model may only show up in a sample considerably broader than the one Kortan analyzed. Widom adds that he has found signs of such disorder in unpublished STM data that were sent to him by Kortan. "I still think the evidence leans in favor of the entropy model," he says.

And some continue to hold a third position: somewhere above the fray. One of them is DiVincenzo of IBM, who argues that until further data have been gathered the question of whether the rules model or the entropy model is correct must remain "an article of religion." Indeed, the true nature of quasicrystals might even combine aspects of both theories, DiVincenzo suggests. If that is the case, he says, the field could become mired in a protracted "semantic turf battle" as advocates argue over which model provides the closest match.

In such a conflict, the rules model would have one distinct advantage. Even if researchers find 1000 materials that conform to the entropy model and only a single sample that unambiguously fits the rule model, the rule model would become the focus of the most excitement, according to Peter W. Stephens of the State University of New York at Stony Brook. The reason is that the notion of "matching rules" is so bizarre in terms of current theory that it would be the much more interesting research prospect.

"That's the model that is the most surprising," Stephens says, adding slyly: "That's why I find it so hard to accept."

■ JOHN HORGAN

John Horgan writes for Scientific American.

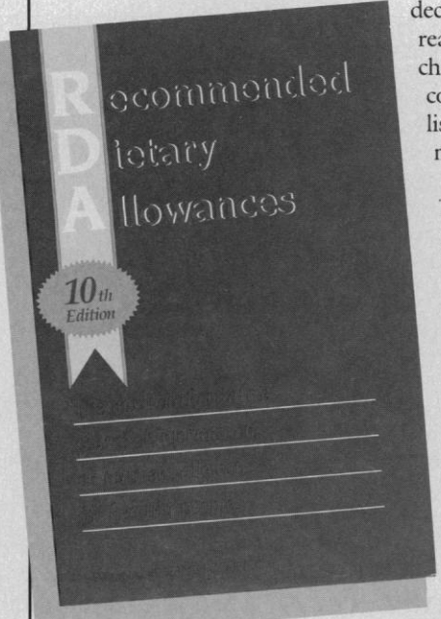
Academy Sued on "Plagiarized" Diet Report

Victor Herbert, a nutritionist and lawyer who rattles (and sometimes wields) his legal expertise like a saber, has sued the National Academy of Sciences for plagiarism and violation of the copyright laws. At issue is the authorship of the 10th edition of the *Recommended Dietary Allowances* (RDA), a guide to human vitamin and food requirements, published by the Academy in November 1989. RDA data are widely used by the food industry—commonly on cereal boxes.

Herbert is a researcher at the Bronx Veterans Administration Medical Center and also, as a hobby, a scourge of anyone whom he judges to be a quack. The Academy asked him to serve on its dietary panels because it valued his expertise in iron, vitamin B_{12}, and folate vitamin research. However, for the past 5 years, he has been waging a quiet war with the Academy, arguing that in the area of nutrition, it has been led astray by its staff.

On 16 February, the war broke into the open when Herbert filed suit in the District of Columbia, charging that the Academy wrongly listed as authors of its 10th RDA a group of experts whom he claims merely edited the work of an earlier panel on which he sat.

The earlier panel was commissioned by the Academy to write the 9th RDA, scheduled for release in 1985. But the Academy rejected the draft and canceled publication (*Science*, 25 October 1985, p. 420). Herbert argues that the Academy made this decision for arbitrary policy reasons, but kept his draft chapters—which he later copyrighted—only to publish them without his permission in its 10th RDA.



Legal fodder. *A 5-year-old fight over nutrition guidelines ends up in court.*

The Academy cannot have been surprised by Herbert's decision to file suit last week because it has been negotiating with him and his attorney since November. In a letter dated 6 February, Herbert's attorney demands for his client recognition as an author of the 10th RDA, a payment of $300,000, and royalties of 5% of sales. The Academy's lawyers were unready to say anything of substance last week. They referred queries to press officer Gail Porter, who said, "We believe that the Academy has not acted improperly in any way."

Herbert agrees, in a sense. He says, "My quarrel isn't with the Academy. But there were a few rotten apples on its staff." He claims that the group that had been asked to write the 9th RDA ran into faddish prejudices among NAS staff members. In particular, Herbert claims that former staffer Sushma Palmer favored a "pop nutrition" theory—namely, that eating large quantities of vitamins A and C reduces the risk of cancer. However, the scientists on the 9th RDA panel went in the other direction, voting for lower levels of A and C. Palmer is out of the country and could not be reached for comment.

Herbert claims that the panel refused to "knuckle under" to the staff's demand that the report be rewritten, and specifically, that the numbers for vitamins A and C be increased. The disagreement eventually went to the Academy's Food and Nutrition Board for review, and finally to Academy president Frank Press. When it became clear that the two camps could not reach an agreement, Press decided to cancel publication.

After the report had been rejected, Herbert and his fellow committe members copyrighted what they had written and refused to let the Academy make any further use of it. Herbert also wrote to Congress and to the National Institutes of Health, which had given the Academy $600,000 to produce the 9th RDA, asking what the taxpayers had received for all this money. Under pressure to make good on the original investment, NIH contracted anew with the Academy, this time for about $160,000, to bring out a new, 10th RDA.

Herbert argues that the Academy created the 10th RDA simply by editing and updating the old 9th RDA manuscripts. He claims that the sections dealing with vitamin B_{12}, folate, and iron are his own work. "Most of my three chapters were used verbatim or paraphrased," Herbert says.

Likewise, James Olson of Iowa State University, the member of the 9th RDA panel who wrote the sections on vitamins A and C, has complained to the NIH and asked for an investigation. In a letter dated 6 February, he claims that 30 to 70% of the 10th RDA is taken verbatim from the copyrighted draft reports of 1985 and that another 10 to 30% is paraphrased.

As for the bottom line, the new, updated RDA endorses high levels for A and C—just as the 8th edition did a decade ago, before any of this trouble began.

■ ELIOT MARSHALL