

"a public health nightmare," he warns.

Benowitz and Henningfield agree that such concerns need to be addressed. "First you need research to get more quantitative data on the threshold doses for addiction," says Henningfield. Once the nicotine-reduction program has begun, it will be essential to monitor its impact on the smoking behavior of addicted smokers to ensure that the disadvantages—in the form of compensatory smoking—do not outweigh the advantages, said Benowitz. "It's an approach that has

never been tested. There is no guarantee it will work. But it has potential," he said.

At the meeting, however, some addiction experts suggested there might be simpler—and safer—ways to achieve the goal of reducing the number of cigarette addicts. "There are other ways to reduce total daily nicotine consumption," said Robert Balster of Virginia Commonwealth University's medical school in Richmond, and a former chair of the FDA Drug Abuse Advisory Committee. Among them: restricting smoking in public

places; changing the packaging from "20-unit doses to single-unit doses," that is, selling cigarettes individually in the hope that consumers will consider them more like cigars and smoke less frequently; and increasing the cost of cigarettes.

With these very different regulatory strategies being floated, it's clear that if the FDA decides to regulate tobacco, it could take a long time to decide on a strategy—maybe even as long as it takes a smoker to quit.

—Rachel Nowak

ANTHROPOLOGY

Lab Custody Fight in Institute 'Divorce'

Breaking up, they say, is hard to do. After being fired in May by the Institute of Human Origins (IHO) in Berkeley, California, and shut out of their lab for more than 2 months, a group of geochronologists is back at work in their old space—as part of a new organization: the Berkeley Geochronology Center

Board of Directors, said he would continue funding the institute only if anthropologist Donald C. Johanson—IHO's founder and discoverer of the famous 3-million-year-old "Lucy" skeleton—resigned as president (*Science*, 27 May, p. 1247). In recent court documents, Getty said he was "fed up with



Back to work. Lab chief Paul Renne (standing, third from right) and his fellow geochronologists are back in their quarters after a lockout by their former employer, the Institute of Human Origins.

(BGC). But some radioactive lab samples may have decayed to a point where they have been lost to scientific analysis, and the scientists are embroiled in a lawsuit against the IHO so contentious that the California attorney general recently compared it to a "hostile and bitter divorce."

As in other ugly breakups, each side is blaming the other, and they're arguing angrily over property, in this case a state-of-the-art geochronology lab. The central stumbling block is whether the geochronologists should reimburse the IHO, a prominent anthropological research center, for the cost of setting up the lab. As of this week, neither side would budge on that point. Says IHO attorney James A. Carter: "We have had a substantial breakdown in trust and credibility."

The two groups split on 3 May when San Francisco billionaire Gordon Getty, the IHO's leading donor and a member of its

the mismanagement of finances and personnel" by Johanson. The IHO Board rejected Getty's proposal and, faced with the loss of his funds, responded by laying off the eight-member geochronology lab staff. The next day IHO officials denied the geochronologists entrance to the lab because, says the IHO attorney, the institute's insurance would not cover former employees.

By the time the geochronologists had formed the BGC, their own nonprofit institute that could assume liability, the IHO upped the ante for getting back into their lab. The institute wanted \$555,535 for lab equipment and remodeling of offices paid for with IHO general funds, according to Susan Shea, IHO's executive director. The BGC contends that much of this money came from donations intended expressly for the lab and thus need not be returned to the institute.

On 3 June, IHO put a lock on the lab door. The geochronologists responded by suing the IHO on 8 June and seeking a temporary restraining order allowing them access. The IHO successfully opposed this order, saying in court papers that allowing their former partners back into the lab would be "akin to the United Nations withdrawing from Bosnia and telling the factions to resume coexisting as they did two years ago."

At this point the California attorney general, who is responsible for enforcing laws governing charitable trusts such as the IHO's

research fund, entered the fray. The BGC had asked the court to name it as trustee of the lab until the lawsuit is resolved. In mid-July, Deputy Attorney General James R. Schwartz filed a complaint in support of the BGC. IHO financial statements, Schwartz wrote, showed that 65% of gross assets raised from public and private sources were held in a "geochronology fund" (including 22 pending research grants, from government and private sources, for geochronological research). And if the IHO is no longer doing this research, the attorney general claimed, it "has no legal or equitable right to retain control of those trust assets."

The IHO says its records are being misinterpreted. It also claims that all of the funds spent on the lab were not raised specifically for that purpose; some were general gifts from donors. "We think a jury would have a different idea of whether the BGC could take all the money," says Carter.

But once he saw the attorney general's brief, Carter advised the IHO board to let the geochronologists back inside. The board agreed. On 20 July it also voted to move the IHO out of its building within a year and to pass the lease on to the BGC. The timing was fortuitous: On 25 July a Superior Court judge named the BGC as lab trustee until the financial lawsuit is resolved—as long as it paid rent and utilities to the IHO.

Both groups are now trying to get back to work. The geochronologists think they've lost some samples, such as a batch of ancient minerals from the University of Utrecht in the Netherlands, which wanted to use dates from the rocks to more precisely calibrate reversals of Earth's magnetic field. They are looking at their other samples now. As for the IHO researchers, Johanson and his colleagues are planning to leave for Ethiopia in September to resume their archaeological digs.

But as the researchers return to their work, the lawsuit continues, and as in all hostile divorces, both sides will wind up spending far more energy resolving it than is good for their other pursuits—in this case, reconstructing the past.

—Ann Gibbons