



## Summertime and the reading's not easy

*The current literature on the food industry isn't always a good news story*

It's summer. This is not the time for explaining some arcane point of food law. Nor is this the time for yet another lament on the many problems of our food regulatory system. Instead, I've been reading some new books at the cottage and wanted to share my thoughts. Alas, it is not a happy story.

Following up on her recent rant against the food industry in her 2002 book *Food Politics*, Marion Nestle's latest book, *What to Eat* (North Point Press, 2006), takes her readers for a walk up and down the grocery store aisle deciphering nutrition labels, providing advice on what to eat and taking every opportunity to criticize the food industry which, she says, keeps putting profits above everything else while damaging the environment and deliberately undermining the health of Americans. Biased and predictable, but the food industry will ignore it at its peril.

In *The Way We Eat: Why Our Food Choices Matter* (Rodale, 2006), bioethicist and long time animal rights activist Peter Singer (with Jim Mason) also organizes his book around food shopping and, big surprise, promotes a vegetarian and organic diet. It's nothing new, and not recommended.

However, there is a lot new in Michael Pollan's book *The Omnivore's Dilemma: A National History of Four Meals* (Penguin Press, 2006) and I highly recommend it. While generally just as critical of most parts of the food industry, and biased to its core, this book provides many fascinating insights and should be read by everyone in the business. I'll never eat another mushroom the same way again after reading about the biology of this wonderful, mysterious food. On the other hand, his diatribe against the industrial feedlot and slaughter operations is ill informed, one-sided and not a happy read for the meat industry. Pollan loses his initial enthusiasm for organic when he discovers that Big Organic now dominates what he calls "industrial organic." Organic producers and retailers will not like this part of the story. Nor will the cattle industry like his tracing of what happens to an animal from birth to the table.

The most interesting section of Pollan's book is the biological and economic history of corn and the fascinating explanation of how this one plant has come to dominate our modern food supply. Outlining the development of this peculiar grass native to Central America, Pollan provides a

wonderful chapter on "corn sex." He explains that the average yield of 20 bushels per acre as late as the 1920s has increased to today's 180 bushels per acre thanks to several technological developments, the discovery of synthetic nitrogen and the advent of the modern chemical fertilizer industry. Pollan describes how chemical fertilizers and government subsidies led to a massive surplus of corn in the United States. The resulting low prices were a significant factor in the switch from grass to corn-fed cattle. The discovery by a Japanese chemist of how to make High Fructose Corn Syrup (HFCS) then revolutionized the processed food industry when it was introduced in 1980. According to Pollan, HFCS is now the main source of sweetness in our diets, the cheapest calories in the supermarket and a leading cause of the looming public health crisis represented by obesity.

Everywhere you turn, books, movies and magazine articles are portraying Big Food like Big Tobacco. Think, for instance, of Eric Schlosser's book *Fast Food Nation* (Houghton Mifflin, 2001), a harsh critique of the American fast-food industry that is now being made into a movie. This trend cannot be a happy one for the food industry, and many companies are working hard to position themselves as Big Nutrition, a move that isn't easy in the face of so much bad publicity in the mass media.

Food production and processing is the second largest manufacturing sector in Canada. Can the food industry ignore the fact that a little rust, fuel inefficiency and the Japanese revolutionized the largest manufacturing sector in less than 30 years? The food industry spends hundreds of millions of dollars every year on advertising, and employs many of the most talented experts in advertising and social marketing. When are we going to see the food industry tell its side of the story, of convenient, safe, innovative, nutritious, low-priced food? How many summers will it be before we can read a best-selling book that counters the many myths and distortions that are now out there and that may already be having a bigger impact than we know?

In the meantime, have a safe and happy summer.

---

*Ronald L. Doering, BA, LL.B, MA, LL.D, practises food law in the Ottawa offices of Gowling Lafleur Henderson LLP. He can be reached at: [ronald.doering@gowlings.com](mailto:ronald.doering@gowlings.com)*