

# Chocolate milk maker wanted study touted with "Concussion"

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A small chocolate milk company wanted to tout the ability of its drink in helping high school athletes recover from concussions to coincide with the Will Smith movie "Concussion," according to emails obtained by The Associated Press.

Back in December, the University of Maryland issued a [press release](#) about its study that apparently found Fifth Quarter Milk effective in improving the cognitive and motor functions of high school football players, even after they suffered concussions. The announcement triggered a backlash because it seemed more like marketing than science.

It was also unusual because the actual study findings weren't made available.

After conducting an internal investigation, the University of Maryland said earlier this month that it found a "concerning lack of understanding of the basic principles of conflict of interest in research at all levels of the process."

It disavowed the study and said it planned to return money provided by Fifth Quarter for the study. It said it was reviewing its research procedures as well.

On Tuesday, emails released to the AP in response to a public records request show a [university](#) researcher and a Fifth Quarter owner consulted

about the study and how to release its findings. And they may explain why the university issued a press release before the study was published.

In an exchange in September, Fifth Quarter owner Richard Doak said he wanted to issue a press release in December because "Concussion" was getting attention and was slated for release around Christmas.

Doak also said he wanted to "strategize" and be prepared to defend the study's science. He told Jae Kun Shim, the University of Maryland researcher, that they should "talk through every element of the press release" and ensure it was supported by the data. He said he believed it would be such a big story that there would "certainly be those who would attack us."

"This holds so much promise for young athletes and I just want to make sure that it won't be marginalized by naysayers because we made a mistake," he wrote.

The emails also show Shim sending Doak abstracts for the study in November. "Let me know how they look to you," Shim wrote.

Doak and Shim did not respond to requests for comment Tuesday. In a statement, the university repeated its previous position that it was evaluating "broader issues" following the fallout from the study.

The study was part of a University of Maryland program that partners local businesses with researchers to boost the state economy. It gained widespread attention after being criticized on the site HealthNewsReview.org, which noted it was unusual for a school to tout a study before it had been published.

The press release, issued on Dec. 22 before the release of "Concussion," also seemed to illustrate the breakdowns in scientific and conflicts-of-

interest standards that can happen when companies fund studies about their products.

Fifth Quarter provided about \$20,000 as well as products for the study, while the university program covered the remainder of the cost, which the school has said was about \$180,000.

A co-op of milk producers, of which Fifth Quarter is a member, also gave another \$200,000 to Shim for future possible research. The University of Maryland has said it would return that money as well.

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