ASK NOT WHAT PRODUCT LABELING CAN DO FOR YOU

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

Walk into a grocery store in the United States and the food packages will have a lot to say, starting with a list of ingredients. For example, corn syrup, sugar, gelatin, dextrose, citric acid, starch, artificial and natural flavours, fractionated coconut oil, carnauba wax, beeswax coating, and artificial colours yellow number 5, red number 40, and blue number 1 add up to a bag of Haribo Gummi Bears.

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.

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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 tell you that their contents are a "Good source of dietary fiber" or a "Good source of folate". Others inform you that "Supportive but not conclusive research shows that consumption of EPA and DHA omega-3 fatty acids may reduce the risk of coronary heart disease."

These ingredient lists, Nutrition Facts and health claims are defined and approved by the Food and Drug Administration (FDA), which governs packaged foods in the United States. The FDA's website features a cheeky video of shoppers and clerks dancing around a supermarket, beseeching their fellow citizens to "Read the Label! Read the Label!," sung to the tune of the Hallelujah Chorus from Handel's Messiah. In the US, nutritionists and market researchers constantly mount studies to figure out whether Americans actually do read the label. Critics argue that packaged foods are inherently unhealthy precisely because they are in packages. Most Americans probably ignore it all as they plough through their Cool Ranch Doritos – 180 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 communication 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. Nikolas Rose 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 communicating to individuals about 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 labelling regulation suggests that governing individual consumers is only part of what labelling does. In 2006, a new line of 8 point Helvetica type appeared on the Nutrition Facts labels on food packages in the United States. This line disclosed how many grams of trans fats were contained in each serving. Trans fats are a type of dietary fat found in vegetable oil, usually soyabean oil, that has been subject to a process called partial hydrogenation. Trans fats entered American food in the early 20th century. In the early 1990s, it was decided that they raise consumers' risk of heart disease, perhaps even more than saturated fats supposedly do. But when the FDA first instituted Nutrition Facts labelling in 1994, trans fats were not singled out for quantification. They were lumped together with other fats under the category "total fat."

The FDA began to consider revising the label to include more information about trans fats in response to a 1994 petition from a consumer advocacy organisation called the Center for Science in the Public Interest (CSPI). CSPI's petition argued that food packages ought to provide "the necessary information regarding these heart-unhealthy fats" in order to "help consumers protect their health." Specifically, CSPI proposed that manufacturers should add up the grams of trans fats and the grams of saturated fats in their products and list the combined total on Nutrition Facts labels as "saturated fats." While acknowledging that trans fats and saturated fats are chemically distinct, CSPI maintained that the goal of labeling was for consumers to see a single number telling them how much ostensibly unhealthy fats each product contained.

For CSPI, in other words, labelling was all helping consumers manage their own exposure to risk. But the FDA saw the potential for broader effects. When the agency released its response to CSPI's petition in 1999, it plainly stated that its goal was not only to persuade consumers to eat less trans fats but also to persuade manufacturers to replace trans fats. The FDA developed elaborate models to project the interaction between how much consumers would avoid trans fats if they were labelled and how much producers would replace trans fats in anticipation of consumers avoiding them.

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, edible oil suppliers and trade associations sent to the FDA after it published its 1999 labelling proposal and found that industry actors strongly favoured distinguishing between the two fats (Schleifer 2013). Manufacturers, suppliers and trade associations were already working on alternative varieties of oilseeds that could be used to replace trans fats. Firms like Frito-Lay, for example, reasoned that if labels 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. Frito-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 fat alternatives almost as soon as the FDA began to consider CSPI's petition.

Monsanto was among the many seed firms developing trans fat alternatives, namely new varieties of soyabeans, for which they were eager to create a market. Monsanto wrote to the FDA arguing that "in order for the industry to pursue these technologies, it is desirable that labeling … allow recognition of nutritional advantages of food products offered in the marketplace." In other words, if labels tell consumers about trans fats, then manufacturers will reformulate foods so that they can market them as containing zero grams trans fats.

Note that I say "zero grams trans fats" and not "trans fat free." The FDA finalised trans fat labelling in 2003, with the rules scheduled it 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 alternatives" (FDA 2003, 41457). While firms had sought 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 labelling may on its face seem to be about convincing individuals to govern themselves. But labelling may also be designed to convince producers to mitigate risks long before products appear before consumers.

References

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