

NEWS RELEASE

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For More Information Contact:
Gary Ruskin (503) 235-8012

Commercial Alert Asks Feds to Investigate Neuromarketing Research at Emory University

Commercial Alert sent a letter today to the federal Office for Human Research Protections, requesting an investigation of whether neuromarketing experiments at Emory University have violated federal guidelines for research on human subjects.

These medical experiments on human subjects are unethical because they will likely be used to promote disease and human suffering.

If the Office for Human Research Protections finds that Emory violated federal ethics rules regarding experiments on human subjects, it may lose its federal research funding.

Neuromarketing is a controversial new field of marketing which uses functional Magnetic Resonance Imaging (fMRI) – a medical technology -- not to heal, but to sell products. A BrightHouse Institute for Thought Sciences news release issued June 22, 2002 explains that it uses fMRI “to identify patterns of brain activity that reveal how a consumer is actually evaluating a product, object or advertisement. Thought Sciences marketing analysts use this information to more accurately measure consumer preference, and then apply this knowledge to help marketers better create products and services and to design more effective marketing campaigns.”

The letter was sent to Kristina Borrer, director of the Division for Compliance Oversight of the Office of Human Research Protections. The letter follows.

Dear Dr. Borrer:

This letter constitutes a formal request to investigate Emory University to determine whether it has violated the principles of the Belmont Report, which governs research on human subjects.

Researchers at Emory’s School of Medicine and Hospital are using functional Magnetic Resonance Imaging not for healing, but for marketing – “neuromarketing” in the term of this new trade. In the words of *Forbes* magazine, they are experimenting on human subjects in order to “find the buy button inside the skull.”

It sounds like something that could have happened in the former Soviet Union, for purposes of behavior control. Yet it is happening right here in America – at Emory. “The neuroscience wing at Emory University,” the *New York Times* reports, “is the epicenter of the neuromarketing world.”

The ethical basis for this research is not readily apparent. According to news accounts, it is being done at Emory through an institute that does market research for corporate clients. Whatever its theoretical and hypothetical uses (and these are chilling for their own reasons) in actual practice it most likely will be used directly by these corporations to push products that are implicated in disease and human suffering and that impose great costs upon individuals, families and the society at large.

The likely ill effects of this quest for the “buy button” are many, while the potential benefits are few, except to the corporations that will get to push that button. It is hard to see how this work fits within the principles of the Belmont Report, which requires that “research be justified on the basis of a favorable risk/benefit assessment,” including social risks and benefits.

Emory’s descent into neuromarketing is a project of something called the BrightHouse Institute for Thought Sciences, which is the leading neuromarketing research firm. (The name itself is Orwellian: the whole point of neuromarketing is to bypass thought, not encourage it.) According to the *Financial Times*, the BrightHouse Institute is “based in the neuroscience wing at Emory University Hospital.” The Institute in turn is part of BrightHouse, an advertising agency whose clients have included Coca-Cola, Pepperidge Farm, K-Mart and Home Depot. According to news accounts, BrightHouse uses the Emory University Hospital’s functional Magnetic Resonance Imaging machine to conduct its neuromarketing experiments.

The BrightHouse website boasts of having the “most-advanced neuroscientific research capabilities and understanding of how the brain thinks, feels and motivates behavior.” This knowledge of the brain enables corporations to “establish the foundation for loyal, long-lasting consumer relationships,” the website says. Loyalty through brain mapping, in other words.

The BrightHouse Institute writes bluntly about its intention of “revolutionizing the marketing industry.” According to a June 22, 2002 news release, it

plans to change the marketing world forever by using science to observe and understand the true drivers of consumer behavior. The Thought Sciences team uses functional Magnetic Resonance Imaging (fMRI), a safe and non-invasive technique, to identify patterns of brain activity that reveal how a consumer is actually evaluating a product, object or advertisement. Thought Sciences marketing analysts use this information to more accurately measure consumer preference, and then apply this knowledge to help marketers better create products and services and to design more effective marketing campaigns.

What the neuromarketing research “really does” according to Adam Koval of the BrightHouse Institute, “is give unprecedented insight into the consumer mind. And it will actually result in higher product sales or in brand preference or in getting customers to behave the way they want them to behave.”

Let us repeat that. The goal of the neuromarketing research at Emory University lies in “*getting customers to behave the way [corporate advertisers] want them to behave.*” (Emphasis supplied.)

The founder and chief executive officer of the BrightHouse Institute is Joseph Alden Reiman, an adjunct professor at Emory University’s Goizueta Business School. According to the BrightHouse website, Reiman is also Senior Research Fellow in the Department of Psychiatry and Behavioral Sciences at Emory University School of Medicine. The “chief scientist” at the Institute is Clinton D. Kilts. Dr. Kilts is also professor and vice-chair for research in the Department of Psychiatry and Behavioral Sciences.

Dr. Kilts is an expert in addiction. He has published such articles as “Neural activity related to drug craving in cocaine addiction,” and “Imaging the roles of the amygdala in drug addiction.”

Dr. Kilts’s research interests include “drug craving induced by mental imagery of drug use-related scenes,” according to his Emory University School of Medicine web page. Is Dr. Kilts now using his knowledge of addiction to sell products such as Coke? Is he working on mental mapping to induce product cravings through the use of product-related scenes? Dr. Kilts has declined to respond to repeated calls regarding his neuromarketing research.

The Belmont Report requires a systematic assessment of risks and benefits in research on human subjects, and a finding that the benefits outweigh the risks. The risks of this research are obvious, as is the moral repulsiveness. The benefits are more questionable, except to corporations such as Coca-Cola.

At the most basic physical level, neurological marketing research relies on the use of Magnetic Resonance Imaging on human subjects. Strong magnets can harm human subjects if they have metal in their bodies (e.g. cardiac pacemaker, aneurism clips, intrauterine devices, some dental work, body piercings) or are carrying metal, such as coins or jewelry. Such harm is not likely but the possibility does exist. Research subjects occasionally report dizziness or nausea when their heads are moved within the bore of the magnet.

That’s on top of any unknown adverse effects of placing a human subject in the intense magnetic field required for an MRI. It is hard to believe that this procedure is helpful when not medically required.

But such potential physical harms are secondary. The real risk of neuromarketing research is to the people – including children – who are probably the real targets of this research. Already, marketing is deeply implicated in many serious pathologies. That is especially true of children, who are suffering from an epidemic of marketing-related diseases, including obesity, type 2 diabetes and alcoholism, while millions will eventually die from smoking-related illnesses. Gambling is a serious problem for millions of young people as well.

Neurological marketing is a tool to amplify these trends. It is hard to think of a single benefit that could result from teaching corporate marketers how to press a “buy button” in the minds of

individual Americans. Is there really a person in America who is insufficiently impelled to eat more Pepperidge Farm cookies or drink more Coke?

In effect, the BrightHouse Institute is conducting neuromarketing research at Emory University to develop tools of behavior control and behavior modification, which it is selling to its corporate clients.

The BrightHouse Institute explains that their

Thought Sciences' team customizes each study to meet their clients needs. In a recent study, volunteers were used to test responses to food, advertisements, cars, and other topic categories. At the beginning of the study, the volunteers filled out a survey identifying likes and dislikes in eight different categories. Then, the volunteers were placed under the fMRI scanner and shown an item on a screen. While viewing the stimuli, Thought Sciences researchers took a picture of the volunteer's brain and compared the response of the brain to the response on the survey. From the results, the researchers pinpointed the preference area of the brain. Using this data, the Thought Sciences team can now help their client to design better products and services and a more effective marketing campaign.

According to the *New York Times*, The BrightHouse Institute has a Fortune 500 client. But it refuses to identify the client. Who is the client? Is it a tobacco company? Why won't BrightHouse disclose its clients? What is it hiding? What precisely are these neuromarketing experiments that they are conducting at Emory University? How is their Fortune 500 client using the experiments? What advice is the BrightHouse Institute providing its clients, based on its neuromarketing research at Emory?

Since there are scores of potential problems with this neuromarketing research, we will point out a few obvious examples. What if neuromarketing research were employed by a corporation that manufactures cigarettes, for example? According to the *Morbidity and Mortality Weekly Report*, smoking "caused approximately 440,000 premature deaths in the United States annually." If the neuromarketing experiments were relatively unsuccessful, and increased the number of smokers by a mere 0.1%, this might eventually cause approximately an extra 440 premature deaths per year.

More broadly, what exactly will stop Emory's neuromarketing research from being sold to corporate clients to push the "buy button" for more tobacco, alcohol, junk food, violence, gambling and other addictive or destructive behaviors? Does Emory University have ethical standards regarding which corporate clients the BrightHouse Institute may consult for, and conduct experiments for? If so, what are those standards and how will they be enforced?

Some might protest that neuromarketing research could be used to shut a "buy button" off as well as on. Conceivably. But it is not clear why corporations would support research that will

cause people to buy less of their products. If the university and the researchers involved were to sign written statements promising that this research would be used only for such purposes, on pain of stiff financial penalties, the argument might become remotely credible. But even then, the prospect of behavior control at that level has totalitarian implications that require much more discussion than has occurred to date.

Does the BrightHouse institute have any political clients? Any sale of neuromarketing research by the BrightHouse Institute to violent dictators or other political propagandists could potentially have devastating effects on entire countries. The history of the last century is filled with the tragic successes of propaganda in inducing whole populations to commit genocide. Many millions, if not tens of millions, of lives have been lost in these tragedies. What safeguards has Emory put into place to ensure that it is not used to create more effective political propaganda in support of genocide or the inflammation of racial or nationalistic hatreds?

Given the prospect of dubious social benefit and almost certain social harm, it is hard to see how Emory's neuromarketing research meets the risk-benefit calculus test of the Belmont Report for experimentation on human subjects. For identical reasons, the experiments also appear to violate the Belmont Report's requirement that experimentation on human subjects follow the related principle of "beneficence," because it is not the intention of the BrightHouse Institute's corporate clients to maximize social benefits and minimize social harms, but rather to manipulate people to buy products, irrespective of benefit or harm.

According to the *Atlanta Business Chronicle*, Dr. Robert Rich, executive associate dean for research at the Emory School of Medicine, defends the neuromarketing research by claiming that findings have been presented at a neuroscience conference, and will be published in medical journals. Yet given the social harms that predictably will arise from the sale of this research to corporate clients, the claim that some of it might be presented at conferences or in journals is not exactly overwhelming.

In recent days, the BrightHouse Institute has launched a defense based on marketing jargon.

We are a novel form of consumer consultancy that leverages scientific knowledge about how the human brain motivates consumer behavior to deliver strategic insights that are intended to enhance the relationship between the consumer and the product, brand and company. Our goal is to define the neural basis of behaviors that are of specific interest to strategic business decision making, as well as of generic interest to the field of neuroscience. We are not interested in telling companies what people think about their products, but rather how they think. Our focus is decidedly from the consumer perspective with the direct intent to influence the behavior of companies, rather than consumers.

It's not really for their corporate clients. It's for the people whose "buy buttons" the corporations seek to push.

On December 1, 2003, Commercial Alert sent a letter to James Wagner, President of Emory University, warning him of the unethical neuromarketing research conducted at Emory. Regrettably, there is no indication that he has halted the neuromarketing research. According to the *Atlanta Business Chronicle*, Dr. Robert Rich, executive associate dean for research at the Emory School of Medicine, who is responsible for overseeing the neuromarketing research, says that it will continue.

Consequently, we strongly urge the Office of Human Research Protections to conduct a full and thorough investigation of Emory's research in the field of neuromarketing. Emory is on notice. It refuses to acknowledge even the possibility of a problem. Therefore, if you find that the University has violated the principles of the Belmont Report, we urge you to inflict the severest punishment upon the entire University, and to debar it from receiving federal research funding, according to the procedures of 45 CFR Part 76.

Thank you for your consideration.

Sincerely,

Gary Ruskin, Executive Director, Commercial Alert

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For more information about neuromarketing, see Commercial Alert's neuromarketing web page, at: http://www.commercialalert.org/index.php/category_id/1/subcategory_id/82/article_id/202

Commercial Alert is a national nonprofit organization whose mission is to keep the commercial culture within its proper sphere, and to prevent it from exploiting children and subverting the higher values of family, community, environmental integrity and democracy.

Commercial Alert has more than 2000 members, representing all 50 states and the District of Columbia. For more information, visit our website at <http://www.commercialalert.org>.