The Politics, Policy & Regulation of Economic Adulteration

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Economic Adulteration in the Press

How to avoid doctored food

Keeping it real: Prescriptions for avoiding doctored food

By Susan Taylor, Special to Tribune Newspapers

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Keeping it real: Are the foods you buy what you think they are? Is honey the real deal? What about truffle oil, pomegranate juice, saffron, pepper or lemon juice? (Bill Hogan/Chicago Tribune)
Type A

Authenticity results:

Hyson

US Importer: Hyson USA
Product of: Azerbaijan
Bottled in: Turkey

Ziyad

US Importer: Ziyad Brothers Inc.
Product of: Turkey
Bottled in: Turkey

Golchlin

US Importer: Overseas Food Dist.
Product of: Turkey
Bottled in: Turkey

“In our opinion, this product contains added sugar, citric acid and colorant. It contains little or no pomegranate juice.”

“In our opinion, this product contains little or no pomegranate juice. The solids are mostly added sugar, citric acid.”

“In our opinion, this product contains little or no pomegranate juice, it contains added sugar, citric acid, apple and pear juice.”
Upton Sinclair, *The Jungle*

1906: The original **Food and Drugs Act** is passed by Congress, signed by President Theodore Roosevelt.
- It prohibits interstate commerce in misbranded and adulterated foods, drinks and drugs.
- **The Meat Inspection Act** is passed the same day.

- Contains new provisions: Factory inspections, standards of identity, enforcement tools increased.
Economic Adulteration is Already Regulated(!)...

- Product adulteration for financial gain or competitive advantage is known as **economic adulteration**.
- The Federal Food, Drug and Cosmetic Act (Section 402) states that:
  - a food shall be deemed to be adulterated if any valuable constituent has been in whole or in part omitted or abstracted therefrom;
  - or if any substance has been substituted wholly or in part therefor;
  - or if damage or inferiority has been concealed in any manner;
  - or if any substance has been added thereto or mixed or packaged therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.
Who is enforcing the Regulations?

- FDA – Food Safety
- Customs – Trade
- States
- Industry
- Swiss Cheese Model of causation
But, why should we care?

- Consumers
  - Quality
  - Safety
- Industry
  - Honest Producers
  - Honest Retailers
- Disenfranchising
  - Food Safety
  - Government/Voters
Brand: Hyson
US Importer: Hyson USA
Product of: Azerbaijan
Bottled in: Turkey

Brand: Ziyad
US Importer: Ziyad Brothers Inc.
Product of: Turkey
Bottled in: Turkey

Brand: Golchin
US Importer: Overseas Food Dist.
Product of: Turkey
Bottled in: Turkey

Economic Adulteration in the market

Type A

Authenticity results:
- Hyson: Sept. 2009; Failed
  - Oct. 2009; Failed
  - Nov. 2010; Failed
  - Jan. 2011; Failed
  - Apr. 2011; Failed
- Ziyad: Dec. 2010; Failed
  - Jan. 2011; Failed
  - Apr. 2011; Failed
- Golchin: Jul. 2009; Failed
  - Sept. 2009; Failed
  - Oct. 2009; Failed
  - Mar. 2010; Failed
  - Aug. 2010; Failed
  - Nov. 2010; Failed
  - Jan. 2011; Failed

Typical Krueger Foods Lab Analysis
- Hyson: "In our opinion, this product contains added sugar, citric acid and colorant. It contains little or no pomegranate juice."
- Ziyad: "In our opinion, this product contains little or no pomegranate juice. The solids are mostly added sugar, citric acid."
- Golchin: "In our opinion, this product contains little or no pomegranate juice, it contains added sugar, citric acid, apple and pear juice."
Potential Solutions

- Communication between agencies
- Industry – Self-regulation
- Consumer Outcry
- Policy
  - FSMA
  - Standards of Identity (State or Federal)
  - New Legislation(?)
- Food Science
- Media