In U.S. Study, Mix-Up a Case Before

[illegible] Dr. Montagnier [illegible] American counterpart was both growing and photographing the French virus.

Why it took two years for the mistake to surface isn't fully clear, but differences in appearances of the two viruses are difficult for even a trained observer to detect. The mistake may have surfaced as researchers pored over documents to support conflicting claims in the case.

Dr. Gallo said it is routine to photograph other scientists' samples, adding: "What were we supposed to do with the virus? Eat it?" He said American scientists didn't promise not to study the French virus when they got it from the French, only to refrain from commercializing it.

The photographs in question are actually electron micrographs that depict the AIDS virus "budding," or reproducing, under the powerful magnification of an electron microscope. The pictures weren't taken in Dr. Gallo's laboratory at the National Institutes of Health in Bethesda, but 40 miles away in the Frederick, Md., laboratories of Program Resources Inc. a National Cancer Institute contractor.

Matthew A. Gonda and Raymond Gilden, employees of the subcontractor who signed the letter to Science, couldn't be reached for an explanation of how the photo mistake happened. But Dr. Gallo and the cancer institute said it was a combination of deadline pressure and innocent but uncomprehending technicians.

"I said to Gonda, 'Make a composite (picture),'" Dr. Gallo recalled. "The paper was in press. I said, 'Don't use any of the HTLV-III (pictures) from prior publications. Then Gonda got out a technician goes to the file and selects a picture of an LAV bud, cuts it out, blows it up. Gonda comes back and mounts it."

He said he believed the technician involved didn't know what "LAV" meant. The cancer institute press office said yesterday that such photos were only marked with a code number, not names.

Angrily branding the affair an artificial controversy, Dr. Gallo said: "It's of no consequence. If it were any other field, without the dirtiness this involves, I wouldn't be spending ten seconds on this."

Attempting to sound a conciliatory note, Dr. Montagnier said, "It is good of (Dr. Gallo) to acknowledge that a mistake was made." But he also said the French will use the incident to try to bolster their position in court.

Commenting on the affair, Nobel laureate Howard Temin of the University of Wisconsin said, "The patent dispute has nothing to do with science and nothing to do with the (AIDS) epidemic. Scientists are human beings and are as prone to mistakes as other human beings."

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