ASK NOT WHAT PRODUCT LABELING CAN DO FOR YOU

David Schleifer explains how nutrition information can change the way food gets produced.

And there’s still much more to consider. The fronts of the packages make dozens of health claims like “Sugar free,” “Low fat,” or “Contains reduced sodium.” Some packages also tell you that their contents are “A Good source of calcium and 4 per cent of your iron. This combined total on Nutrition Facts labels as “saturated fats.” While acknowledging that trans fats and saturated fats are chemically distinct, CSPI maintained that its goal of labeling was for consumers to see a single number telling them how much ostensibly unhealthy fats each product contained.

But while they were labelled and how much producers would replace trans fats in anticipation of consumers avoiding them.

For CSPI, in other words, labeling was not “trans fats free.” While the FDA finally finalized trans fat labeling in 2003, with the rules scheduled to take effect in 2006. The agency indeed decided that manufacturers would list trans fats separately from saturated fats on Nutrition Facts panels in order to “prompt … the food industry to reformulate some of their products to offer lower trans fat abnormalities” (FDA 2003, 41457).

But the FDA wrestled with how to render trans fats on labels in order to achieve these effects. Should they group them together with saturated fats in one number as CSPI’s petition had suggested? Or should labels distinguish between the two types of fats? I analysed the letters that food manufacturers, editors of journals, and trade associations sent to the FDA after it published its refined health claims proposal and found that industry actors strongly favoured distinguishing between the two fats (Schleifer 2010). Manufacturers, suppliers, and trade associations were already working on alternative varieties of milieus that could be used to replace trans fats. Firms like Pﬁtz-Lay, for example, reasoned that if it labelled categorised trans fats separately from saturated fats, then consumers would be able to see whether or not products contained trans fats. This would provide manufacturers with incentives to continue investing in trans fats alternatives. Pﬁtz-Lay, the biggest snack food manufacturer in the United States, had started collaborating with the National Sunﬂower Association on varieties of sunﬂowers that could be used as trans fats alternatives almost as soon as the FDA began to consider CSPI’s petition.

Note that I say “zero grams trans fats” and not “trans fat free.” The FDA’s ﬁnalised trans fat labeling in 2003, with the rules scheduled to take effect in 2006. The agency indeed decided that manufacturers would list trans fats separately from saturated fats on Nutrition Facts panels in order to “prompt … the food industry to reformulate some of their products to offer lower trans fat abnormalities” (FDA 2003, 41457). Whileﬁrms had argued to be able to proclaim on packages that their products were “trans fat free” or “low in trans fats,” the FDA laboriously reached the decision to disallow those particular types of health claims.

Nonetheless, according to the major packaged food trade association, at least 10,000 American food products had been reformulated to replace trans fats by 2009. In other words, by the time food packages began telling Americans about trans fats, trans fats were mostly gone. Nutrition labeling may on its face seem to be about convincing individuals to govern themselves. But labeling may also be designed to convince producers to mitigate risks long before products appear before consumers. You cannot ignore this risk all as they plough through their Cool Ranch Doritos – 160 milligrams of sodium per serving, 2 grams of protein and 4 per cent of your daily phosphorus.

Social scientists have had quite a bit to say about the nutrition information on food labels and about health information more generally. Some praise the communicative function of such information as a soft but effective way of convincing individuals to take responsibility for their health. But many others critique such approaches for imposing upon us a duty to know and manage risks to our health. Nikolai Rosse has written about how standardised health information is meant to engender prudential self-governance among individual citizen-consumers. Describing the advent of calorie measurement in the 19th century, Jessica Mudry (2006: 67) has argued that “applying quantification to food and the American eater” allowed the US government “to promote gastro-fiscal responsibility, dietary morality, and rational consumer action.” Ulrich Beck maintains that consumerism takes individuals “to risk absolves governments and industries of responsibility for mitigating threats to health, livelihoods and communities.”

But a closer look at how the FDA developed its newest food labeling regulation suggests that governing individual consumers is only part of what labeling does. And while there’s still much more to consider. The fronts of the packages make dozens of health claims like “Sugar free,” “Low fat,” or “Contains reduced sodium.” Some packages also tell you that their contents are “A Good source of calcium and 4 per cent of your iron. This combined total on Nutrition Facts labels as “saturated fats.” While acknowledging that trans fats and saturated fats are chemically distinct, CSPI maintained that its goal of labeling was for consumers to see a single number telling them how much ostensibly unhealthy fats each product contained.

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The packages also display standardised “Nutrition Facts” labels that tell you the number of servings per package and the amount of calories per serving. They also tell you how many grams of certain nutrients each serving contains as well as the percentage of the recommended daily intake of those nutrients for an “average” diet. A certain upper-middle brow brand of boxed macaroni and cheese, for example, contains 270 calories, 10 grams of protein, 2 grams or 10 per cent of your daily required dosage of saturated fat, 10 milligrams or 3 per cent of your required dosage of cholesterol, 2 grams or 8 per cent of your fibre, 2 per cent of your Vitamin A, not to mention 10 per cent of your calcium and 4 per cent of your iron. A closer look at how the FDA developed its newest food labeling regulation suggests that governing individual consumers is only part of what labeling does.