in awards next September (*Science*, 15 June 1984, p. 1219). According to E. Joseph Schneider of the Council for Educational Development and Research, the labs and centers program, which takes 60 percent of the $52 million NIE budget, is regarded by conservatives as a "Great Society" leftover that provides bastions for liberal educational philosophy.

Although Justiz attracted much criticism for a controversial $7.6-million award to Harvard's new educational technology center (*Science*, 27 January 1984, p. 378), he has been credited with putting the agency on a more stable footing after it was nearly dismantled during the first 2 years of the Reagan Administration. He reportedly wants to stay on until the competition is wrapped up. Then he wants to find another job in the Administration.

—CONSTANCE HOLDEN

Jury Clears Bendectin

In a major victory for Merrell Dow Pharmaceuticals, a federal court jury ruled on 12 March that the drug Bendectin does not cause birth defects. The drug was on the market for 27 years as a treatment for nausea and vomiting of pregnancy and was used in an estimated 33 million pregnancies worldwide. Merrell Dow withdrew Bendectin from the market in 1983, citing the pressure of our "litigious society." Thousands of plaintiffs were suing the company, claiming the drug caused birth defects.

The verdict was the culmination of legal proceedings that began in April of 1984 when nearly 400 plaintiffs who allegedly were injured by Bendectin banded together. Cincinnati judge Carl B. Rubin scheduled a trial to determine, first, whether Bendectin caused birth defects and, if so, whether Merrell Dow was liable for damages. But the trial was canceled when the attorneys for Merrell Dow and the plaintiffs got together to reach an out of court settlement. Merrell Dow agreed to establish a $120 million fund paid into over 20 years to settle all present and future claims against the drug.

Some of the plaintiffs' lawyers, however, wanted to opt out of the agreement and settlement and sue Merrell Dow on their own. Since the agreement did not permit any additional suits, they sought to have it overturned. The U.S. 6th Circuit Court of Appeals overturned it on technicalities. As a result, the case came to trial again on 4 February of this year, but this time it involved 1100 plaintiffs.

After 20 days of testimony, the five-woman, one-man jury determined that Bendectin did not cause birth defects, thereby ending the case. Two other Bendectin suits have come to trial so far. In one, the company won and in the other the jury awarded $750,000 in damages to the family of a girl with a deformed arm and hand, but a judge overruled the verdict, saying that, in his opinion, the evidence presented to the court did not establish that Bendectin was the cause of the girl's birth defects.

Jerome Skinner, an attorney for the plaintiffs, plans to appeal the 12 March ruling on the grounds that the way the trial was set up—addressing the question first of whether the drug caused birth defects and then whether the company was liable—hurt the plaintiffs' chances.

Even if Skinner loses his appeal, the Bendectin story is not yet over. According to Merrell Dow spokesman William Donaldson, there are still a few hundred additional suits that have been filed in state courts and, he says, "these must be pursued individually." But, he remarks, "Of course, we're very pleased. The verdict is consistent with the scientific evidence."

—GINA KOLATA

Europeans RACE to Close Telecommunications Gap

Paris. Can catchy titles for research programs help Europe close the technological gap with the United States and Japan? The European Commission in Brussels, which is responsible for the joint activities of the ten member-countries of the European Economic Community, hopes they can. After ESPRIT (information technology) and BRITE (industrial technology), the commission is expected this week to approve the first stage of an ambitious 10-year program in telecommunications, known as RACE (Research on Advanced Communications technologies for Europe).

The main goal of the new research program, which will still have to be approved by each member-country before it can be put into effect, is to stimulate a wide range of research efforts aimed at providing Europe with a single, integrated telecommunications system, based on a variety of technologies from satellites to optical fibers.

As with ESPRIT, which is widely regarded as one of the most successful innovations in European research policy in recent years, each research project will require the collaboration of at least two institutions—which may be universities, industrial research groups, or government laboratories—and will receive half its funding from the commission. The balance of the funds will be raised from other sources, particularly the telecommunications industry.

Finance for the first 18 months' pilot research projects is likely to be relatively modest. A total budget of $30 million is currently being proposed. But if the pilot program is successful, total spending on RACE could reach $650 million over its 10-year lifetime, the same order of magnitude as was approved last year for ESPRIT.

Commission officials in Brussels admit that one important goal of the new program is to use joint research projects as a way of encouraging both Europe's major telecommunications companies and its powerful government-run telecommunications agencies to harmonize their practices. In the past, strong protectionism at home and fierce competition for foreign markets have made this difficult to achieve.

Also in common with ESPRIT, the involvement of American-owned companies keen to play a leading role in the European telecommunications industry through the activities of their subsidiaries is expected to be controversial. They are unlikely to be excluded, however.

European governments have so far given the commission's proposals for RACE a cautious welcome. For example, Geoffrey Pattie, Britain's minister of state for space and information technology, said in Paris on 18 March that "unless we cooperate together in advanced technologies, we will be rapidly extinguished by the competition coming from outside Europe."

—DAVID DICKSON