, to one expecting something in return. The publisher’s code of ethics and business conduct does cover this subject, but its provisions apply to the publisher’s employees, officers and directors, and not to its editors. The editor therefore asks his publisher, and through him, COPE, for comments, advice and guidance.

Advice:

There was general agreement from the Forum that the editor should return the gift with a polite note. Although there are no general rules on the acceptance of gifts, some believe that the apparent value of the gift should be considered and whether or not it would be deeply offensive to return it. Often there are cultural issues and the editor should avoid causing offence. However, in this instance, all agreed that it would be wrong to accept any gift while a paper is still in the process of being reviewed. One option would be for the editor to say that his company has a policy that he would have to declare a conflict of interest at the bottom of the paper if he accepted the gift so he thinks it is better to return it.

Follow up:

The editor concurred with the Forum’s recommendation, and felt that while returning the gift after an unavoidable delay might lead to offence, the guidance would be invaluable for any future occurrences.

Year: 2009
事例番号: 09–09 著者から贈り物が届いたら…

事例の内容（匿名）
国際的なジャーナルの編集長は、真偽の程はともかく、高価そうに見える贈り物を受け取って困惑している。送り主はそのジャーナルに論文を投稿した著者で、彼は「major revisionが必要」という決定を受け取ったばかりである。以前のメールで、著者は「彼の美しい出身都市」で編集長をもてなしたいと提案してきており、編集長はそれを招待と受け止め、自分はすでにその都市を訪れたことがあり、本当に美しい場所であると伝えた。その後のメールで著者は、自分が学生であることを明かし、査読をしてくれたことに対して少々大げさな調子で謝意を示した。もちろん編集長は、贈り物を受け取ったことを著者に知らせながるか（手紙は同封されていなかった）、あるいはそれを送り返す必要があるが、この状況に非常に困惑している。この贈り物が、著者が出身地に誇りを持っているという単なる意思表示なのか、あるいは見返りを何か期待しているのか、などさまざまな可能性が考えられるからである。出版社の倫理および商用の行動規範には、このような事柄が含まれており、その規定は社員、役員、重役には適用されるものの、編集長には適用されない。そのため、編集長は自社に問い合わせ、会社を通じてCOPEにコメント、助言、ガイダンスを求めた。

COPEからの助言：
COPEのフォーラムは、編集長は丁寧な手紙を付けてその贈り物を返送するのがよいとの合意に達した。贈り物を受け取ることについての一般的な規則はないと、その贈り物はどの程度の価値があるのかは考慮するほうがよく、それが高価なものの場合、送り返すことは非常に失礼に当たると考えるフォーラムの委員もいた。そこには、文化的な問題がある場合も多く、編集長は問題が起こることは避けたほうがよいだろう。しかし本件の場合、論文がまだ査読段階であることから、いかなる贈り物を受け取ることも誤りであろうと全員が合意した。編集長が取りうる選択肢の一つとして、贈り物を受け取る場合には、会社の方針で、論文の最後に利益相反の声明を記載しなければならないため、送り返すべきだと著者に伝える、というものもよいかもしれない。

その後の経過：
編集者はフォーラムの勧告に同意し、やむをえないこととはいえ、遅れて贈り物を送り返すことは失礼に当たる可能性はあるが、その助言は今後、同様の事態が発生する際に、貴重なものになるだろうと思ったとのことである。

年：2009年

The main points of this case that we would like to point out are the following: 1) the editor received the gift while the manuscript was still in the peer review process; 2) the intention of the gift was unclear; 3) COI often can be influenced by cultural differences.

The ICMJE Recommendations state that all those involved in the peer review process, including authors, reviewers, and in this case editors, should be aware of COI and disclose any potential COI. Furthermore, in the case of editors, it is also clearly stated that they should recuse themselves of any role that might affect the editorial decisions of a manuscript, if there is any potential COI. In this case, the editor received the gift but was unsure of its value or intention of the author. We also do not know whether the author was aware of the possible issue of COI. If the gift had been an obviously expensive one, the interpretation may have been different. However, this vague and veiled situation is common to non-financial COI, which makes it quite complex to handle. The editor was also ‘uncomfortable’ not only for receiving the gift but also when thinking of returning it, because sending the gift could have been a simple cultural gesture without any embedded purpose. It can be said that perspectives on COI can differ and be affected by cultural perspectives, despite the efforts of trying to standardize the understanding and handling of COI. However, it is important to recognize that COI disclosure and the significance of it can be managed properly through COI policies and recommendations from committees such as the ICMJE and COPE, even if the understanding of COI is affected by the individual or culture.

It has been reported that about 90% of clinical journals require financial COI disclosure compared with 70% for non-financial COI, and only 40% of journals require COI disclosure for editors. This indicates that there is a great need to ensure that COI disclosure policies are enforced for editors and publishers as well as little is known about
how COI disclosure of editors and publishers are managed and how effective they are in ensuring transparency in the medical publication process.6)

**Closing Message**

The understanding and handling of COI and COI disclosure in medical publishing should be enforced under the same conditions not only for authors, but journal editors and publishers.

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