In brief

FDA postpones approval of emergency contraceptive:

After promising a decision by 1 September on the long delayed approval of the over the counter emergency contraceptive known as Plan B, the US Food and Drug Administration has called for a 60 day comment period and has not set a date for a decision, leading to protests from women's health and reproductive rights groups.

NHS reports first annual figures on *C difficile*:

Almost 45 000 reports of disease associated with *Clostridium difficile* were reported by NHS trusts in England last year. Results of the first year of mandatory *C difficile* reporting show a total of 44 488 reports for 166 NHS trusts, including four with no reported cases. See www.dh.gov.uk

New protocol to improve management of stroke:

A new protocol to improve the delivery and continuity of care for people who have had a stroke has been issued by the Royal College of Physicians after a successful pilot in primary and secondary care. *Stroke: Transfer of Care Summary* (at www.rcplondon.ac.uk) covers aspects of care from initial diagnosis to home care.

Tuberculosis is declared an "emergency" in Africa:

The World Health Organization's regional committee for Africa has declared tuberculosis an emergency in the continent. The move comes after the annual number of cases in most African countries since 1990 more than quadrupled, a trend showing no sign of abating. The committee calls on African countries to step up their efforts to control the disease.

Guidance issued to improve cancer services for young people:

Facilities should be designated for young people with cancer which are appropriate for particular age groups, recommends the National Institute for Health and Clinical Excellence and the National Collaborating Centre for Cancer in its guidance to standardise and better coordinate services in England and Wales. See www.nice.org.uk

Parents of disabled baby lose appeal against court order

Owen Dyer *London*

The parents of a severely disabled baby girl have lost their appeal against a court order allowing doctors not to resuscitate her in the case of respiratory arrest.

Darren and Debbie Wyatt took the case of their 22 month old daughter, Charlotte, to the Court of Appeal last week in an attempt to overturn last October's High Court decision. This decision entitled doctors at St Mary's Hospital, Portsmouth, not to ventilate her if she stopped breathing.

Mr Justice Hedley accepted the argument of Portsmouth Hospitals NHS Trust that resuscitating Charlotte would be "pointless and possibly inhumane," given the condition of her lungs.

Charlotte Wyatt was born three months prematurely, weighing less than 500 g and with severe damage to her kidneys, lungs, and brain. At the time of that ruling she was unable to survive outside an oxygen head box, supplying 95% oxygen. Her doc-

Charlotte Wyatt's mother, Debbie, who is expecting another baby

tors gave her only a 5% chance of surviving the winter.

But all parties agree that Charlotte's condition has since improved. She now spends a few hours each day out of the head

box, breathing a 40% oxygen mix through nasal tubes.

A recent letter from the hospital to her parents described her progress as "remarkable," although doctors insisted that her underlying condition had not improved.

"The consequences of her getting an infection are unchanged," said David Lock, acting for the trust. "She will still suffer terrible indignity and pain if ventilated."

"This is not a case about disability," he told the court. "This is a case about the balance between the benefits a treatment will deliver, if any, and the injury, the pain, and the downsides of inflicting that treatment."

But David Wolfe, acting for the parents, said: "The doctors should not have in their back pocket an open consent from the court to let Charlotte die regardless of the circumstances at the time and regardless of the views of her parents."

In rejecting the appeal Lords Justices Laws, Wall, and Lloyd said that Mr Justice Hedley had "made no error of law" last October, but they ordered that a review of her condition, originally set for this autumn, be brought forward to the earliest possible date. □

US National Institutes of Health issue new ethics guidelines

Janice Hopkins Tanne *New York*

Elias Zerhouni, director of the US National Institutes of Health (NIH), announced new guidelines on ethics for staff members last week, addressing concerns initially made public in December 2003 by the *Los Angeles Times* about staff members who had lucrative consulting arrangements with drug and biotechnology companies (*BMJ* 2004;329:10).

The new rules are tougher than some NIH staff members had wanted but more lenient than some critics had demanded. Dr Zerhouni said the new rules are "the most restrictive we know about."

The rules went into effect last week. Scientists who must sell investments under the new rules have until 30 January to do so.

In a teleconference with journalists Dr Zerhouni reiterated earlier preliminary rules: all NIH staff members are prohibited from consulting work with pharmaceutical and biotechnology companies, makers of medical devices, healthcare providers such as insurance companies, and research institutions receiving major support from the NIH.

Senior staff members, such as heads of institutes and their deputies, as well as their spouses and any children who are minors, are prohibited from having any holdings in such companies. Dr Zerhouni said that about 200 staff members were in this category. Such senior employees—and their spouses and minor children—are prohibited from holding investments of more than \$50 000 (£28 000; €41 000) in funds that invest in pharmaceutical and biotechnology industries.

Other staff members—about 6000 people—and their families may hold up to \$15 000 in pharmaceutical and biotechnology companies, makers of medical devices, health providers, and

research institutions who get major funds from the NIH.

Disclosure rules mean that more NIH employees will have to report their holdings, some of which disclosures are public. Clinical researchers at the NIH may also be required to report their holdings. Some decisions about financial holdings, Dr Zerhouni said, will be made on a case by case basis.

The new rules allow NIH scientists to teach courses at universities, write textbooks, perform journal reviews, and lecture to doctors, if the funding that comes from industry sources is "an unrestricted grant." NIH scientists may also receive awards, such as the Nobel prize or the Lasker awards.

NIH scientists may also serve as officers of scientific societies, even if those societies receive substantial funding from drug companies. Such participation, Dr Zerhouni said, "is a service to the public," and scientists "benefit from the interaction."

Prior approval will be needed for some educational and society activities. □