Food Policy Debates

Should government regulate unhealthy foods?

Inspired by a movement that touts healthy eating and warns of danger from an industrialized food supply, millions of Americans are cutting back on processed and fast foods and sugary soda. Many are turning to fresh, lean and “clean” foods out of fear that sugar, salt, fat and additives can lead to heart disease, obesity, diabetes and other problems. Other Americans, however, continue to eat unhealthily, contributing to record levels of diet-related illnesses and rising health care costs. Healthy-eating activists want the government to tax sugary sodas, mandate expanded nutrition labels and restrict portion sizes. The food industry is fighting such proposals, contending that changing the nation’s eating habits lies more with the free market than with legislation. Meanwhile, nutritionists and medical professionals are debating the value of gluten-free diets, with proponents claiming that wheat products lead to a wide range of illnesses and critics arguing that the diets lack scientific merit.
The Issues

- Are concerns about food quality warranted?
- Should foods linked to diet-related diseases be regulated?
- Should the federal government require healthier school lunches?

Background

Rise of Industrial Farming
Chemical fertilizers helped lead to industrialization of agriculture.

Back to the Land
Organic farming grew in popularity during the 1970s environmental movement.

Government, Industry Respond
Consumers pressed for more control of additives, antibiotics and synthetic fertilizers.

Current Situation

Scrutinizing the FDA
Consumers want the Food and Drug Administration to revise its procedures for approving food additives.

Soda Tax Battle
As activists and the beverage industry debate sugary sodas’ links to disease, efforts to tax soda are gaining force.

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Food activists say changing consumer and industry behavior takes time and patience.

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Americans Eating Fast Food Less Frequently
The percentage who regularly eat fast food is declining.

Beef, Dairy Consumption Falling
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Vermont had the most per capita.

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Some experts warn that the popular diet may be harmful.

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Should the government tax sugary soda?

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Food Policy Debates

The Issues

As the closing credits rolled in a packed theater at this year’s Sundance Film Festival, the audience rose to its feet and gave the new movie a standing ovation.

The surprise hit, which received an enthusiastic 85 percent approval rating on the popular viewer-review website Rotten Tomatoes, featured “the greatest villain to appear on movie screens this summer,” said CBS News. But it had no super heroes or giant battling alien monsters.

Instead, the documentary “Fed Up” largely features talking heads, flip charts and four obese teenagers. It portrays the sugar industry and large food companies as the prime culprits behind America’s obesity and diabetes epidemics. Sugar is the new tobacco, the movie proclaims.

The film joins other recent food-related documentaries, such as “food, Inc.,” “Super-size me,” “fast food Nation,” “fat, Sick & Nearly Dead,” and big-selling books such as Grain Brain, Wheat Belly, Food Politics and The Omnivore’s Dilemma. They all reinforce the same message: that America has what food industry critic and Omnivore’s Dilemma author Michael Pollan calls a “national eating disorder.”

Some critics — such as Michael Moss, author of Salt Sugar Fat: How the Food Giants Hooked Us — say much of that eating disorder is orchestrated by the nation’s food industry. Companies add high levels of sugar, salt and fat to processed foods in “a conscious effort — taking place in labs and marketing meetings and grocery-store aisles — to get people hooked on foods that are convenient and inexpensive,” he writes.

The books, articles and documentaries touch a nerve among consumers trying to eat “clean” food — organic, grass-fed or gluten-free items with minimal additives, processing and antibiotics — and those trying to follow healthy-eating advice by limiting their sugar, salt and fat.

Americans are paying more attention to what they consume than ever before, according to a new U.S. Department of Agriculture (USDA) study, assiduously reading nutrition labels. Some want the government to address the nation’s obesity and diet-related health problems, improve its oversight of food additives and require labels on genetically modified foods (GMOs) — those made from organisms whose DNA has been altered through genetic engineering.

“People are finally waking up and asking how their food is produced and marketed,” says Marion Nestle, a nutrition professor in the Department of Nutrition, Food Studies, and Public Health at New York University and author of Food Politics: How the Food Industry Influences Nutrition and Health.

To help promote healthy eating, government agencies have moved to limit sugary sodas, eliminate dangerous trans fats from the food supply and issued new, healthier, federal school lunch dietary guidelines. While unhealthy eating is not the sole cause of obesity and related diseases — a sedentary lifestyle is another culprit — most experts consider it the leading factor.

The food industry — responding to consumer demands for healthier foods, especially those marketed to children — has begun offering hundreds of organic products as well as new processed foods with less fat, sugar, salt and additives. At the same time, however, some food and beverage trade groups have resisted restrictions on trans fats and sugary sodas and tried to water...
down the new federal school lunch dietary guidelines.

As some Americans replace Twinkies with healthier goji berries and egg-white chips, restaurants are cashing in on the healthy-eating trend. Chefs are creating dishes made with quinoa and kale and serving smaller portions. So-called “fast-casual” food chains like Chipotle, Panera, Freshii and sweetgreen — which feature low-fat salads, vegetarian wraps or organic ingredients — are gaining in popularity. Despite healthy additions to their menus, fast-food stalwarts like McDonald’s and Burger King are seeing flat or falling sales. There are now more than 21,000 fast-casual restaurants, up from 9,000 a decade ago.

“We want to eliminate the excuse that people don’t eat healthy because they either can’t afford to or it’s not convenient,” said Matthew Corrin, CEO of the Freshii restaurant chain.

However, as waistlines and statistics show, much of America is still overeating and eating unhealthily. More than 30 percent of U.S. adults and 17 percent of adolescents are obese. And while the rates of increase have slowed in the past decade, if current trends continue, half of all adults will be obese by 2030, according to a 2012 study in the American Journal of Preventive Medicine.

On the positive side, obesity rates among young children, ages 2 to 5, fell from 13.9 percent to 8 percent from 2003 to 2012, the Centers for Disease Control and Prevention (CDC) found. And a study in the journal Pediatrics in 2013 found that American teenagers in 2009 and 2010 exercised more, watched less TV, ate more fruits and vegetables and drank fewer sugar-sweetened beverages than children the same age did in 2001 and 2002.

Meanwhile, the percentage of Americans regularly eating in fast-food restaurants has declined over the past decade, while the percentages eating fast food once a month or “a few times a year” has risen.

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### Percent of Americans Eating Fast Food, by Frequency, July 2003 and July 2013

<table>
<thead>
<tr>
<th>Frequency</th>
<th>2003</th>
<th>2013</th>
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<tr>
<td>Every day</td>
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<tr>
<td>Several times a week</td>
<td>17%</td>
<td>16%</td>
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<tr>
<td>About once a week</td>
<td>31%</td>
<td>28%</td>
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<tr>
<td>Once or twice a month</td>
<td>30%</td>
<td>33%</td>
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<tr>
<td>Few times a year</td>
<td>13%</td>
<td>15%</td>
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<tr>
<td>Never</td>
<td>5%</td>
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Source: Niall McCarthy, “1 in 5 Americans Eat Fast Food Several Times a Week,” Statistica, Aug. 9, 2013

### Americans Eating Fast Food Less Frequently

The percentage of Americans who eat regularly in fast-food restaurants has declined over the past decade, while the percentage of those who eat fast food once a month or “a few times a year” has risen.

See graph, above.

• A “locavore” movement promoting locally grown food bought at farmers markets and eating in so-called farm-to-fork restaurants is gaining popularity. Between 1994 and 2014 the number of farmers markets in the United Stated jumped nearly fivefold, from 1,755 to 8,268.

• Locavores prefer buying local produce because fruits and vegetables can lose

chicken while cutting down on red meat, but the oft-repeated recommendation that they eat more fruits and vegetables is not being heeded, according to U.S. Department of Agriculture (USDA) statistics. Consumption of both is down over the past decade. (See graph, p. 821.) Some believe the decline is due to lower incomes and perceived price increases along with the allure of processed and convenience foods.

“The challenge for the fruit and vegetable industries is to close the gap between what consumers say they want and what they actually do,” said Cindy van Rijswick, an analyst with Rabobank, a Dutch bank that completed a study on the drop in fruit and vegetable consumption in the United States. “Surveys have shown that, in principle, consumers are positive-minded about healthy eating, but in practice they are easily swayed by creative marketing of processed food and beverages and exhibit a strong bias for convenience products.”

However, some new statistics indicate that America’s eating habits are beginning to change for the better, such as:

• Working-age adults consumed an average of 118 fewer calories a day in 2009-10 than four years earlier, according to the USDA, which attributed the decline in part to more consumers than ever reading nutrition labels.

• More than 80 percent of Americans reported buying organic food in 2012, and domestic organic food production rose 240 percent from 2002-11, compared to 3 percent for nonorganic food.

• Wal-Mart, the nation’s biggest food seller, expects to sell more organic food than any other retailer.

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a good portion of their nutritional value before landing on a grocery shelf. 17

“This is not a passing fad,” B. Hudson Riehle, research director for the National Restaurant Association, said of the farm-to-fork movement, adding that locally grown food and sustainability were top customer priorities in the group’s annual poll of American chefs this year. “It’s only going to get stronger.” 18

However, for some Americans, when it comes to food, bigger is better. Some restaurants proudly tout their supersized dishes loaded with fat, sugar, salt and calories. Hillbilly Hot Dogs, in Lesage, W.Va., serves its signature “Home wrecker,” a 15-inch hot dog smothered with 12 towering toppings. 19 The Ben & Jerry’s ice cream chain offers the “vermonster” sundae. Its 20 scoops of ice cream, four bananas, four ladles of hot fudge, 10 scoops of walnuts, three chocolate chip cookies, one fudge brownie, two scoops of topping and whipped cream provide a whopping 14,000 calories and 500 grams of fat. 20

And B-52 Burgers and Brew in Inver Grove Heights, Minn., challenges customers to try its M.O.A.B. The Mother of All Burgers contains two pounds of burger patties, two eggs, BBQ pork, cheddar and pepper jack cheese and fried onion “tanglers” served on a 15-inch french loaf. Mark Reese, B-52’s owner, says he doesn’t promote overeating, and “few people ever finish one of our M.O.A.B.s. But no one should tell someone what they can or can’t eat.”

Some nutritionists and healthy-eating activists want the government to adopt higher taxes on sugary sodas, expanded nutrition labels and restrictions on portion sizes; they also want better regulation of additives as well as the antibiotics and synthetic chemicals used in agriculture. Such proposals have triggered push-back from some food companies and consumers, particularly those who are political libertarians. When former New York City Mayor Michael Bloomberg proposed banning sugary soft drinks larger than 16 ounces in May 2012, some consumers and the beverage industry attacked the proposal. Eventually the New York Supreme Court ruled that the city health board lacked authority to impose the ban. 21

“The food police won’t be happy until they tell the rest of the country what they can and can’t eat,” says Jayson Lusk, a professor of agricultural economics at Oklahoma State University and author of The Food Police. “They want to regulate us into submission.” Such views trigger resentment among those advocating healthier eating habits. "Obesity is not just a matter of personal responsibility, says Nestle. “It also incurs costs to society that must be paid by the population at large” through higher health insurance and health care costs.
The heated battle over food shows no sign of cooling. “There may be no hotter topic in law schools right now than food law and policy,” said a recent Harvard Law Today article. 22

As nutritionists, dieticians, politicians and consumer advocates debate food policy and trends, here are some of the questions under discussion:

Are concerns about food quality warranted?

In recent years Americans have seen repeated outbreaks of food-borne diseases such as salmonella, E. coli, Listeria and botulism. According to the CDC, roughly one in six Americans — or 48 million people — are sickened, 128,000 are hospitalized and 3,000 die each year from such illnesses. 23

Some outbreaks are limited to a region, while others have been more severe and widespread, such as a 2008-09 salmonella outbreak from tainted peanut butter that killed nine people and sickened at least 714 others nationwide. The peanut company’s owner was convicted of conspiracy, fraud and other federal charges. No sentencing date has been set; he faces up to 20 years in prison. 24

Despite such outbreaks, agricultural economist Lusk contends that America’s food system “is among the safest in the world and is getting safer. For example, since 1996 E. coli incidents are down 30 percent, and Listeria incidents down 42 percent. Unfortunately there is a ‘fear market’ created by some food activists who often unfairly target the food industry.”

Fred Yiannis, vice president of food safety for Wal-Mart, said America’s “food supply is safer than it’s ever been,” and “food safety awareness is at an all-time high.” 25

But critics complain weaknesses exist in the regulation of the food supply. “Part of the problem is that U.S. food-safety laws are quite old,” said Caroline Smith Dewaal, food safety director at the Center for Science in the Public Interest (CSPI), a food-safety group that advocates science-based government policies. “Most were drafted a century ago.” 26 In addition, she continued, the nation’s food supply is monitored by both the Food and Drug Administration (FDA) and the USDA, which “allows things to fall through the cracks.”

“Experts say the FDA and the USDA often work in a piecemeal fashion, reacting to the outbreak of the day, rather than taking steps to prevent safety problems,” said a report on food safety from the Robert Wood Johnson Foundation. 27 The report recommended, among other things, that the two agencies jointly coordinate federal efforts to fight salmonella. “The lack of a unified strategy has impaired the government’s ability to appreciably reduce salmonella risks,” the report said. 28

The FDA Food Safety Modernization Act, the biggest overhaul of food safety regulations in decades, was an attempt to address such concerns. It stressed prevention over criminal punishment after food-borne disease outbreaks and authorized new regulations designed to increase food safety. Among those were stronger controls on imported foods, new procedures to prevent produce contamination and more inspections and tougher regulation of facilities that produce packaged foods and animal feed. However, implementation of the new law has been slow. The FDA is currently accepting public comments on proposed regulations to implement the law.

Public worries about the increasing number of additives in America’s food supply were exacerbated in April, when the Natural Resources Defense Council (NRDC), a Washington-based environmental group, released a report that cast doubt on the agency’s oversight of food additives. At least 1,000 of the 10,000 food additives used today were approved as safe, the report said, based on industry safety data never disclosed to the FDA. 29

Under FDA procedures revised in 1997 during the Clinton administration to reduce years-long delays in obtaining approval of new additives, the report said, manufacturers can now bring their additives to market without FDA review if they certify that the additives are “generally recognized as safe (GRAS),” based on internal corporate research. That research, however, is not required to be independently reviewed by the FDA. 30 As a result of the new fast-track procedures, according to a Washington Post investigation, in hundreds of cases “the FDA doesn’t even know of the existence of new additives, which can include chemical preservatives, flavorings and thickening agents.” FDA Deputy Commissioner for Food Michael Taylor told The Post, “We simply do not have the information to vouch for the safety of many of these chemicals.” 31

The FDA says on its website that food and color additives today “are more strictly studied, regulated and monitored than at any other time in history.” And the agency carefully reviews company safety data — when companies provide it, the NRDC says.

Since the NRDC report came out, the nation’s largest food industry trade group, the Grocery Manufacturers Association (GMA), has announced it is creating a database containing information on all industry assessments of food additives. It will be made available to the FDA in 2015, but it is unclear how much, if any, of that information will be made public.

Leon Bruner, chief science officer for the GMA, said in August that the grocery industry “is committed to providing consumers with safe, quality, affordable and innovative products.” The GMA’s database initiative will “strengthen the food safety programs used by the entire food industry and thereby provide consumers more assurance that food products produced by U.S. manufacturers are, and will remain, the safest available in the world.” 32

Should foods linked to diet-related diseases be regulated?

As America has gotten fatter, calls
to regulate what people eat and drink and how that food is marketed have grown increasingly louder.

“We live in a food swamp, and there is food everywhere,” says Deborah Cohen, a physician and researcher at Rand Corp., a global policy think tank, and author of A Big Fat Crisis: The Hidden Forces Behind the Obesity Epidemic and How We Can End It. “We are hard-wired to notice food, and because there is so much food marketing and advertising trying to convince us to eat — especially junk food and other high-calorie food — we need to address the problem.”

Citing government regulation of alcohol and tobacco, she says foods linked to diet-related diseases should be similarly regulated. “The harms associated with overeating are at least as great as the harms from drinking,” says Cohen.

Food activists are promoting measures such as attaching warning labels to junk food, restricting portion sizes and removing candy bars from checkout lines, moves that Cohen says food companies have resisted. “We needed policies to protect people from having alcohol pushed at them almost wherever they went, and we need policies that protect people from triggers designed to make them eat when they are not hungry,” Cohen contends.

Robert Lustig, a pediatric endocrinologist and professor of clinical pediatrics at the University of California, San Francisco, calls the nation’s high sugar consumption a public health crisis. “When taken in high doses, sugar can be as toxic as high doses of alcohol,” he says. When sugar is metabolized it can start a process that generates fat that can lead to diabetes, heart diseases and stroke. “Because it is a public health crisis, you have to do big things, and you have to do them across the board,” Lustig says.

With tobacco and alcohol, he says, “we made a conscious choice that we’re not going to limit their consumption. I think we need to treat sugar the same way.”

Many advocates of regulation say governments must act because the food industry cannot — or will not — regulate itself. “The food, beverage and restaurant industries collectively spend roughly $16 billion a year to promote sales through advertising agencies, and per-

Many critics of regulation echo the view that “the less government regulation, the better” and that consumers should take more responsibility for what they eat.

Elaine Kolish, vice president of the Children’s Food and Beverage Advertising Initiative (CFBAI), a voluntary industry program to advertise healthier dietary choices to children, calls food advertising to children a “perfect example of a topic that is wholly inappropriate for government regulation.” Such protection is “a role for a nanny, not the government,” she contends, and points out that the products being sold to children “are perfectly legal to sell, and in most instances the advertised products are being purchased by adults.”

Michael D. Tanner, a senior fellow at the libertarian Cato Institute think tank, calls food restrictions and taxes bad ideas. “Food bans or taxes are, in effect, anti-responsibility. Because they assume that the government will protect me against any adverse consequences from my lifestyle choices, they grant
the government the right to make those choices for me. Effectively, it treats us as children who can neither be trusted to make our own choices or be held responsible for those choices.” 35

Taxing, restricting or regulating foods is “insulting and elitist,” says Lusk of Oklahoma State University. “The ‘food police’ advocate a ‘fat tax’ partly because they claim they know what’s good for us, and that individuals won’t take personal responsibility.”

Moreover, he says, food taxes would be hardest on the poor, because they cost low-income people a greater percentage of their income than that of wealthier consumers. Also, Lusk says, many studies show taxes on food aren’t effective. “Because we spend a relatively small portion of our income on food,” he says, “taxes don’t affect our bottom line enough for us to change our food choices.” 36

Lusk advocates letting the free market determine what foods are produced. “There is a viable alternative to paternalism. It is the market,” he says. “We should have enough faith in consumers to let them make their own choices.”

But others bristle at such views, arguing that the direct medical costs of treating obesity alone are estimated to be $150 billion-$210 billion annually, costs that boost everyone’s insurance premiums as well as taxes to pay for ever-increasing Medicare and Medicaid bills. 37

**Should the federal government require healthier school lunches?**

Four years ago school cafeterias became center stage in efforts to improve what children eat. The Healthy, Hunger-Free Kids Act of 2010, famously championed by first lady Michelle Obama as part of her “Let’s Move!” fitness campaign, passed unanimously in the Democratic-controlled Senate and by a wide margin in the then Democratic-controlled House. 38

Supporters hoped it would help reduce childhood obesity and improve kids’ overall health by offering them healthy foods during the school day. “We’ve seen the connection between what our kids eat and how well they perform in school,” President Obama said when he signed the bill into law. 39

The legislation authorized the USDA to create nutrition standards for the nation’s more than 97,000 public school cafeterias, which serve about 30 million students. 40 Schools began replacing foods high in fat, sodium and “empty calories” (lacking nutritional value) with healthier fare. White bread and salt-covered fries, for example, were replaced by whole grains, more fruits and vegetables and low- or nonfat milk.

Many applauded the new standards, which were drawn up by the federal Institute of Medicine after input from an expert panel of nutrition scientists and educators.

But since then, some politicians, food industry representatives and school lunch officials have complained that parts of the law are too costly and that menus have proved unpopular with students.

A January 2014 Government Accountability Office (GAO) report on the new standards found that 321 local school food officials in 42 states decided in 2012-2013 to leave the National School Lunch Program. And student participation in the program declined by 1.2 million students — or 3.7 percent — between the 2010-2011 and 2012-2013 school years, after having increased steadily for many years.

The report said school cafeteria managers had problems with “plate waste — or foods thrown away rather than consumed by students — and managing food costs, as well as planning menus and obtaining foods that complied with portion size and calorie requirements.” 41

For example, the Fort Thomas Independent School District in northern Kentucky sold 30,000 fewer school meals last year than the year before. Students who don’t like the new offerings are “just skipping lunch and stopping by the minimart on the way home,” said Superintendent Gene Kirchner. “And when they do buy a lunch, they . . . throw half of it away.” 42

Some who previously supported the new standards are reconsidering, including the School Nutrition Association (SNA), representing 55,000 cafeteria professionals and representatives of the food industry. “Our members are very frustrated with some of the requirements
of the bill, and we are asking for more flexibility,” says SNA spokesperson Diane Pratt-Heavner. For example, the requirement that students be given a fruit or vegetable is too costly for some schools, the group says.

Critics of the SNA’s reversal note that nearly half of the group’s $10 million operating budget comes from food industry members such as Minnesota-based Schwan Food, which sells pizzas to more than 75 percent of the country’s 96,000 K-12 schools. Plus, 19 of the SNA’s past presidents disagree with the organization’s new position.

The National School Board Association has called the nutrition requirements “federal overreach on school meals.” And a Republican-led effort steered the House Appropriations Committee to vote to let school districts receive waivers to temporarily opt out of the new dietary requirements.

Daren Bakst, a research fellow in agricultural policy at the conservative Heritage Foundation, says the 2010 bill is based on “the underlying assumption that federal technocrats and people like Michelle Obama need to act on everyone else’s behalf to meet the best needs of their children. It’s arrogance. And the lunch program isn’t working.”

The first lady hit back at the law’s opponents in a May New York Times op-ed piece. “Remember a few years ago when Congress declared that the sauce on a slice of pizza should count as a vegetable in school lunches? . . . We’re seeing the same thing happening again with these new efforts to lower nutrition standards in our schools,” she wrote. The new guidelines, she said, were “evidence-based” and relied on “the most current science” showing that kids needed less sugar, salt and fat in their diets.

Some critics of the House waiver proposal say it is the result of pressure from food companies worried that the new requirements will hurt their food sales to schools. “I am astonished,” says New York University’s Nestle. “This is simply politics as usual in Washington. The food industry couldn’t get its way so it did an end run and got Congress to overturn the work of countless committees and experts.”

The White House has threatened to veto any bill that contains the waiver, and House Republicans repeatedly have delayed a vote on the measure by the full House.

Nancy Brown, CEO of the American Heart Association, said, “By giving special interests a seat at the school lunch table, some members of Congress are putting politics before the health of our children.”

“The House waiver proposal is an attack on kids’ health dressed up as a favor to schools, when in fact 90 percent of schools are already meeting the new healthy lunch standards, helping kids eat more fruits, vegetables and whole grains,” said Margo Wootan, nutrition policy director at the Center for Science in the Public Interest, a consumer advocacy organization. A USDA fact sheet on the new nutrition standards reports that more than 90 percent of schools are successfully meeting them, food waste has not increased and children are eating more fruits and vegetables.

Wootan says of the House measure: “Perhaps it’s more a favor to the pizza companies, french fry makers, steel can manufacturers and any number of corporate special interests that think the school lunch program is their own ATM.”

Donna Martin, school nutrition director of Georgia’s Burke County School District, takes the long view: “Whenever you change something, the kids complain, ‘We’re not eating this,’ ” she said. “But they get over it. You just have to give them time.”

Elizabeth Pivonka, president of the Delaware-based, produce-industry-backed Produce for Better Health Foundation, says, “Some children just don’t like being told what they must do, and it takes time for some to change their eating habits.

“We have also seen that when they have some control over what they are served, say via a salad bar or where they have helped design a menu, they are often more eager to eat fruits and vegetables,” she says.

**BACKGROUND**

**Rise of Industrial Farming**

The nation’s food culture has evolved over the centuries due to a unique combination of factors, including, “The food gathering and cultivation methods of native peoples; America’s successive waves of immigration in the colonial and antebellum periods; and 20th century revolutions in agricultural and cooking technologies,” according to a 2002 exhibition on America’s culinary heritage at Cornell University.

Between 1860 and 1910 the number of farms in the United States more than tripled, to about 6.4 million, and total farm acreage in production quadrupled.

The invention of synthetic fertilizers in the early 1900s led to a dramatic increase in crop harvests, more than doubling the number of people that could be fed from a hectare of land (2.47 acres). American farmers, who produced 173 million bushels of wheat in 1859, were producing 945 million bushels by 1919.

Fertilizer helped usher in the industrialization of the U.S. food system in the 20th century, as farms became more mechanized, specialized and efficient. But with growing industrialization came calls for legislation to regulate the food industry.

In 1889 the first pure food and drug bill was proposed to control the sale of patent medicines, but was defeated, as were several others that followed.

The food industry fought any attempt to regulate foods as government in-
terference. In 1902 an official from a large food distributor said, “Make us leave preservatives and coloring matters out of our food, and [make us] call our products by their right name and you will bankrupt every food industry in the country.” 56

It was muckraking journalist Upton Sinclair’s popular 1906 book, The Jungle, that helped convince the public and legislators that the food industry needed to be regulated. The novel was based on Sinclair’s research at meatpacking plants and included nauseating scenes of spoiled meat being sold, unsanitary processing and even workers falling into rendering tanks and being ground along with animal parts. “I aimed at the public’s heart and by accident I hit it in the stomach,” said Sinclair.

Within months of The Jungle’s publication, Congress passed the Federal Meat Inspection Act, establishing inspection standards for meat processing plants. The same day that President Theodore Roosevelt signed the meat inspection law he signed the Pure Food and Drug Act of 1906, which banned adulterated or mislabeled food and drug products from interstate commerce. It also established a Bureau of Chemistry within the Department of Agriculture to inspect products, which in 1930 became the Food and Drug Administration.

The early 1900s also saw the introduction of ready-to-eat foods. Chemicals, such as preservatives and colorings, were added to foods during processing to extend life and make food more attractive to consumers. Oreos went on sale in 1912, Kraft processed cheese in 1915 and Hostess CupCakes in 1919. In the 1920s Clarence Birdseye, a New York taxidermist, perfected a system for flash-freezing vegetables, and the first quick-frozen vegetables, fruits, seafoods and meat were sold in 1930.

Kraft’s cheese, popular with consumers for its long-lasting qualities, is an excellent example of how processed foods would change the food marketplace. Kraft’s innovation “tapped into a changing food ethos among American housewives and served as a model for processed food to come — products that were attractively packaged, nationally advertised, longer lasting, more convenient and of inferior nutritional value,” noted Melanie Warner, author of Pandora’s Lunchbox: How Processed Food Took Over the American Meal. 57

After World War II, domestic and international demand for crops soared, pushing American agriculture to become more industrialized. Diversified farms, where farmers raised a variety of crops and animals, began to be replaced by highly specialized, monoculture operations that produced single crops across vast acreages. Improved fertilizers, pesticides and mechanization changed the face of farming, creating so-called “mega-farms” or “factory farms” that specialized in a single crop, such as corn or soybeans. The average farm size rose from around 205 acres in 1950 to almost 400 acres in 1969. 58

The big farms often supplied food to support the nation’s growing fast- and frozen-food industries — which demanded standardized and quality-controlled products. McDonald’s quickly became the nation’s biggest buyer of potatoes, apples and beef.

By the 1970s, another boom in domestic and international demand helped American farmers prosper, and the government began rewarding production instead of limiting it. 59

A European-inspired movement to eat locally sourced, organically grown foods from smaller farms began to take hold in the 1970s.

**Back to the Land**

Organic farming has been practiced in the United States since the 1940s, but a growing demand for pesticide-free food in the 1960s and ’70s — during the birth of the U.S. environmental movement — spawned the modern organic food industry.

Many consumers were alarmed by books criticizing modern farming methods and the dangers of excessive pesticide use, such as Rachel Carson’s 1962 classic Silent Spring. They began demanding foods grown without man-made pesticides and other chemicals and sought out farmers who used non-chemical pesticides and herbicides and other environmentally friendly, or “sustainable,” farming methods. The movement also attracted growing numbers of people interested in a “back to the land” alternative lifestyle that reconnected them with nature.

Although there was general agreement about what constituted organic farming, there were no national standards for organic food and animal production until 1990, when Congress passed the Organic Foods Production Act (OFPA). Only foods that meet those federal guidelines can be labeled “organic” and must be from farms certified as organic by a USDA-accredited entity.

Organic food producers and sales have grown steadily. In 2012, 12,771 organic-certified farms existed in the United States, according to the USDA, up 14 percent since 2008, and organic food sales reached $32.3 billion in 2013. 60

The rise in demand for organic foods has been driven in part by consumers wanting to avoid foods containing genetically modified organisms, which were introduced on a large scale in U.S. commodity crops such as corn and soybeans in the late 1990s. Under USDA regulations, foods certified as organic cannot contain GMOs.

Some consumers oppose GMO foods on the grounds that they have not yet been proved to be safe for consumption, a claim most scientists dispute. GMO critics have been pushing, so far unsuccessfully, for labels to be required on GMO foods. 61

Also in the 1990s, consumers became concerned about the amount of sugar

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1900s-1950s

Federal agencies begin regulating food; processed and frozen food goes on sale; farms become increasingly mechanized.

1906
Congress passes Pure Food and Drug and Meat Inspection Acts.

1912
Oreos go on sale, followed in a few years by Kraft processed cheese and Hostess CupCakes.

1917
U.S. Department of Agriculture (USDA) issues standards for grading potatoes and meat.

1926
Clarence Birdseye pioneers quick-freezing and frozen food.

1933
Congress approves the first farm bill to support the prices of commodity crops like corn.

1939
USDA issues standards for a frozen product — peas — and publishes the first daily nutrition guide.

1948
McDonald brothers apply assembly-line techniques to cooking hamburgers. . . A doughnut shop opens that will become Dunkin’ Donuts.

1958
Worried about the burgeoning use of additives, Congress passes the Food Additives Amendment, which establishes the “generally recognized as safe” (GRAS) standard.

1962
Rachel Carson publishes Silent Spring, revealing the dangers of pesticides on the environment.

1966
Child Nutrition Act requires federal regulations for school meals.

1969
USDA’s Food and Nutrition Service begins operations.

1971
Chef Alice Waters opens Chez Panisse in Berkeley, Calif., using locally sourced organic produce.

1972
Congress establishes Environmental Protection Agency.

1980s-1990s

Genetically engineered crops appear; Congress sets up an organic-certification process.

1983
Researchers develop first genetically engineered plant.

1990
Congress passes Organic Food Production Act, establishing nationwide standards for organic food.

1994
Studies show nearly 23 percent of American adults are obese.

1997
Revised GRAS program allows food additive industry to self-regulate.

2000s-Present

Federal oversight of food production increases; processed food comes under closer scrutiny.

2002
A genetically engineered tomato is the first food to be nutritionally improved with the help of biotechnology.

2004
Morgan Spurlock’s “Super Size Me” documentary triggers a debate about fast food.

2009
First lady Michelle Obama plants an organic garden at the White House.

2010
Congress passes Healthy, Hunger-Free Kids Act of 2010, setting nutritional guidelines for federally funded school lunches.

2012
Food sales reach $81.3 billion, up 13.5 percent from 2011.

2013
In response to changing tastes, McDonald’s adds fruit and vegetables to its menu.

2014
The documentary “Fed Up,” attacking the amount of sugar in American processed foods and beverages, opens nationwide. . . The number of farmers markets in the United States has risen five-fold since 1994, from 1,755 to 8,268. . . Rep. Rosa DeLauro proposes the Sugar-Sweetened Beverages Tax Act (SWEET Act), which would impose a tax on sugary soft drinks. . . Consumer groups sue the U.S. Food and Drug Administration, claiming its revised GRAS procedures do not adequately protect the public.
Dueling Food Studies Confuse Consumers

Conflicts of interest often plague nutrition studies.

Butter is bad for you. Butter is good for you. Salt is harmful. Salt is healthy. Saturated fats are a no-no. Saturated fats are not so bad. It’s no wonder consumers are confused about nutrition and healthy eating.

A recent study showed that conflicting news stories about nutrition and health confound readers and make them likely to ignore the contradictory information as well as widely accepted nutritional advice, such as the importance of eating fruits and vegetables and exercising regularly, said the study’s author, Rebekah Nagler, an assistant professor at the University of Minnesota School of Journalism & Mass Communication in Minneapolis.

Analysts cite three causes for the problem: Reporters may be too quick to sensationalize a story, critics say, or simply get the facts wrong. Others say scientists might disagree about their conclusions, or vested interests on opposite sides of a debate may be skewing the results of studies without clearly revealing their conflicts of interest.

Robert Lustig, a pediatric endocrinologist and a University of California professor of clinical pediatrics, criticizes the media. “Nutrition is a complex subject and requires knowledge and expertise that many journalists just don’t have,” he says. “We need more reporting based on solid science.”

Examples are not hard to find. A 2013 Australian study found that mice fed a high-fat diet and given a large dose of chlorogenic acid (a naturally occurring acid in coffee beans) and one of the primary plant compounds in coffee developed more fat than other mice. The mice, of course, had drunk no coffee, but the headlines said: “Drinking 5 cups of coffee will lead to obesity” and “Wrong amount of coffee could kill you.”

When The New England Journal of Medicine published the results of a recent study examining the health effects of sodium, different publications emphasized different aspects of the findings. The Wall Street Journal headline stressed that using too little salt could be dangerous: “Low-salt diets may pose health risks, study finds.” Science Daily began its article on the same study with a different slant: “More than 1.6 million cardiovascular-related deaths per year can be attributed to sodium consumption above the World Health Organization’s recommendation of 2.0 g per day.”

The second problem involves conflicts of interest that plague many nutrition studies. “It’s important to find out if a person conducting a study was funded and who funded them,” says nutrition professor Marion Nestle of New York University. That’s the first thing she checks when evaluating a study, she says. (Many journals require authors to report any potential conflicts of interest when they publish their work.)

Even studies that appear to be “scientific” should be examined closely for bias, experts say. When researchers recently examined studies investigating a link between sugary sodas and obesity, they found that all the studies that had been supported by the beverage industry found no link. But 10 of the 12 studies with no conflict of interest found a link.

In a 2013 paper “Myths, Presumptions, and Facts About Obesity” in The New England Journal of Medicine, the authors claimed, among other things, that there is no proof that “snacking contributes to weight gain and obesity.” Some nutritionists who questioned the article’s findings noted that the authors had received funding, grants or support from scores of food and beverage companies, including Coca-Cola, McDonald’s, Kraft Foods, General Mills, PepsiCo, Red Bull and the World Sugar Council.

In 1997, under pressure from the food industry and Congress to speed up its additive certification program, the FDA began allowing manufacturers to certify that their food additives were generally recognized as safe (GRAS) — based on their own research — and the companies were not required to share that research data with the FDA. As a result, industry critics say, many food companies began using new additives without sending their research findings to the agency or even notifying the agency that they were using new additives.

In 2001 Eric Schlosser’s book, Fast Food Nation, followed in 2003 by Nestle’s Safe Food: The Politics of Food
Safety and Pollan’s *The Omnivore’s Dilemma*, helped jump-start what some have called the “good food” movement, a diverse collection of groups concerned about the shortcomings of industrial food production. The books and films “succeeded in making clear and telling connections between the methods of industrial food production, agricultural policy, food-borne illness, childhood obesity, [and] the decline of the family meal as an institution,” Pollan said. 65

Adding to the confusion, the food and beverage industries fund numerous nonprofit organizations whose purpose is to rebut food activists’ claims. For example, the nonprofit Center for Consumer Freedom, financed by food companies and restaurants, regularly attacks activists whose views it disagrees with. The group calls Nestle a “food fascist” and the Center for Science in the Public Interest (a Washington-based research group that examines nutrition, health and food safety issues) “the joyless eating club.” 8

Like many nutrition experts, Nestle advises consumers to closely check the conflict of interest notes in each scientific study for potential conflicts and bias. Others recommend respected nutrition sites, such as the Harvard School of Public Health’s “The Nutrition Source.” 9

— Robert Kiener


Media reports are often blamed for sensationalizing science stories, or just getting the facts wrong. Reports on a 2013 study about mice erroneously concluded that drinking five cups of coffee could lead to obesity.


Going Gluten Free: Fact or Fashion?

Some experts warn that the popular diet may be harmful.

Until recently, the only consumers who scoured grocery shelves for foods without gluten — a protein found in barley, rye and wheat — were those suffering from celiac disease, an autoimmune disorder. For them, consuming gluten can lead to iron deficiency, abdominal pain, diarrhea and other problems.

But only about 1 percent of the population suffers from celiac disease. To help them avoid gluten, the Food and Drug Administration in August implemented new labeling rules defining what the “gluten free” label on packaged foods means: The products must contain fewer than 20 parts per million of gluten.

Despite the small percentage of celiac sufferers who avoid gluten for medical reasons, millions of Americans without the disease are opting for gluten-free diets. In a 2012 survey, nearly one-third of respondents said they were trying to eliminate or reduce gluten.

The growing popularity of gluten-free diets has sparked a spirited debate among scientists and others. “There’s no scientific evidence that [a gluten-free diet is] better for you if you don’t have celiac disease,” said Carol M. Shilson, executive director of the University of Chicago Celiac Disease Center.

Seeing a profitable new market to exploit, the food industry has responded to the increased demand for gluten-free products: Items ranging from bacon to chicken nuggets to cereals and pancake mix now feature gluten-free labels. Even foods that never contained gluten, such as Chobani Greek Yogurt or Green Giant vegetables, are being marketed as gluten free.

Sales of such products have doubled in the past four years, to $23 billion. Since General Mills began selling gluten-free Rice Chex in 2008, sales of the cereal have risen by double digits annually. The company now labels more than 600 products as gluten free.

Facebook has more than 1,000 groups with gluten free in their name, including a dating group called “gluten-free singles.” There’s even a magazine called Gluten-Free Living. A typical article, “Gluten-Free Wedding Bliss,” details how the author “planned a completely gluten-free reception, and you can too.”

Some of the demand is driven by the popularity of best-selling diet books such as Grain Brain, Wheat Belly and the Paleo Diet, which shun wheat and other grains and link modern wheat varieties to obesity, diabetes, heart disease and even autism and Alzheimer’s Disease.

According to David Perlmutter, a neurologist and the author of Grain Brain, in the last 40 years people have become addicted to gluten, which he calls “a modern poison.” New wheat hybrids have greatly increased the amount of gluten in wheat-derived products, Perlmutter contends, drastically increasing gluten sensitivity and overwhelming the immune system’s ability to respond normally to gluten. (People are considered gluten sensitive if their bodies react badly to gluten but they do not have celiac disease.)

Perlmutter estimates that up to 30 percent of the population could be gluten sensitive today. He attributes that to the overuse of antibiotics, anti-inflammatory drugs and other medications, which, he says, when coupled with modern wheat varieties, have disturbed the bacterial balance in the gut. “This leads to inappropriate and excessive reactions to what might otherwise have represented a nonthreatening protein like gluten,” says Perlmutter.

William Davis, a cardiologist and author of Wheat Belly, says modern wheat varieties “raise blood sugar higher than nearly all other foods, including table sugar and many candy bars,” leading to weight gain, diabetes, arthritis, cancer and heart disease.

Some consumers avoid gluten because of a study, published last April in Rheumatology International, indicating that a gluten-free diet can help alleviate fibromyalgia, a disorder characterized by widespread musculoskeletal pain and fatigue, often accompanied by irritable bowel syndrome, anxiety and depression.

But skeptics abound. Time magazine’s science and technology editor, Jeffrey Kluger, calls the gluten-free trend “a whole lot of ... hooey, a result of trendiness, smart marketing, Internet gossip and too many people who know too little about nutrition saying too many silly things.”

“There are a lot of people who think that if they see something with a gluten-free label, it’s healthier,” said Tricia and food-safety proponents — along with animal-welfare groups and farm reformers — extoll the benefits of smaller, more sustainable farming. Others have pressed government to better regulate additives, antibiotics and synthetic agricultural chemicals.

Retailers have listened. Organic food sales rose, as did the number of farmers markets. Supermarkets, led by chains like Whole Foods, catered to a growing demand for healthy foods. The chain’s sales rose from $8 billion in 2009 to $12.9 billion in 2013, and profits more than tripled. Wal-Mart expanded its Wild Oats Marketplace organic foods brand and offered it nationwide — soon becoming the nation’s largest seller of organic foods.

In response to changing tastes and to compete for health-conscious customers, McDonald’s announced in 2013 that it was adding more fruit and vegetables to its menu.

Washington also got involved. First lady Michelle Obama oversaw the planting of a vegetable garden at the White House and later urged the food industry to “entirely rethink the products that you’re offering, the information that you provide about these products and how you market those products to poor children.”
Thompson, a registered dietician who specializes in gluten-free diets. "And that's simply not true." 12

David Katz, director of the Yale-Griffin Prevention Research Center, said that while a gluten-free diet is beneficial to people who react badly to gluten, "for everyone else, going gluten free is at best a fashion statement . . . and at worst an unnecessary dietary restriction that results in folly." 13

Perlmutter has his scientific supporters, however. Gerard E. Mullin, associate professor of medicine at The Johns Hopkins School of Medicine in Baltimore and author of The Inside Track: Your Good Gut Guide to Great Digestive Health, has called Perlmutter's book a “scientific account of how diet profoundly influences nerve health and brain function” and of “how the American diet rich in gluten and inflammatory foods is linked to neurological conditions.” 14

Some health experts warn that a self-administered gluten-free diet can make it harder to diagnose celiac disease and that if dieters have the disease and don’t follow the gluten-free program properly they can harm their bodies. 15 And some nutritionists warn that a gluten-free diet could lead to a drop in needed nutrients and fiber. 16

Davis warns against eating processed gluten-free foods, which usually contain rice flour, cornstarch, tapioca starch and potato flour. Such flours “are packed with highly digestible, high-glycemic index carbohydrates [that] send blood sugar through the roof,” he said. 17

And going gluten free can be expensive. According to one study, gluten-free foods are 242 percent costlier than their gluten-containing counterparts. 18

— Robert Kiener

4 Jargon, op. cit.
5 Ibid.
6 Ibid.
9 See the FAQs on Perlmutter’s website at http://tinyurl.com/popwgd.
15 Ragovin, op. cit.
18 Ragovin, op. cit.

Her “Let’s Move!” campaign focused attention on the need for a balanced diet to combat obesity and helped spur Congress to pass the 2010 Healthy, Hunger-Free Kids Act, which authorized new nutritional standards for federally funded school lunches.

But there was also pushback. After animal rights activists began exposing poor conditions and abuses at farms and slaughterhouses across the country, the food industry backed restrictive state bills that made it illegal to take pictures or videos on a farm without the farmer’s consent. These so-called “ag-gag” laws were passed in Iowa, Missouri and Utah in 2011 and 2012, and submitted for consideration in 10 state legislatures — Arkansas, California, Indiana, Nebraska, New Hampshire, New Mexico, Pennsylvania, Tennessee, Wyoming, and Vermont — last year. Some are being challenged as unconstitutional.

The food industry complained that food choice was a personal responsibility, and denied links between diet and obesity or other health conditions. Industry-backed groups lobbied successfully against proposed soda taxes and federal standards for marketing foods to children. Other groups fought proposed changes to nutrition labeling.
such as making serving sizes larger to more realistically show how much sugar, sodium and calories are contained in a typical serving.

Consumer activists and others accused some food industry supporters of using tactics similar to those tobacco companies once used to defend their products, including disputing links between their products and illness, marketing to juveniles, using front groups to spread their message and insisting on self-regulation.

The food and beverage industries have backed up their lobbying efforts with big spending. In 2009 the American Beverage Association, Coca-Cola and PepsiCo spent more than $40 million lobbying Congress to help defeat a proposed soda tax, and between 2009 and 2012 food industries more than doubled their spending in Washington. In contrast, the Center for Science in the Public Interest, the lead lobbying force for healthier food, spent about $70,000 lobbying in 2011 — about what the food industry spent every 13 hours, according to an analysis by Reuters in 2012.

“At every level of government, the food and beverage industries won fight after fight during the last decade,” Reuters reported. “They have never lost a significant political battle in the United States. . . . In the process, they largely dominated policymaking — pledging voluntary action while defeating government proposals aimed at changing the nation’s diet . . . .”

After a rash of outbreaks of food borne illnesses, such as E. coli and salmonella, shook consumer confidence in the 2000s, in 2011 President Obama signed into law the FDA Food Safety Modernization Act. The first major piece of federal legislation addressing food safety since 1938, the law gave the FDA new powers to regulate how foods are grown, harvested and processed as well as the authority to recall foods.

But the FDA has refused to re-examine carrageenan’s GRAS classification and continues to rely on industry-funded studies. It denied a petition for a review of the additive’s safety filed by Joanne Tobacman, a University of Chicago physician and professor who submitted studies linking the additive to diseases.

The Grocery Manufacturers Association insists that its proposed database will confirm the accuracy of industry assessments of the safety of food additives. Bruner, at the GMA, said the initiative is “a big step forward for the industry” and that it’s important that the GMA “communicate to the world that we’re taking the lead on this.”

This is the right time for the food industry to rethink how it approaches food chemicals, he added, “in part because the entire food safety system is being redesigned under the Food Safety Modernization Act.”

Pandora’s Lunchbox author Warner says the FDA has been unable to keep up with the food industry’s push for new additives. “The food industry’s blistering pace of innovation and the force of its lobbying efforts have always overwhelmed those charged with reining it in,” she wrote.

“In the five decades since Congress gave the FDA responsibility for ensuring the safety of additives in the food supply, the number has spiked from 800 to more than 9,000, ranging from common substances such as salt to new green-tea extracts,” reported The Washington Post.

The FDA has asked the food industry to voluntarily disclose its GRAS determinations and notify the agency before using new additives. “We are supportive of any initiative that promotes scientific rigor and transparency to independent GRAS determinations,” FDA said in a statement.

But such FDA declarations do not convince Laura MacCleery, chief regulatory affairs attorney for the Center for Science in the Public Interest. “That

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Should the government tax sugary soda?

**Michael F. Jacobson**

**Executive Director, Center for Science in the Public Interest**

**Written for CQ Researcher, September 2014**

"Big soda" has big denial issues. Whether it's the mounting scientific evidence of the diseases related to soda or the meaningful policy reforms needed to address those health effects, "big soda" responds with denial.

That's why the industry's response to Rep. Rosa DeLauro's Sugar-Sweetened Beverages Tax Act (SWEET Act) is so predictable. The bill is a bold, common-sense initiative to tax the sugar or other caloric sweeteners in sugary drinks at a rate of 1 cent per teaspoon, potentially raising $10 billion for the prevention and treatment of tooth decay and other soda-related diseases.

The measure also would direct prevention and treatment funds to populations that disproportionately bear the burden of soda-related diseases. According to the Department of Health and Human Services, Hispanic-Americans are 20 percent more likely to be obese than white Americans and 50 percent more likely to die from diabetes, while African-Americans are 50 percent more likely to be obese than white Americans and more than twice as likely to die from diabetes. Capturing the real social costs of sugary drinks and directing resources to critical public health needs is sound public policy.

By taxing the sugar and other caloric sweeteners in sugary sodas, the SWEET Act could spur the soda industry to produce healthier beverages. Instead, we have seen the industry respond to the decline in soda consumption by moving into high-sugar "energy drinks," as evidenced by Coca-Cola's recent purchase of a stake in the Monster Energy Drink franchise.

As for the legislation itself, "big soda" came out with its usual potted talking point: Obesity is complex, and you can't tax your way to health. Obesity and the other soda-related diseases are indeed complex, but the math on the health impact of sugar drinks is pretty simple. A 12-ounce cola contains a little more than nine teaspoons of sugar, according to the U.S. Department of Agriculture. The American Heart Association recommends that an average woman limit her daily consumption of added sugars to six teaspoons, and a man to nine.

Sugar drinks are nutritionally worthless, adding totally unnecessary calories to our diet. The overwhelming scientific evidence concludes that soft drinks are the only food or beverage that increases the risk of obesity and diabetes, cardiovascular disease and many other health problems.

The federal excise tax proposed in the SWEET Act charts a path toward improved health in the United States.

**Jayson L. Lusk**

**Regents Professor and Willard Sparks Endowed Chair of Agricultural Economics, Oklahoma State University**

**Written for CQ Researcher, September 2014**

Should the government tax sugared soda? It already does. Farm policies make U.S. sugar prices two to three times higher than elsewhere. Moreover, ethanol policies have led to a more than doubling of the price of high fructose corn syrup since 2005. It's no wonder that per capita sugar consumption has fallen precipitously over the last decade.

Yet sugar tax advocates, either failing to understand the complex effects of existing policies or simply wanting more taxes, call for higher prices still. Increasing the price of sugared sodas will no doubt lower soda consumption, but by how much? And at what cost?

Numerous studies show that sugar tax policies have very small effects on a person's intake and weight. When sodas are taxed, consumers substitute other caloric foods or drinks, such as fruit juice or alcohol. That is one reason why some analysts argue that only across-the-board food taxes will significantly affect weight. The problem with food taxes, however, is that they are regressive, meaning the burden is disproportionately borne by the poor, who spend a larger share of their income on food than the rich.

Fundamentally, what philosophical basis motivates the view that soda taxes will increase consumers' well-being? Taxing soda is analogous to reducing consumers' real income. Few people look forward to a pay cut. It is true that excess soda consumption will to lead to health problems, but we also care about consuming tasty, satisfying food and beverages. Life is full of difficult trade-offs, and it is problematic, and paternalistic, for a third party to deem another person's choices "wrong," given that different people have different preferences and incomes. If people do not understand the risks of sugar consumption, then the appropriate policy response is information, not a tax.

Even if tax revenues could be directed toward education programs, one would need to show how the benefits of extra information offset the loss of that tax revenue, since there is scant evidence that nutritional education works. There are already several public and private health information campaigns, and it is unclear what effect yet another would have.

Obesity is a complicated issue. Soda taxes often appear to be a simple (if partial) solution for a big problem. But as witnessed by Denmark's recent decision to rescind its version of the "fat tax," the consequences and impact of such taxes are anything but simple.
this [database] is seen as a step forward neatly illustrates the dysfunction built into the current system,” she said. “It is outrageous that FDA doesn’t already have the identity, much less the safety data, of all the substances added to the nation’s food supply.”

However, the soft drink industry has long questioned claims that health issues such as obesity are linked to the consumption of soft drinks, often noting that while soft drink consumption has declined recently, obesity rates have continued to rise. “There is no scientific evidence that connects sugary beverages to obesity,” Coca-Cola’s president of North America Brands, Katie Bayne, said in 2012. But Marlene B. Schwartz, director of the Yale Rudd Center for Food Policy and Obesity, says emphatically, “There are dozens of research studies documenting that sugary drinks significantly increase the risk of obesity, as well as Type 2 diabetes and metabolic syndrome,” which is a group of risk factors that occur together and increase the risk for coronary artery disease, stroke and Type 2 diabetes. “There is absolutely no question that Americans will be healthier if they reduce their consumption of sugary drinks.”

The new initiative by the soda industry builds on the companies’ earlier initiatives to reduce the calories in soft drinks sold on school campuses and in vending machines in public buildings. “The focus really will be on transforming the beverage landscape in the U.S. over the next 10 years,” said Neely.

But critics of the industry scoffed at the initiative, noting that consumption of high-calorie beverages has been declining in recent years. “What better way to get a public relations boost than to promise to do what’s happening anyway?” said Kelly Brownell, an expert on obesity and dean of the Sanford School of Public Policy at Duke University. Nestle, of New York University, pointed out that the soda companies have been vigorously fighting a slew of state and local proposals to regulate sugary soft drinks, ranging from New York’s failed effort to limit the size of soda containers to a proposed California bill that would require warning labels on such drinks. “While they’re making this pledge, they are totally dug in, fighting soda tax initiatives in places like Berkeley and San Francisco that have exactly the same goal,” said Nestle.

A proposal for a federal tax on sugary drinks has been introduced by U.S. Rep. Rosa L. DeLauro, D-Conn., and three Democratic co-sponsors. Dubbed the SwEET Act, the Sugar-Sweetened Beverages Tax Act would impose a 1-cent tax on each teaspoon of sugar in soft drinks, or about 15 cents on a 20-ounce bottle of Coca-Cola. (See “At Issue,” p. 833.)

“The United States is facing a health crisis and the SwEET Act will help correct the path we are currently on,” says DeLauro. The estimated $10 billion a year that would be generated by DeLauro’s proposal would fund prevention, treatment and research for diet-related health conditions. The measure is pending in the House Energy and Commerce Subcommittee on Health.
The soda tax is an old idea that voters have rejected time and time again,” says Christopher Gindlesperger, spokesperson for the American Beverage Association. “People don’t support taxing of grocery items such as soft drinks.”

Although DeLauro’s bill has almost no chance of passing in the Republican-dominated House, she insists, “We cannot rely on industry to deal with this problem voluntarily. If I have to introduce the bill in another session I will.”

In California soda tax bills will be voted on in San Francisco and Berkeley in November.

OUTLOOK

Slow Change

Advocates of the good-food movement predict that over the next decade the availability of organic food, farmers markets, farm-to-table programs and interest in food issues will continue to grow.

“There should be good news in the future,” says Center for Science in the Public Interest Executive Director Michael Jacobson. “The prices of organic foods are dropping and many small farms alone can’t feed the world, which is expected to reach a population of 11 billion by 2100. Farm-to-table is a great idea but it is not scalable nationwide,” says Lusk, of Oklahoma State University. “There’s no way we can rely on small farms to feed the nation or as much of the world as we are feeding now.”

Many good-food activists are optimistic about the future of the movement, citing past successes in food nutrition labeling, banning many harmful additives and trans fats and regulating organic foods. But, they say, change comes slowly. “Forty years ago you had a hard time finding yogurt, brown bread or brown rice in supermarkets, and few people talked about nutrition,” says Jacobson. “We’ve made real progress spreading the message about eating healthily, and we will make more.”

Although the food and beverage industries have often resisted change, many experts think market forces will eventually force manufacturers to respond to a growing consumer demand for more nutritious, safer foods.

“For example, science is behind us on the dangers of consuming too much sugar,” says Lustig, of the University of California, San Francisco. “We just need to spread the message and educate the public, then the industry will react.”

6 For background, see Barbara Mantel, Preventing Obesity, CQ Researcher, Sept. 13, 2014, pp. 797-820.
9 Megan Durisin, “Here’s why healthy dining will be the next big thing in fast food,” Business Insider, May 1, 2013, http://tinyurl.com/c7r5rom.
12 Gallup Poll, “Nutrition and Food,” “How often, if ever, do you eat at fast food restaurants, including drive-thru, take-out, and sitting down in the restaurant — every day, several times a week, about once a week, once or twice

Notes
a month, a few times a year, or never?" http://tinyurl.com/qb87m82.
28 Ibid.
33 For background, see Marcia Clemmitt, “Sugar Controversies,” CQ Researcher, Nov. 30, 2012, pp. 1013-1036.
50 Ibid.
51 Suddath, op. cit.

**About the Author**

Robert Kiener is a freelance writer based in Vermont whose work has appeared in *The London Sunday Times, The Christian Science Monitor, The Washington Post, Reader’s Digest, Time Life Books* and other publications. For more than two decades he worked as an editor and correspondent in Guam, Hong Kong, Canada and England. He holds an MA in Asian studies from Hong Kong University and an MPhil in international relations from England’s Cambridge University.
55 Coclanis, op. cit.
57 Ibid., p. 38.
64 For background, see Richard L. Worsnop, “Reforming the FDA,” CQ Researcher, June 6, 1997, pp. 481-504.
66 McLure, op. cit.
68 Warner, op. cit., p. xvi.
70 Lusk, op. cit., p. 85.
73 Ibid.
76 Kindy, op. cit.
77 Ibid.
80 Kindy, op. cit.
86 Strom, op. cit.
87 Ibid.
Books


A senior natural scientist at the RAND Corp. think tank argues that the modern food environment — featuring larger portions, lower prices and intensive advertising — is to blame for America’s obesity epidemic.


A professor of agricultural economics at Oklahoma State University criticizes food activists for not backing up their attacks on Big Food with scientific research.


A Pulitzer Prize-winning reporter investigates how food and beverage companies use sugar, salt and fat to entice consumers to overindulge in unhealthy foods and drinks.


Blaming Americans’ nutrition problems on the food industry’s drive for consumers to eat more, a New York University nutrition professor explores the politics and economics of food.


A leading activist in the food movement offers his view on how food moves from farm to table.


A seventh-generation farmer chronicles his struggles to save his family’s farm in an era of industrial farming.


A freelance writer details the health implications of eating heavily processed food.


Food’s future may include innovations as varied as holographic chefs, “healthy” chocolate, frozen kale treats, edible soil and protein bars made from insects.


Some Republican lawmakers are working to scale back the revamped school lunch program, the executive director of the Edible Schoolyard Project writes.


Although only a small percentage of Americans have medical reasons for removing gluten from their diet, millions of others have decided to become “gluten free.” How safe is their decision?


This deeply reported exposé reveals that companies have succeeded in weakening government oversight over the additives used in food processing and production.


After years of expansion and increasing sales, fast-food operations are beginning to slow, and some experts believe the industry has reached saturation levels.


A recent study shows a widening rich-poor diet gap, exacerbated during recent financial downturns.

Reports and Studies


A well-researched overview by policy specialists covers key strategies to reduce or prevent obesity.


Harvard University nutritionists critique the Department of Agriculture’s latest dietary guidelines for Americans and suggest changes.
Diet-Related Diseases


Low food prices and more readily available processed foods are contributing to rising obesity, according to a study funded by the RAND Corp. think tank.


People who eat fruit reduce their risk of heart disease by up to 40 percent, compared with those who eat none, according to a recent study.


A study suggests that people with Type 2 diabetes can manage weight and blood sugar levels better by eating two larger meals a day, rather than six smaller portions.

Food Safety


A study by the Centers for Disease Control and Prevention found that many processed foods still contain partially hydrogenated oils — a main source of trans fats — despite nutritional labels that say the products contain none. The Food and Drug Administration (FDA) has determined that trans fats are unsafe and moved to get companies to eliminate them from the U.S. food supply.


A large food industry trade group will share its database of food-additive safety information with the FDA beginning in 2015.

Gluten-Free Diets


An FDA requirement that took effect in August requires foods labeled “gluten free” to contain less than 20 parts per million of gluten.


Gluten-free dieting is becoming more popular and widely accepted, and the market for gluten-free products is expected to reach nearly $16 billion by 2016.


A dietician warns non-celiac, gluten-free dieters that processed gluten-free foods may contain more calories than wheat products and can cause nutritional deficiencies.

School Lunches


Some school districts are opting out of the federal school lunch program, in part because fewer students like the food being served under revised federal guidelines for healthy school lunches.


Poorer school districts are struggling to offer menus that are tasteful and adhere to National School Lunch Program guidelines that took effect in 2012.


A study by Los Angeles County researchers finds that only about half of middle school students chose and ate fruit from lunch lines, even lower results for vegetables.
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