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# The Politics of U.S. Food Policy

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Claremont McKenna College

**The Politics of U.S. Food Policy**

An analysis of the link between lobbying, government regulation, and American public  
health.

Submitted to  
Professor Shanna Rose

By  
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For  
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**Abstract**

Throughout the 20th century, American farmlands, agricultural policy, and diets have seen dramatic transformations. The number of farms in America has decreased, but the average size of farms has increased. These larger farms are increasingly more industrialized and produce a short list of profitable, subsidized commodity crops. Similarly, changes in the American diet throughout the 20th and 21st centuries have reflected these shifts in the landscape of American farmland. Simultaneous to the evolution of American farms was an increase in federal involvement in American agriculture through policy that seems to encourage these trends. Although separating out the causes from the effects can be difficult, this paper attempts to understand the role that policy has played in a changing American farmland, the players behind American food and agricultural policy, and the implications these changes have had on the American diet.

### **Acknowledgements**

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## **Introduction**

During an address before Congress, President George Washington once stated that “it will not be doubted that with reference either to individual or national welfare, agriculture is of primary importance.” Washington was not the only American president to value agriculture and the future of farming. President Thomas Jefferson also said “agriculture is our wisest pursuit...and | cultivators of the earth are the most valuable citizens,” and President Abraham Lincoln described agriculture as “the great calling.”<sup>1</sup> Our earliest presidents knew that farming was vital in order to secure a stable food supply and critical for establishing a thriving nation. The importance of American agriculture and farmland has since been reiterated by 20th century presidents. President Ronald Reagan believed that America is “nothing without [its] farmers. They’re the backbone of the country. And everything [America] can do to help them helps our country and its future.”

In the 21st century, food and agricultural policy are too easily disregarded as irrelevant by the majority of Americans who inhabit urban or suburban areas. However, the success of the agriculture sector is still of vital economic interest to America as well. According to the U.S. Department of Agriculture’s (USDA) Economic Research Service, the agricultural industry along with other related industries contributed \$800 billion, nearly a five percent share, to the U.S. gross domestic product (GDP) in 2012. More than 16 million American jobs depend on agriculture, which is nearly 10 percent

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<sup>1</sup> "American Presidents on the Importance of Agriculture." *Farm Policy Facts*. 15 Feb. 2016. Web. 06 Apr. 2018.

of total U.S. employment with another 13 million jobs created through connected industries.<sup>2</sup>

U.S. food production in the 21st century looks nothing like the landscape of food production in the past. Farms of the 20th century, a time when nearly half of the country's population lived in rural areas, were small and family owned. These farms produced an average of five different commodities and employed close to half the workforce. In the 21st century, the agricultural sector is concentrated in a small number of large, specialized farms in rural areas where less than a fourth of the population lives. These farms are highly industrialized and instead now only employ only a small portion of the workforce. Since 1990, the number of farms has fallen by 63%, while the average size of farms have increased 67%. In addition to the increase in the size of farms, the crops produced by the American agricultural sector have also changed. By 2000, the average number of crops produced on a farm leveled off at one - where it remains today.<sup>3</sup> In 2004, 96% of U.S. cropland was dominated by the eight main commodity crops: corn (30%); soybeans (29%); wheat (23%); cotton (5%); sorghum (3%); barley (2%); oats (2%); and rice (1%). These crops are mostly harvested at large quantities, on industrialized farms, and by commercial farmers with average incomes of \$200,000 and net worths of \$2 million. Consequently, these farms receive more than

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<sup>2</sup> "Our View: American Agriculture Remains a Driving Force Behind America's Success." *Farm Policy Facts*. 20 Mar. 2015. Web. 06 Apr. 2018.

<sup>3</sup> United States. United States Department of Agriculture. Economic Research Service. *Agricultural Research*. By Carolyn Dimitri, Anne Efland, and Neilson Conklin. United States Department of Agriculture, June 2005. Web. 01 Apr. 2018.

90% of all U.S. subsidy dollars, as most of the program's money goes to just five crops: wheat, cotton, corn, soybeans, & rice.<sup>4</sup>

Stocked shelves and a beautiful array of fruits and vegetables filling the produce section at grocery stores give the illusion that any federal support for agriculture in its current form must be sufficient. After all, America has successfully developed for itself one of the most stable food supplies in the world. Falling only behind Ireland on the Food Security Index, over 85% of Americans are living in what is classified as a food secure area. However, the nation being secure in what is loosely defined as "food" neglects to consider the availability and production of healthy, nutritious foods. While America is notorious for its abundant food supply, it is equally recognized for its obesity epidemic. With more than 2 in 3 adults considered overweight or obese, America is left to chew on the fact that they might have either too much to eat or too much of the wrong foods to eat.<sup>5</sup>

The U.S. government spends billions of dollars every year on farm subsidies. The most recent farm bill legislation swelled to reach a staggering 500 billion dollars. Additionally, the size and breadth of legislation affiliated with the USDA and FDA has made the policy area especially susceptible to lobbying efforts. In order to manipulate food and farm legislation, former lobbyists work for the USDA and FDA during farm bill drafting periods in order to promote their interests, special interest groups fund

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<sup>4</sup> Franck, Caroline, and Sonia Grandi. "Agricultural Subsidies and the American Obesity Epidemic." *American Journal of Preventative Medicine* 45.3 (2013): 327-33. *American Journal of Preventative Medicine Online*. Sept. 2013. Web. Jan. 2018.

<sup>5</sup> "Overweight & Obesity Statistics." *National Institute of Diabetes and Digestive and Kidney Diseases*. U.S. Department of Health and Human Services, 01 Aug. 2017. Web. 06 Apr. 2018.

research projects to gain credibility through a scientific facade. This battle between private interests and the larger public good is inevitable and seemingly constant in the grand scheme of American politics. The realm of food policy is not immune to this paradigm. What is seemingly more unique to food policy are the observable ramifications that incredibly wealthy interest groups and lobbyists have had on the development of the entire food industry in addition to their impact on its current status.

With the government mostly subsidizing corn, soy, and other commodity crops, American plates have subsequently seen an increase in these foods as well, leaving the American diet impacted by food and farm policy. Although there are problems with attributing complete causation between subsidized food and poor health, there is staggering evidence for the correlation between the two.

## **Chapter 1: Background and History of Regulatory Bodies**

Compared to other industrial nations at the time, the United States at the turn of the 20<sup>th</sup> century was failing to recognize the need for a national food and drug law.<sup>6</sup> The United States had a variety of state laws which dated to colonial times. However, these minor legal pieces mostly dealt with setting a standard for trade and inspecting exports and did not extend to the federal level. Some states had local bread inspection laws to ensure customer safety and satisfaction as well as monitor fair competition, but there was no adequate federal legislation that mandated health codes or ensured consumer safety. The first federal movement towards consumer protection was the appointment of Lewis Caleb Black in 1848. His main job was to conduct chemical analysis of agricultural products. He produced the *Adulterations of Various Substances Used in Medicine and the Arts*, which provided documentation needed to support the 1848 federal law controlling imported drugs.<sup>7</sup> Still, the effects of appointing one man to a research position were not very far reaching. In order to sufficiently support the growing agricultural society, there needed to be a parallel adjustment of federal programs.

The transition of America from a largely agricultural society to a more industrial one required a transition of federal bodies which would better insure that food would safely and healthily reach the growing urban population. In the fifty years from

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<sup>6</sup> Frederick Accum published the “Treatise on Adulterations of Food and Methods of Detecting Them” in 1820, and as a reaction Great Britain’s first national food law was legislated in 1860.

<sup>7</sup> United States. Food and Drug Administration. *Chemical Heritage Foundation*. By John P. Swann. 2006. Web. 12 Nov. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/CentennialofFDA/Chemistsandthe1906Act/ucm126648.htm>>.

1870 to 1920, the number of Americans in cities grew from 10 million to 54 million.<sup>8</sup> Most importantly, for the first time in American history, the 1920 U.S. Census revealed that more people lived in cities than rural areas.<sup>9</sup> This migration to cities meant that increasingly more of the population lived distant from where food was produced. During the same time, infectious diseases were becoming discovered and researched. But still, the most advanced technology for preservation during transportation was ice. Without sufficient means of refrigeration, food was extremely susceptible to contamination as it made the movement from production sites in the countryside to the mouths of city dwellers. Essentially, unwanted diseases and bacterias in foods were increasingly problematic for the public health of the country, showing the need for regulation that mandated safe upkeep of food items.

Critical to any momentum towards regulation for increased food safety was the Pure Food Movement of the 1870s—a grassroots group which motivated support for the Food and Drugs Act of 1906.<sup>10</sup> The collective action behind the demand for consumer protection from the adulteration of food products can largely be credited to the efforts of this movement. During this time, food was beginning to become processed, production was fragmented, and regulation was nonexistent. The Pure Food Movement was created on the premise that food safety concerns deserved federal

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<sup>8</sup> Rees, Jonathan. "Industrialization and Urbanization in the United States, 1880–1929." *Oxford Research Encyclopedia of American History*. Oxford University, 08 June 2017. Web. 19 Dec. 2017. <<http://americanhistory.oxfordre.com/view/10.1093/acrefore/9780199329175.001.0001/acrefore-9780199329175-e-327>>.

<sup>9</sup> Ibid.

<sup>10</sup> United States. Food and Drug Administration. *Chemical Heritage Foundation*. By John P. Swann. 2006. Web. 12 Nov. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/CentennialofFDA/Chemistsandthe1906Act/ucm126648.htm>>.

oversight as corporations were putting ingredients into food, unbeknownst to the consumer, that were not wholesome or honest.<sup>11</sup> Decades of work from this group resulted in a compilation of 200 pieces of legislation that became known as the 1906 Food and Drug Act.

Investigative journalism also played an important role in exposing findings of chemical preservatives used in food production. Dr. Harvey Wiley was a crusader for exposing faulty business practices in the food production process through reports presented to the public at women's clubs and other business and civic organizations. His team of researchers saw press in national magazines like *Collier's Weekly*, the *Ladies Home Journal*, and *Good Housekeeping*. Wiley was most famous for his establishment of the "poison squad," or a group of volunteers who agreed to eat only foods treated with measured amounts of chemical preservatives in an effort to demonstrate whether these ingredients were detrimental.<sup>12</sup> The young men ingested borax, salicylic acid, sulphurous acid, benzoic acid, and formaldehyde for five years. From the experiments, Dr. Wiley and the public became convinced that these preservatives should only be used if completely necessary, and it was imperative that at the least the consumer be made aware of the chemicals used in production through a

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<sup>11</sup> Kucinich, Elizabeth. "Mothers of Pure Food, Rebirthing a Movement." *The Huffington Post*. TheHuffingtonPost.com, 10 May 2013. Web. 21 Oct. 2017. <[https://www.huffingtonpost.com/elizabeth-kucinich/mothers-of-pure-food-rebi\\_b\\_3253753.html](https://www.huffingtonpost.com/elizabeth-kucinich/mothers-of-pure-food-rebi_b_3253753.html)>.

<sup>12</sup> United States. Food and Drug Administration. *Chemical Heritage Foundation*. By John P. Swann. 2006. Web. 12 Nov. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/CentennialofFDA/Chemistsandthe1906Act/ucm126648.htm>>.

labeling system. This concept sounds familiar because this was the concept made foundational to today's laws and regulations, and remains a subject of ongoing debate.

The image of the meat packing workplace that Upton Sinclair—a prominent journalist who wrote to expose the malpractice in food processing—conjured in *The Jungle* symbolizes the constituencies' demand for change in and regulation of the meatpacking industry.

“[T]he meat would be shoveled into carts, and the man who did the shoveling would not trouble to lift out a rat even when he saw one—there were things that went into the sausage in comparison with which a poisoned rat was a tidbit. There was no place for the men to wash their hands before they ate their dinner, and so they made a practice of washing them in the water that was to be ladled into the sausage. There were the butt-ends of smoked meat, and the scraps of corned beef, and all the odds and ends of the waste of the plants, that would be dumped into old barrels in the cellar and left there. Under the system of rigid economy which the packers enforced, there were some jobs that it only paid to do once in a long time, and among these was the cleaning out of the waste barrels. Every spring they did it; and in the barrels would be dirt and rust and old nails and stale water—and cartload after cartload of it would be taken up and dumped into the hoppers with fresh meat, and sent out to the public's breakfast.”<sup>13</sup>

In reaction, Congress enacted the *Meat Inspection Act* as a component of the Pure Food and Drugs Act of 1906. This legislation was a response to a public outcry surrounding the conditions of the meat industry and working conditions more broadly. The new meat and drug regulation mandated inspection of livestock, established sanitary

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<sup>13</sup> "Upton Sinclair, Whose Muckraking Changed the Meat Industry." *The New York Times*. The New York Times, 30 June 2016. Web.

standards for slaughterhouses and processing plants, and required USDA inspection of meat processing and packing.

### **The Federal Drug Administration**

The FDA was conceptualized in 1906 with the passage of the Pure Food and Drugs Act; however, at this time it was named the “Bureau of Chemistry” and was still a part of the U.S. Department of Agriculture.<sup>14</sup> This legislation prohibited adulterated and misbranded food and drugs from any type of interstate commerce which provided consumers with never before seen elements of protection and held producers to important health codes. During the preliminary stages of the Pure Food and Drugs Act, conflict among interest groups regarding federal law provisions made it difficult to construct a politically appealing and wise inclination to support the proposed mandates. However, after lengthy legislative deliberation, a law emerged that focused on accurate product labeling. The 1906 Act has since been recognized as a landmark of the 20th century and a pillar of the Progressive era, and the U.S. Post Office recognized the magnanimity by releasing a stamp inspired by the Act.<sup>15</sup>

When the non-regulatory research functions of the bureau were transferred elsewhere in the department in 1927, the Bureau of Chemistry's name changed to the Food, Drug, and Insecticide Administration. In 1930, the name was shortened to the present version, but FDA remained under the Department of Agriculture until June

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<sup>14</sup> United States. Federal Drug Administration. History Office. *A Historical Guide to the U.S. Government*. By John P. Swann. Oxford University Press, 1998. Web. 21 Oct. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/Origin/ucm124403.htm>>.

<sup>15</sup> Ibid.

1940. In 1953 the agency again was transferred, to the Department of Health, Education, and Welfare (HEW). Fifteen years later the FDA became part of the Public Health Service within HEW, and in May 1980 the education function was relocated to fall under the Department of Health and Human Services where it remains today. The FDA is comprised of nine centers and offices, but the Center for Food Safety and Applied Nutrition Organization is the most relevant office within the FDA with regards to food policy.

The FDA has evolved with the nation's ever changing social, cultural, political, and economic demands. However, the core mission of the FDA as a federal advocate for public health has remained constant. The agency grew from a sole chemist in the USDA to a staff of approximately 15,000 employees and a budget of \$4.4 billion in 2014. The FDA plays a huge role in American markets as it regulates 25% of U.S. expenditures. It functions through pre-market product review and approval, standard-setting, rulemaking, regulatory guidance, public education, law enforcement, and litigation. The body consists of the Office of Commissioner, appointed by the President, and four Directorates which oversee the core functions of the agency, as organized by policy area. Employees of the FDA include chemists, pharmacologists, physicians, microbiologists, veterinarians, pharmacists, lawyers, and many others. Dr. Scott Gottlieb, the current commissioner of the FDA, states that the, "FDA always faces big challenges because of where it sits at the intersection of so many critical concerns.

By virtue of the fact that people’s lives – quite literally – depend on what we do. Patient and consumer protection are at the heart of what we do.”<sup>16</sup>

### **U.S. Department of Agriculture**

The U.S. Department of Agriculture (USDA) was created in 1862 by President Abraham Lincoln to “ensure a sufficient and reliable food supply” as well as “diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word.”<sup>17</sup> President Lincoln believed that the USDA would be “the people’s department,” as at the time about half of America lived on farmland, making farm policy the primary interest of many households.<sup>18</sup> With these two goals in mind, the USDA issued dietary advice while also trying to promote a varied food supply. The agriculturalist Isaac Newton was appointed to be the first commissioner. Scientific research as it relates to food safety relates back to 1862 with Charles Wetherill who was made the chemist of the Department of Agriculture. By the early 1890s, the USDA had initiated studies on the relationship between agriculture and human nutrition. The first director of research activities, W.O. Atwater, published tables that listed the nutritional content in common

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<sup>16</sup> United States. Federal Drug Administration. Office of the Commissioner. *About the FDA Commissioner*. FDA, 19 Dec. 2017. Web. 19 Dec. 2017. <<https://www.fda.gov/AboutFDA/CommissionersPage/>>.

<sup>17</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

<sup>18</sup> United States. Federal Drug Administration. History Office. *A Historical Guide to the U.S. Government*. By John P. Swann. Oxford University Press, 1998. Web. 21 Oct. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/Origin/ucm124403.htm>>.

American foods.<sup>19</sup> In his recommendations, Atwater suggested that men doing moderate work required about 3,500 calories daily, with a distribution that equates to 52% from carbohydrates, 33% from fat, and 15% from protein. Although Atwater did not include any advice on vitamin intake and his caloric count was off by about 1,000, his research is now seen to have been ahead of his time.

The USDA first began collecting information about the supply of basic food commodities in 1909. Throughout the 20th century, the USDA evolved to collect a broader range of information relating to everything from proper nutrition practices to recommended food intake.<sup>20</sup> With notable scientific advances in the study of vitamins in 1915, the USDA began producing pamphlets to inform “housekeepers” about the nutritive value of foods, the role of specific foods in the diet, and foods appropriate for young children. A fourteen page pamphlet, titled *How to Select Foods*, was published in 1917 as the first comprehensive set of dietary recommendations. In the preface, the publication made very clear that it was not an “attempt to make definite suggestions for obtaining food,” but instead it was stating very simply, “what the body needs to obtain from its food for building its tissues, keeping it in good working order, and providing it with fuel or energy for its muscular work”.<sup>21</sup> This document has established a lasting impact in its establishment of the food-group format, an approach that enables all foods to be recommended as components to a healthy diet while precluding suggestions to

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<sup>19</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

<sup>20</sup> Ibid.

<sup>21</sup> United States. United States Department of Agriculture. Office of Home Economics. *How to Select Foods*. By Caroline L. Hunt and Helen W. Atwater. Washington D.C.: n.p., 1917. Print.

restrict food groups. During the 1920s, the USDA promoted five food groups: fat, sugar, carbohydrates, greens/vegetables/fruit, and meats/meat substitutes. From this point on the number of recognized food groups has fluctuated numerous times, and has gotten as large as twelve while including milk as a complete separate category.<sup>22</sup>

Aside from setting dietary guidelines and nutritional codes, the USDA is also responsible for farm bill legislation. The farm bill, officially coined the “Agricultural Adjustment Act,” is a comprehensive piece of legislation that includes most policies related to agriculture. The farm bill is adapted and renewed every five years in order to ensure that the legislation is effectively assisting the ever changing needs of the country. The original farm bill, officially named the Agricultural Act of 1933, was a component of the New Deal signed into effect by President Franklin D. Roosevelt. The Agricultural Adjustment Act of 1933 was a reaction to the Great Depression and the collapse in domestic food demand and exports which led to price-depressing surpluses.<sup>23</sup> The legislation sought to help farmers by boosting the value and prices of their commodities. Federal intervention included supporting prices of designated commodities such as grains, oilseeds, cotton, rice, and dairy.<sup>24</sup> At levels seemingly fairer than market prices. The most recent adaptation of the legislation was the Agricultural Act of 2014 which has altered the traditional farm support system as it changes commodity programs for specialty crops, organic farmers, bioenergy, rural development, and beginning farmers and ranchers. The new system eliminates

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<sup>22</sup> Ibid.

<sup>23</sup> Nesheim, Malden C. "Overview of the U.S. Food System." A Framework for Assessing Effects of the Food System. U.S. National Library of Medicine, 17 June 2015. Web. 01 Oct. 2017

<sup>24</sup> Ibid.

controversial direct payments to farmers, however, it tightens the criteria necessary to enroll in SNAP. The National Sustainable Agriculture Coalition describes the farm bill as a “long freight train...with two powerful engines upfront” (SASF). The first engine would be the farm commodity program which provides support for non-perishable, storable commodities like corn, soybeans, and other grains. These two engines have historically been compounded to work together in an effort to support the agricultural sector as well as better the state of the public’s health.<sup>25</sup> Since its passing, the farm bill has become the largest piece of agricultural policy that influences everything from food stamps to farm subsidies and crop insurance. The 2014 farm bill was appropriated a budget of 956 billion dollars to be spent over the course of ten years and includes legislation on food stamps (officially named SNAP), crop insurance, commodity programs, and conservation projects among other programs. The breadth of the farm bill’s coverage seems to be constantly expanding, with more dramatic expansions in the past three decades. With over 107,000 employees, 17 different agencies, and 18 different offices nationwide, the USDA has become the nation’s sixth-largest federal agency.<sup>26</sup>

Today, approximately 80% of the USDA’s \$140 billion dollar budget goes to the Food and Nutrition Service program, and more specifically the Supplemental

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<sup>25</sup> United States. Congressional Research Services. *Farm Bill Primer Series: A Guide to Omnibus Legislation on Agriculture and Food Programs*. By Mark A. McMinimy. Congressional Research Services, 01 Dec. 2017. Web. 05 Dec. 2017. <<https://fas.org/sgp/crs/misc/R44913.pdf>>.

<sup>26</sup> Zwagerman, Jennifer. "Rural America Matters to All Americans." *The Conversation*. Drake University Law Center, 19 Jan. 2017. Web. 2 Nov. 2017.

<<http://theconversation.com/rural-america-matters-to-all-americans-69756>>.

Lusk, Jayson. "The USDA by the Numbers." Blog post. *Jayson Lusk - Agricultural Economist*. N.p., 29 June 2016. Web. 18 Dec. 2017.

<<http://jaysonlusk.com/blog/2016/6/26/the-usda-by-the-numbers>>.

Nutrition Assistance Program (formerly known as the Food Stamp Program).<sup>27</sup> SNAP beneficiaries are low-income households who need assistance in purchasing food items. From 2008 to 2012, rural communities received a higher percentage of SNAPs than households receiving SNAP in both metropolitan and micropolitan areas by three percentage points and four percentage points above the nationwide average. In 2015, The Center for Rural Affairs found that nearly 86% of eligible recipients in rural communities receive SNAP benefits. Research has found that SNAP has a significant effect on reducing the depth and severity of poverty. SNAP benefits were also shown to have a particularly strong alleviative effect on poverty among children. 1 in 9 rural household receiving SNAP benefits contains a recipient that is either over 60 years old or under 18 years old.<sup>28</sup>

The farm bill legislation is up for renewal in 2018, and experts fear the “fate of billions of dollars for farmers and food stamps” which will likely be cut from the appropriations for the USDA and FDA. There are two types of legislation, and through the 2018 Agricultural Act the farm bill is authorizing legislation, as opposed to appropriations. The funding for this legislation will be allocated in the annual appropriations legislation. There are 12 annual appropriations, or government spending, bills each year, one of which is agricultural appropriations. Experts foresee that the

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<sup>27</sup> United States. Department of Agriculture. Food and Nutrition Services. *Supplemental Nutrition Assistance Program (SNAP)*. United States Department of Agriculture, Sept. 2017. Web. Nov. 2017. <<https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>>.

<sup>28</sup> Bailey, Jon M. "Supplemental Nutrition Assistance Program." *Supplemental Nutrition Assistance Program and Rural Households* (2013): *Rural Health Web*. Center for Rural Affairs, July 2014. Web. <[https://www.ruralhealthweb.org/NRHA/media/Emerge\\_NRHA/PDFs/snap-and-rural-households.pdf](https://www.ruralhealthweb.org/NRHA/media/Emerge_NRHA/PDFs/snap-and-rural-households.pdf)>.

impending legislation will include further reforms to SNAP, fewer amendments, reductions in crop insurance, and a revamping of trade policy. The Trump administration's budget proved daunting for agricultural policy as it did include 21% cuts in USDA spending. However, Mary Kay Thatcher, a spokeswoman from the American Farm Bureau Federation believes that this budget proposal “will be dead on arrival... , similar to previous administrations’ proposals.”<sup>29</sup>

### **Relevance of Food and Agriculture Policy in an Urban America**

Although most Americans no longer reside on farmland, the USDA and FDA are increasing in their influence on rural and urban households alike. Together, these agencies are important to the everyday lives of American citizens. Trying to understand farm and food policy is difficult, simply because of the bloat and breadth of the material. Additionally, there has been a decreasing number of farming families, furthering the disconnect between agriculture, food policy, and the American public. But, as Nestle puts it, “the farm bill *matters*. It is crucial to practically everything about our food system: what crops get subsidized, how much foods cost, how land is used and whether low-income Americans have enough to eat.”<sup>30</sup> Furthermore, she explains that every socioeconomic class is affected by this legislation. She believes that, “whether you are rich or poor, much about your food choices is shaped by what’s in this bill’s

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<sup>29</sup> Gullickson, Gil. "5 Things To Watch in 2018 Farm Bill and Agricultural Legislation." *Successful Farming*. Meredith Agrimedia, 25 Apr. 2017. Web. 25 Nov. 2017. <<https://www.agriculture.com/news/business/5-things-to-watch-in-2018-farm-bill-and-agricultural-legislation>>.

<sup>30</sup> Nestle, Marion. "The Farm Bill Drove Me Insane." *The Agenda*. N.p., 17 Mar. 2016. Web. 24 Nov. 2017. <<https://www.politico.com/agenda/story/2016/03/farm-bill-congress-usda-food-policy-000070>>.

357 printed pages.”<sup>31</sup> According to the USDA’s Economic Research Department, Americans spend less of their income on food than any other country. According to 2004 statistics from USDA’s Economic Research Service (ERS), American families and individuals spend just 9.5 percent of their disposable income on food. That means in only five weeks the average American earns enough disposable income to pay for their food supply for the entire year.<sup>32</sup> Although statistics illuminating affordable access to food seem to point at a high quality of life for many Americans, they do not account for the millions of Americans who are also reliant upon the government for food through welfare or the type of food that Americans are consuming. As a percentage of total population, in September 2017 nearly 43 million Americans and 21 million households were enrolled in SNAP.<sup>33</sup> Thus, whether a given American household benefits from the security in the U.S. food system or they utilize federal programs assisting them in acquiring food, U.S. food policy is of relevance to all. Food and agricultural policy is vastly important in order to maintain the efficiency of the agricultural sector, while sustaining the affordability of food for most American consumers. President Franklin D. Roosevelt reiterated the importance of successful food and agriculture policy when he stated that “prosperous farmers mean more employment, more prosperity for the workers and businessmen of every industrial area

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<sup>31</sup> Ibid.

<sup>32</sup> Zwagerman, Jennifer. "Rural America Matters to All Americans." *The Conversation*. Drake University Law Center, 19 Jan. 2017. Web. 2 Nov. 2017. <<http://theconversation.com/rural-america-matters-to-all-americans-69756>>.

<sup>33</sup> United States. Department of Agriculture. Food and Nutrition Services. *Supplemental Nutrition Assistance Program (SNAP)*. United States Department of Agriculture, Sept. 2017. Web. Nov. 2017. <<https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>>.

in the whole country.”<sup>34</sup> Over the course of the 20th and 21st centuries, American legislators have recognized the need for federal support of food and agriculture. However, in the process the expansion of legislation aimed at helping rural America and the production of food has crept into several executive bodies, resulting in inefficiencies through overlaps, contradictions, and duplications of work.

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<sup>34</sup> Roosevelt, Franklin D. "American Presidents on the Importance of Agriculture." *Farm Policy Facts*. N.p., 15 Feb. 2016. Web. 20 Dec. 2017. <<https://www.farmpolicyfacts.org/2016/02/american-presidents-on-the-importance-of-agriculture/>>.

## **Chapter 2: Overlap, Contradiction, and Duplication**

### **between the USDA and the FDA**

There are many important differences between the USDA and FDA. The USDA is the federal executive department responsible for developing and executing government policies that will help farming, agriculture, forestry, and food communities thrive. Its overall goals are to meet the needs of farmers and ranchers, promote agricultural trade and production, work to assure food safety, improve nutrition and health by providing food assistance and nutrition education, and protect natural resources, and foster rural communities.<sup>35</sup> Whereas the USDA is its own federal department, the FDA is an agency of the United States Department of Health and Human Services. The FDA is responsible for protecting and promoting public health through the regulation and supervision of food safety, tobacco products, dietary supplements, prescription and over-the-counter medicine, vaccines, biopharmaceuticals, blood transfusions, medical devices, electromagnetic radiation emitting devices (ERED), and veterinary products.<sup>36</sup> Furthermore, the two bodies evolved into their current form through various federal actions and with notably different intentions.

The Department of Agriculture was created by President Abraham Lincoln in 1862 to serve as the first federal agency created with the intention of protecting the economic prosperity of farms. His rural upbringing and years spent as a country lawyer

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<sup>35</sup> Jideonwo, Peter. "USDA vs. FDA: What's The Difference?" *BlackDoctor*. BlackDoctor.org, 17 Jan. 2017. Web. 25 Oct. 2017.  
<[https://blackdoctor.org/80570/usda-vs-fda-what-is-the-difference\\_\\_trashed/](https://blackdoctor.org/80570/usda-vs-fda-what-is-the-difference__trashed/)>.

<sup>36</sup> Ibid.

enabled the farmers and rural America to view him as relatable and trustworthy.<sup>37</sup> In his first annual message to Congress in 1861, Lincoln said:

Agriculture, confessedly the largest interest of the nation, has not a department nor a bureau, but a clerkship only, assigned to it in the Government. While it is fortunate that this great interest is so independent in its nature as to not have demanded and extorted more from the Government, I respectfully ask Congress to consider whether something more can not be given voluntarily with general advantage.... While I make no suggestions as to details, I venture the opinion that an agricultural and statistical bureau might profitably be organized.<sup>38</sup>

Instead of only establishing a bureau, Congress took Lincoln's ideas further and established a Department to be headed by a Commissioner. The act was so broad and inclusive that it still remains as the Department's basic framework.<sup>39</sup> In his last annual message to the Congress two and a half years later, Lincoln expressed his sentiments about the importance of the new department. He deemed that it would be the "people's department" that would rapidly [commend] itself to the great and vital interest it was created to advance.<sup>40</sup> Lastly, Lincoln asked it be guaranteed "the continued attention and fostering care of Congress."<sup>41</sup> Lincoln's economic ambitions seem to fall second in historical conversation compared to his other successes. Nonetheless, Lincoln had a lasting impact on agricultural policy as he emphasized the importance of protecting American agriculture through constantly updating agricultural legislation. However, the

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<sup>37</sup> Rasmussen, Wayne D. "Lincoln's Agricultural Legacy." *United States Department of Agriculture. Agricultural History Branch*, 1986. Web. 01 Mar. 2018.

<sup>38</sup> "Abraham Lincoln: First Annual Message - December 3, 1861." *The American Presidency Project*. N.p., 3 Dec. 1861. Web. 02 Mar. 2018.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

need for a separate body—one that regulated the production line of food and protected consumer health—did not become necessary until later, possibly exemplifying Lincoln’s prediction of an agriculture and food policy that constantly modernizes.

The process of establishing a separate federal entity that ensured consumers protections similar to those granted to producers became a decade-long political battle. President Theodore Roosevelt and Harvey Wiley, chief chemist of the Department of Agriculture, are recognized as the driving forces for the Congressional passage of the 1906 Pure Food and Drug Act, which conceptualized the Food and Drug Administration. Although the two spearheaded the effort and are credited with being catalysts for change by impacting the debate surrounding food and drug law, the legislation was the result of years of effort from politicians, government officials, industry representatives, and “muckraking” journalists.<sup>42</sup> Throughout Wiley’s career, he attempted to increase federal responsibility for food and drug law. As the head of the chemistry division in the Department of Agriculture, the expansion of Wiley’s prominence allowed him to gain praise and respect from politicians, Congressmen, industry leaders, and coworkers. For example, Congressman Wadsworth of New York, chairman of the House Committee on Agriculture, admired Wiley so much that he single-handedly doubled Wiley’s salary to express the extent to which he appreciated Wiley’s work.<sup>43</sup> Still Wiley struggled for many years to pass any of his proposed

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<sup>42</sup> Gagan, Anthony, and Peter Barton Hutt. "Harvey Wiley, Theodore Roosevelt, and the Federal Regulation of Food and Drugs." Digital Access to Scholarship at Harvard. Harvard Law School, Jan.-Feb. 2004. Web. 01 Mar. 2018.

<sup>43</sup> Ibid.

legislation.<sup>44</sup> A strong laissez-faire mentality within Congress and the dominant view that the Commerce Clause did not allow for federal regulation of the manufacturing of goods blocked all of Wiley's efforts to change American food and drug law.<sup>45</sup>

Wiley's more progressive vision for food and drug law was encouraged by President Theodore Roosevelt once he took office in 1901. Roosevelt's leadership reversed the tide of debate in Congress over food and drug regulation. Although Roosevelt was a pro-business Republican, his time as a combat officer during the Spanish American War is said to have made him rethink his views on the role of government in the daily life of Americans. During the war, Roosevelt and his fellow soldiers had seized control of Cuba, and were in dire need of food. The army ordered a shipment of thousands of pounds of canned meat produced in the United States. Tragically, the meat ended up being spoiled, leaving thousands of troops ill and several hundred dead. During the Spanish American War, more Americans had died from spoiled meat than in battle, a statistic that enraged Roosevelt and would motivate him to create change within U.S. food law. Roosevelt came to believe that the federal government had been placing too much emphasis on laissez faire policies and not enough emphasis on providing basic protections for the American people. As he explained privately, the chief challenge facing the Republican Party was to convince the public that "we do stand squarely for the interests of all of the people, whether they

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<sup>44</sup> Ibid.

<sup>45</sup> Gagan, Anthony, and Peter Barton Hutt. "Harvey Wiley, Theodore Roosevelt, and the Federal Regulation of Food and Drugs." Digital Access to Scholarship at Harvard. Harvard Law School, Jan.-Feb. 2004. Web. 01 Mar. 2018.

are or are not connected in any way with corporations.”<sup>46</sup> Placing the interests and betterment of all people at the forefront of his mission, his passions toward food policy reform came into fruition with the 1906 Pure Food and Drugs Act.

Wiley and Roosevelt worked together during the debates surrounding the passage of the Pure Food and Drug Act throughout 1905. After 16 years of rejected bills, Senator Weldon Heyburn of Idaho sponsored the most progressive food and drug bill ever proposed. Wiley’s efforts to increase public support for the pure food and drug legislation helped this bill gain traction, and many state legislators had already adopted their own similar versions of the bill.<sup>47</sup> However, the bill still had difficulties launching; its opponents failed to allow the bill to leave committee. Senator Nelson Aldrich expressed his lack of support which stemmed from his contempt for the “chemists of the Agriculture Department.” Support for federal food and drug regulation would, according to Aldrich, undermine “the liberty of all the people of the United States.” Some opposition even implied that the bill’s supporters wanted to impose socialism on the American people.<sup>48</sup> Suddenly, on February 6, 1906, the battle over the bill changed dramatically when Aldrich, for reasons he never explained, allowed the bill out of committee. It is most probable that Aldrich’s change of heart is a result of public pressure that had become too much for him to ignore because just as the Heyburn bill came up for consideration, Samuel Hopkins Adams published a series of articles

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<sup>46</sup> Gagan, Anthony, and Peter Barton Hutt. "Harvey Wiley, Theodore Roosevelt, and the Federal Regulation of Food and Drugs." Digital Access to Scholarship at Harvard. Harvard Law School, Jan.-Feb. 2004. pp. 24. Web. 01 Mar. 2018.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

exposing fraud in the patent medicine industry in an expose for *Collier*'s magazine.

Adams' articles horrified the public and shook the bill's opponents because they revealed many of the false claims made by patent medicine manufacturers and showed that these medicines frequently harmed rather than helped those who took them.<sup>49</sup>

Adding further momentum behind the forces of reform, the American Medical Association took a public stand calling for federal regulation of food and drugs.<sup>50</sup>

However, the bill still needed the Senate's approval, an effort that would require that Wiley and Roosevelt adapt their political strategy to best suit the new crowd.

As the debate surrounding the passage of the bill continued, the conversation became framed as a straightforward matter of consumer protection.<sup>51</sup> After weeks of hearings and debates, featuring appearances by Wiley in front of various committees, the bill passed the Senate on February 12th, 1906. Upton Sinclair published a book that would essentially incriminate the food industry while vindicating Wiley's lifelong effort less than two weeks after the Senate passed the bill over to Congress, muckraking journalists.<sup>52</sup> Sinclair's novel, *The Jungle*, was both a political statement and a literary masterpiece all in one through a depiction of the horrendous conditions present in most meat packing workplaces. Sinclair had catalogued a horrifying litany of industry misdeeds, including workers falling into processing vats, children drinking milk tainted with formaldehyde, and spoiled meat routinely concealed through chemical

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<sup>49</sup> Ibid.

<sup>50</sup> Gagan, Anthony, and Peter Barton Hutt. "Harvey Wiley, Theodore Roosevelt, and the Federal Regulation of Food and Drugs." Digital Access to Scholarship at Harvard. Harvard Law School, Jan.-Feb. 2004. Web. 01 Mar. 2018.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

adulteration.<sup>53</sup> The public reacted with a ferocity that bordered on mass hysteria.<sup>54</sup>

Roosevelt, an astute observer of public opinion, was aware of how dominant the issue of food safety and sanitation had become amongst the public. The Senate's approval of the bill seemed to fall at a perfect time, appearing to react to the public's post-Sinclair demand for an increasing of federal protections.

Consistent with his pro-business, Republican background, Roosevelt believed that federal regulation of food production would prove to help the meat packing industry. Although the president seemed to have the public's support, he faced opposition from much of corporate America. Roosevelt told his friend Lyman Abbot that he was facing "a most violent opposition, not merely from the packers . . . but also from great bodies of capitalists who are interested mainly through that noxious feeling in which the socialists exult and which they call 'class consciousness.'"<sup>55</sup> Roosevelt explained that "the National Manufacturers' Association and the Chicago Board of Trade had written [him] violent protests in offensive language, stating that the reports of the Government committees are false, that everything is clean and perfect in Packingtown."<sup>56</sup> A secret investigation of the industry and "Packingtown" was quick to prove Sinclair's allegations were in fact substantiated. Ultimately, Roosevelt was still able to gain strong support from some of the corporations that the legislation proposed

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<sup>53</sup> "Upton Sinclair, Whose Muckraking Changed the Meat Industry." *The New York Times*. The New York Times, 30 June 2016. Web.

<sup>54</sup> Ibid.

<sup>55</sup> Gagan, Anthony, and Peter Barton Hutt. "Harvey Wiley, Theodore Roosevelt, and the Federal Regulation of Food and Drugs." Digital Access to Scholarship at Harvard. Harvard Law School, Jan.-Feb. 2004. Web. 01 Mar. 2018.

<sup>56</sup> Ibid.

to regulate such as the Heinz ketchup company and the Old Taylor Whiskey Company because they had pre-existing workplace standards that were much higher than their competitors, a reality that put them at a competitive disadvantage.<sup>57</sup> Government regulation of food and drug production rewarded corporations that already had high standards because it forced their competitors to engage in expensive improvements in sanitation and product quality. As a result, these companies began to work behind the scenes to promote passage of the 1906 Food and Drug law.

The meat-packing lobby had its largest influence in the House, leading Roosevelt to more aggressively promote the bill. Roosevelt personally lobbied House Speaker Joe Cannon on the bill's behalf. In one of his efforts, Roosevelt wrote, "I understand the Pure Food bill and the Naturalization bill [a bill regarding citizenship requirements for immigrants] must be considered first. I earnestly favor both, especially the pure food bill."<sup>58</sup> Representative Wadsworth and Representative William Lorimer of Illinois led the fight against the bill. Although in public they mounted a states' rights argument against the Beveridge and Heyburn bills, both representatives had strong ties to the meat-packing industry, ties that inspired them to mount a desperate, last stand defense against Congressional passage.<sup>59</sup> Eventually, public and political support for the acts became indisputable. On June 30, 1906, Congress passed and Roosevelt signed both the Food and Drug Act and the Meat Inspection Act.<sup>60</sup> Although written in the

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<sup>57</sup> Ibid.

<sup>58</sup> Gagan, Anthony, and Peter Barton Hutt. "Harvey Wiley, Theodore Roosevelt, and the Federal Regulation of Food and Drugs." Digital Access to Scholarship at Harvard. Harvard Law School, Jan.-Feb. 2004. Web. 01 Mar. 2018.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

broadest terms, the Food and Drug Act of 1906 transformed food and drug production in America. Even at the time, contemporaries recognized that a historic achievement had been made, and it is acknowledged that this legislation conceptualized the FDA by giving the Bureau of Chemistry regulatory power.<sup>61</sup> Under Wiley's leadership, the Bureau of Chemistry had grown from 6 employees to more than 600 and the regulation of food law had been a prominent conversation in American. The federal government was now permanently in the business of protecting American consumers from unsafe food and drugs.<sup>62</sup>

Although 1906 was a monumental year for food and drug law, the FDA remained a rudimentary version of what it is today through most of the 20th century, and the transformation of the FDA into its current form as a federal agency took place through various Congressional actions over time. The Food and Drug Administration Act of 1988 was the largest organizational shift for The FDA. It officially established the FDA as an agency of the Department of Health and Human Services, where it remains today, with a Commissioner of Food and Drugs appointed by the President with the advice and consent of the Senate, and broadly spells out the responsibilities of the Secretary and the Commissioner for research, enforcement, education, and information.<sup>63</sup> The bill, sponsored by Representative Henry Waxman (D-CA) and Senator Albert Gore (D-TN), pointed out that aside from the FDA Commissioner, the

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<sup>61</sup> Ibid.

United States. Federal Drug Administration. History Office. *A Historical Guide to the U.S. Government*. By John P. Swann. Oxford University Press, 1998. Web. 21 Oct. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/Origin/ucm124403.htm>>.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

head of every major federal health and safety agency was subject to presidential appointment and Senate confirmation. Gore and Waxman believed that the “Senate confirmation is a constructive and worthwhile process... that provides the Congress with an invaluable opportunity for oversight.”<sup>64</sup> According to the bill these changes would enhance “the independence and integrity” of FDA and its Commissioner.<sup>65</sup> The House’s passage of the 1988 Act was mostly unnoticed by the American public, and met little resistance in Congress. As the *Washington Post* reported at the time: “Relatively few people took notice last week when a bill to make the commissioner of the Food and Drug Administration subject to confirmation sailed through the Senate.”<sup>66</sup> Although passage of the 1988 Act originated with Democratic lawmakers in both chambers, there was little opposition from their Republican counterparts or from the Reagan administration.<sup>67</sup>

However, the Food and Drug Administration Act of 1988 proved to be a double edged sword—one that enabled the FDA to have more freedom but also one that “injected a certain dose of politics” into the FDA.<sup>68</sup> Given the organizational changes that can now be attributed to the act, the 1988 Act has a sparse record of Congressional debate. In fact, the House did not hold hearings on the 1988 Act because it had done so on the earlier and similar legislation unsuccessfully introduced. In reporting favorably

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<sup>64</sup> Gordon, Alex. "The Delicate Dance of Immersion and Insulation: The Politicization of the FDA Commissioner." *Digital Access to Scholarship at Harvard*. N.p., 29 Apr. 2003. Web. 13 Mar. 2018.

<sup>65</sup> Ibid.

<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

H.R. 1226 to the whole House, the Committee on Energy and Commerce Report, which totaled only four pages, concluded that “Senate confirmation is a constructive and worthwhile process... that provides the Congress with an invaluable opportunity for oversight.”<sup>69</sup> In introducing the Senate version of the bill, Gore sharply criticized the Reagan administration for “launch[ing] a quiet assault” on the FDA.<sup>70</sup> He claimed that “special interests and partisan politics have replaced sound scientific policy”—resulting in “morale among FDA professionals... at an all-time low.”<sup>71</sup> One legal scholar observed that “the legislators do not provide justification for this change based on any neutral principles of good government”; instead, “all the reasons presented in the legislative history are political ones.... Politics matter, and structure is a weapon in the battle.”<sup>72</sup> In sum, the positioning of the FDA within an executive department has shown to be difficult for multiple administrations from both sides of the political spectrum. For a country as expansive and advanced as the U.S., it is not surprising that the most efficient organization for a body that regulates both would be arduous and would constantly necessitate updating.

### **Jurisdictional Overlap**

Both the USDA and the FDA have public health and food at the forefront of their mission statements. They use similar language to express the fact that they both

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<sup>69</sup> Ibid

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Foote, Susan Bartlett. "Duke Law Journal." *"Independent Agencies Under Attack: A Skeptical View of the Importance "* by Susan Bartlett Foote. Duke University, 04 July 2004. Web. 01 Mar. 2018.

strive to protect and promote public health while enforcing health codes and the longevity of American agriculture. The USDA's website states that the department has to:

have a vision to provide economic opportunity through innovation, helping rural America to thrive; to promote agriculture production that better nourishes Americans while also helping feed others throughout the world; and to preserve our Nation's natural resources through conservation, restored forests, improved watersheds, and healthy private working lands.<sup>73</sup>

Similarly, the FDA is responsible for “protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, and medical devices; and by ensuring the safety of our nation's food supply, cosmetics, and products that emit radiation.”<sup>74</sup>

It is obvious that there are key differences between the two federal bodies' jurisdictions. As previously explained, federal responsibility for food safety rests primarily with the Food and Drug Administration (FDA), which is part of the U.S. Department of Health and Human Services (HHS), and the Food Safety and Inspection Service (FSIS), which is part of the U.S. Department of Agriculture (USDA). The FDA is responsible for ensuring the safety of all domestic and imported food products. Its jurisdiction excludes meats and poultry, but includes seafood, fish, and shellfish products. USDA's Food Safety and Inspection Service (FSIS) regulates most meat and poultry and some egg and fish products. The combined efforts of these groups are

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<sup>73</sup> United States. Federal Drug Administration. History Office. *A Historical Guide to the U.S. Government*. By John P. Swann. Oxford University Press, 1998. Web. 21 Oct. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/Origin/ucm124403.htm>>.

<sup>74</sup> Ibid.

usually credited with providing Americans with one an adequate food system.

However, there has been speculation around the current sporadic regulation of food policy in its between two federal agencies. For every obvious difference there is an even greater amount of overlap between the agencies, creating inefficiencies on the taxpayer's dime.

The current divide of food policy among various agencies is confusing and redundant to scholars who specialize in the field. This leaves the American public even more confused on the jurisdiction of the federal government over their food, and the distinction between the agencies on specific subjects. According to Michael Pollan, a leading scholar on food policy, there are many “issues connected to the food system ... yet they are overseen by eight federal agencies ... [this allows] special interests to thrive while the public good suffers.”<sup>75</sup> Another scholar notes that since “multiple agencies often work at cross-purposes [they] sometimes pursue contradictory goals.”<sup>76</sup> Due to blurry divisions between their respective jurisdictions, separation between the two agencies is unclear making differentiating between the two agencies' duties difficult. Although the USDA mostly oversees meat, poultry, and eggs, the establishment of dietary guidelines through the Center for Nutrition Policy and Promotion also falls under its jurisdiction in addition to the administration of food

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<sup>75</sup> Pollan, Michael. "A National Food Policy for the 21st Century – Food Is the New Internet – Medium." *Medium*. Food Is the New Internet, 06 Oct. 2015, pp. 3. Web.

<sup>76</sup> Freudenberg, Nicholas. "How Better U.S. Food Policies Could Foster Improved Health, Safer Jobs, and a More Sustainable Environment." *Scholars Strategy Network*. University of New York School of Public Health and Hunter College, 01 Mar. 2018. Web. 12 Mar. 2018, pp. 1. <<http://www.scholarsstrategynetwork.org/brief/how-better-us-food-policies-could-foster-improved-health-safer-jobs-and-more-sustainable>>.

stamps through the office of Food and Nutrition Service; both are two duties that are commonly assumed to be under the USDA. The FDA is responsible for regulating all processed foods created and sold in the U.S., which entails administering nutrition labels as well.<sup>77</sup> The USDA is generally thought to regulate most food items since its labels are more visible on most meats and organic certified produce items, but the FDA actually regulates over 80 percent of the U.S. food supply.<sup>78</sup> For example, the regulation of frozen cheese pizza rests with the FDA, but as soon as pepperoni is added to the equation, the USDA assumes oversight.<sup>79</sup> All in all, the lines drawn between the two agencies are too confusing to best serve the populations they are intending to benefit.

The Government Accountability Office (GAO) has issued many reports documenting problems resulting from the fragmented nature of the federal food safety system. In order to assess the functionality of food policy in its current form, the GAO has reviewed the farm bill as a means of accounting for the overlap between the USDA and the FDA. Conversations surrounding the agency's overlaps date back to shortly after the inception of the FDA. The GAO website has designated about 100 key issues in current government policy, one of which is food safety. The GAO added federal oversight of food safety to a high-risk list in 2007, where it remains today, because:

the safety and quality of the U.S. food supply is governed by a complex system stemming from at least 30 laws administered by 15 federal agencies. The two primary agencies are USDA, which is responsible for the safety of

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<sup>77</sup> United States. Federal Drug Administration. Office of the Commissioner. *About the FDA Commissioner*. FDA, 19 Dec. 2017. Web. 19 Dec. 2017. <<https://www.fda.gov/AboutFDA/CommissionersPage/>>.

<sup>78</sup> Ibid.

<sup>79</sup> Galarza, Daniela. "USDA vs. FDA: What's the Difference?" *Eater*. Eater, 24 Mar. 2017. Web. 01 Mar. 2018.

meat, poultry, processed egg products, and catfish and the Food and Drug Administration (FDA), which is responsible for virtually all other food. FDA and USDA's Food Safety and Inspection Service do not always coordinate.<sup>80</sup>

This concept has been propagated in various debates pertaining to government reform since before the turn of the century. In 1999, less than two decades after the restructuring of the FDA, an opening statement by Senator George Voinovich during a hearing before the Committee on Governmental Affairs sheds light into earlier discontent with the inner workings of regulation over the food safety system. Senator Voinovich states that at this time the GAO office had already “included 49 reports [on the issue of food safety].”<sup>81</sup> He further notes that food safety is “[an] area in the Federal Government in which there is substantial fragmentation and overlap.”<sup>82</sup> This was at a time when there was 12 different agencies involved in the oversight of food safety, in 2018 the number of agencies has reached 16. In various reports, the GAO identifies overlaps in the system as key issues, and “recommends that the Executive Office of the President lead the effort to develop such a strategy” that minimizes duplication.<sup>83</sup>

There have been efforts to make the distinction between the USDA and the FDA more succinct by better facilitating coordination between the two bodies. In 2005,

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<sup>80</sup> "Food Safety - High Risk Issue." *U.S. Government Accountability Office*. United States Government, 2018. Web. 02 Mar. 2018.

<sup>81</sup> United States. U.S. Senate. Hearing Before the Committee on Governmental Affairs. *Overlap and Duplication in the Federal Food Safety System*. By Fred Thompson. Washington D.C.: U.S. Government Printing Office, 1999. Print.

<sup>82</sup> Ibid.

<sup>83</sup> United States. U.S. Senate. Hearing Before the Committee on Governmental Affairs. *Overlap and Duplication in the Federal Food Safety System*. By Fred Thompson. Washington D.C.: U.S. Government Printing Office, 1999, pp. 44. Print.

the GAO identified 71 interagency agreements that the two agencies entered into to better protect public health and to coordinate their food safety activities. However, the agencies have weak mechanisms for tracking these agreements that, in some cases, lead to ineffective implementation. The report specifically mentioned that the USDA and FDA, the agencies given the most regulatory responsibility and allocated with the most federal funding, were not fully implementing an agreement to facilitate the exchange of information about dual jurisdiction establishments, which both agencies inspect. In addition to observing the actual policy overlap, the GAO spoke with selected industry associations, food companies, consumer groups, and academic experts on the extent to which the bodies duplicate work and the implications of any overlaps. The 2005 report concluded that federal agencies were spending resources on similar activities to “ensure the food supply is safe, wholesome, and appropriately labeled.”<sup>84</sup> A later example was noted by the GAO in October 2008 when an investigation showed that the USDA provided farm program payments to thousands of individuals with incomes exceeding income eligibility caps.<sup>85</sup> GAO recommended that USDA work with the Internal Revenue Service to develop a system for verifying the income eligibility for recipients of all farm program payments, which the agencies subsequently did.<sup>86</sup> The report was essentially able to highlight the difficulties associated with coordinating food safety efforts between agencies in a bureaucracy. Still, the GAO reports concluded that there

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<sup>84</sup> United States. Office of Government Accountability. *Federal Agencies Should Pursue Opportunities to Reduce Overlap and Better Leverage Resources*. Washington D.C.: GAO, 2005. Web. 22 Feb. 2018.

<sup>85</sup> Ibid.

<sup>86</sup> Ibid.

was a disconnect in communicating and sharing information between the FDA and USDA, even given coordination agreements.

Since this specific GAO memo and subsequent investigations of the overlap between the two bodies, the two agencies have accumulated a lengthy number of Memorandums of Understandings (MOUs) to better serve the fluidity of their compliance. As far as food policy, nutrition, and public health goes, the USDA and the FDA have a MOU that allows for the exchange of information between participating agencies of the USDA and FDA related to food safety, public health, and associated regulatory, marketing, trade, and research activities substantially affecting the public health.<sup>87</sup> This memo specifically mentions the necessity for such agreements in order to ensure the accessibility and efficiency of both of the agencies. Still, after implementation of agreements outlining a rigid method for correspondence between the two groups, the agencies have struggled to satisfy standards seen as fundamental, realistic, and necessary by the Government Accountability Office and food safety as it relates to the USDA and FDA still remains a high risk problem.

Even given the MOUs, reports from the GAO still see the need for a consolidation of power as it relates to food policy between the USDA and FDA. The GAO has reported that academics, some food company representatives, and consumer groups support consolidating food safety functions into a single food safety agency. These groups believe that consolidation would improve the effectiveness and efficiency

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<sup>87</sup> United States. Federal Drug Administration. Office of the Commissioner. *About the FDA Commissioner*. FDA, 19 Dec. 2017. Web. 19 Dec. 2017. <<https://www.fda.gov/AboutFDA/CommissionersPage/>>.

of the system and ensure that food safety inspections are based on the best available science. Representatives from the individual food companies that both USDA and FDA inspect concurred with that assessment. In contrast, the industry association representatives do not see the need to consolidate federal food safety functions. Both proponents and opponents cited several roadblocks to consolidation, including the need to maintain food security during any transition.<sup>88</sup> Still, at a two day meeting GAO hosted in June 2016, 19 food safety and other experts agreed that there is a compelling need to develop a national strategy to address ongoing fragmentation and improve the federal food safety oversight system.<sup>89</sup> The report from this event expressed the GAO's frustrations with the lack of adaptations made within the two agencies:

For more than 4 decades, we have reported on the fragmented federal food safety oversight system. In January 2007, because of risks to the economy and to public health and safety, we added the federal oversight of food safety to our list of areas at high risk for fraud, waste, abuse, and mismanagement, or most in need of transformation. In March 2011, we recommended that the Office of Management and Budget (OMB), in consultation with the federal agencies having food safety responsibilities, develop a government-wide performance plan for food safety. In December 2014, we recommended that USDA and HHS more fully describe in their strategic and performance planning documents how they are working with other agencies to achieve their food-safety-related goals and objectives. In our February 2015 High-Risk Update, we reported that these recommendations had not been implemented.

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<sup>88</sup> United States. Office of Government Accountability. *Federal Agencies Should Pursue Opportunities to Reduce Overlap and Better Leverage Resources*. Washington D.C.: GAO, 2005. Web. 22 Feb. 2018.

<sup>89</sup> Ibid.

For these reasons, as of September 2016, federal oversight of food safety remains on the GAO's High-Risk list.

In 2016, President Obama laid out a proposal that highlighted how a dozen agencies, with more than 30 laws, share responsibility of the safety of our food supply. The president's proposal put the USDA and the FDA's food safety functions under the same jurisdiction, in a new "Food Safety Administration" under the Department of Health and Human Services.<sup>90</sup> The U.S. Secretary of Agriculture, Tom Vilsack, defended the proposal and emphasized that the president wanted to ensure the safety of American consumers. He believed that "It's not about tradition. It's not about turf. It's about food safety. We have a system that no one can contend is as effective or efficient as it needs to be."<sup>91</sup>

As Senator Durbin put it in the 1999 hearing, "we have the safest food supply, but it could always be safer."<sup>92</sup> The original intention of American food policy, first propagated by Lincoln, was to provide a safe food supply for the American public, while also supporting the financial stability of farmers. However, the current display of bureaucratic agencies entangled in food policy creates an inefficient regulatory process, as highlighted by the GAO reports. Representative Rosa DeLauro of Connecticut believes that "a single food safety agency would ensure one person is held accountable for food safety, research, prevention, inspections, investigations and labeling," is

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<sup>90</sup> Collins, Sam P.K. "President Obama Is Proposing A New Way To Deal With Food Safety. But Will It Work?" *ThinkProgress*. N.p., 6 Mar. 2015. Web. 02 Mar. 2018.

<sup>91</sup> Ibid.

<sup>92</sup> United States. U.S. Senate. Hearing Before the Committee on Governmental Affairs. *Overlap and Duplication in the Federal Food Safety System*. By Fred Thompson. Washington D.C.: U.S. Government Printing Office, 1999. Print.

necessary because “there would be no more confusion around overlapping jurisdictions.” There was pushback because of concerns with the fluidity of a transition, and the benefit to granting this regulatory power to the HHS, but most would agree that this proposal by President Obama was a step in the right direction.<sup>93</sup> This legislation met resistance in parts of the executive branch, but also in Congress where any reorganization forces subcommittee chairs to give up their coveted agency oversight.<sup>94</sup> Dr. David Acheson, a consultant for food and beverage companies who has worked on food safety at both the Agriculture Department and the F.D.A., believes the two inspection systems could be combined without harming food safety. He states that “It’s the way we need to go,” he said, shrugging off the meat inspectors’ claims. “We are burning through dollars where we have F.D.A. and Agriculture Department in the same plants doing different things.” Still, the Obama Administration's proposal never came into fruition, and harmonization problems between the agencies prevail. The FDA’s website acknowledges that “changes in the work of the FDA have come rapidly in the past 20 years, shaped at least in part by political pressure, consumer activism, and industry involvement.”<sup>95</sup> Furthermore, William Hubbard, a top FDA official, believes that even given the organizational style of the FDA and USDA the “FDA's food program is very small compared to its task.”<sup>96</sup> Hubbard, after 14 years working with the

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<sup>93</sup> Ibid.

<sup>94</sup> Coglianesse, Cary. "There's an Easy Way to Untangle Regulatory Knots." *Los Angeles Times*. Los Angeles Times, 31 Mar. 2015. Web. 02 Mar. 2018.

<sup>95</sup> United States. Federal Drug Administration. History Office. *A Historical Guide to the U.S. Government*. By John P. Swann. Oxford University Press, 1998. Web. 21 Oct. 2017. <<https://www.fda.gov/AboutFDA/WhatWeDo/History/Origin/ucm124403.htm>>.

<sup>96</sup> Associated, Press. "Critics Complain of Cracks in Food-Safety System." *NBC News*. NBC News, 5 Nov. 2007. Web. 22 Feb. 2018.

FDA, now pushes for stiffer food safety regulations and more resources for his former employer.<sup>97</sup> Shifts in the agricultural landscape of America, consumer demands, and nutritional science might necessitate the need for jurisdictional readjustments. However, the efforts of lobbying might be aiding in a hindrance of such readjustments since the current system enables food and agriculture lobbying to take form in many different arenas.

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<sup>97</sup> Ibid.

### **Chapter 3: Lobbying and its Effects on the Food Industry**

Key to understanding any modern policy initiative, or lack thereof, is deciphering the underlying effects of lobbying on impending legislation. Lobbyists are behind the scene of every new congressional bill seeking to extend their influence on public officials and their staff.<sup>98</sup> Lobbyists are experts in their subject matter, and are able to present well-researched advice about potential or proposed legislation to a federal officer.<sup>99</sup> Key to being successful at this trade is establishing numerous contacts in Washington D.C. and personal relationships within government agencies. There are over 11,000 registered lobbyists, making gaining the ears of the relevant and powerful politicians difficult.<sup>100</sup> In an effort to charm and successfully convince, lobbying takes shape through more personal and social events such as meetings, dinners, media events, and public demonstrations. Election laws regulate what lobbyists may give members of Congress. Still, since lobbyists usually do not have to endure scrutiny from the public that elected politicians do, much of their activities are successfully hidden and discrete. Furthermore, lobbyists are hired to represent the private interests of a given sector, and thus, do not always represent the best interest of the American population at large. Lobbyists must venue shop in order to ascertain the most effective and realistic avenue for their interests to take influence in policy. “Venue shopping” refers to the strategic choices organized interests lobbyists make in navigating the subdivisions of political

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<sup>98</sup> "Lobbyist." *Merriam-Webster*. Merriam-Webster Incorporated, 15 Nov. 2017. Web. 20 Dec. 2017. <<https://www.merriam-webster.com/dictionary/lobbyist>>.

<sup>99</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

<sup>100</sup> "Lobbying." *Open Secrets*. Center for Responsive Politics, n.d. Web. 24 Dec. 2017. <<http://www.opensecrets.org/lobby/>>.

institutions in which they will attempt to plant their influence.<sup>101</sup> Federal systems benefit lobbyists in this way because there are multiple permeable channels and dimensions for them to present their case. In the American political scheme, a lobbyist can seek a deal with a House Representative, a Senator, the state legislature, and the legislative staffers inside each federal office as well.

The presence of interested people meeting with lawmakers and public officials dates as far back as the Magna Carta in 1215. The term was first used in the U.S. in 1808 when it was included in the annals of the 10th Congress.<sup>102</sup> In the U.S. the term “lobby-agents” was being used as early as 1829 to refer to favor-seekers in the New York state capitol. By 1832, the shortened version, “lobbyists,” was widely used in the U.S. Capitol to refer to such people. Wariness surrounding the potential detrimental effects of lobbying and interest groups dates can be found in the literature influential during the country’s founding. In 1787, through the Federalist Papers, James Madison discusses “factions,” or his term for interest groups.<sup>103</sup> Madison feared such self-interested groups as threatening to the collective good of the democracy. He defined a faction as a group of citizens “united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.”<sup>104</sup> Madison did not believe that these unelected

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<sup>101</sup> Brown, Heath, Thomas Holyoke, and Jeffery Hening. "Shopping in the Political Arena: Strategic Venue Selection by Private Organized Interests." (2008): n. pag. Columbia University, Aug. 2008. Web. 12 Oct. 2017.

<sup>102</sup> Dwoskin, Elizabeth. "A Brief History of Lobbying." *Bloomberg*. Bloomberg, 07 June 2012. Web. 28 Dec. 2017. <<https://www.bloomberg.com/news/articles/2012-06-07/a-brief-history-of-lobbying>>.

<sup>103</sup> Federalist No.10

<sup>104</sup> Ibid.

citizens would have the interests of the public as their priority. Furthermore, he recognized that even the elected politicians might have their own interests as a priority on their agenda as well. Thus, the influence of an interest group on a self-interested man was very problematic. Madison also felt that with the growing size of the Union and the enlarging of Congressional districts, there would subsequently be greater diversity of interests, resulting in factions. Madison writes:

“Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in union with each other.”<sup>105</sup>

Still, Madison steers clear of trying to define the public good he is attempting to preserve. However, it is reasonable to deduce from the Federalist Papers that Madison intends the public good to be a collective or communal interest that is separate from their individual rights. Defining public good is important in examining lobbying groups because central to any perception of their effectiveness is the opinion of whether or not their impacts are good or bad for the country and people. Any policy that benefits a small minority or concerningly specific interest group would not legitimately serve the public or common good.<sup>106</sup>

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<sup>105</sup> Federalist 10

<sup>106</sup> Wolfensberger, Don. "Wilson Center." Thesis. Wilson Center's Congress Project Seminar on Congress, Lobbyists, and the Public Interest, 2001. *Factions and the Public Interest: Federalist No. 10*. Wilson Center, 18 May 20. Web. 24 Dec. 2017. <<https://www.wilsoncenter.org/>>.

What is powerful about the potential impact of businesses is their ability to avoid problems of collective action.<sup>107</sup> Conversely, it has long been recognized that individuals often fail to work together to achieve some group goal or common good when not joined under a unifying entity like a company or corporation.<sup>108</sup> Corporations are able to work unilaterally on obscure provisions of bills without the hindrance of collective action that more diverse or eclectic groups might encounter. Furthermore, the size of a corporation predicts its level of participation in politics.<sup>109</sup> The largest companies obtain the most capital to make a more significant impact on a federal official or legislation. This is especially relevant when comparing the proportionality of lobbying efforts between large food corporations and small farms or local companies.

Political Action Committees (PACs) have extended their influence over Congressional duties, and agricultural legislation is not exempt to the pressures of their interests. PACs are a form of lobbying groups, and commonly interest groups disburse funds given to individual members of Congress through PACs.<sup>110</sup> Most PACs represent business, and are each allowed to donate up to \$5,000 to a candidate each election cycle. PACs have been around since 1944, when the Congress of Industrial Organizations formed to raise funds for President Franklin D. Roosevelt.<sup>111</sup> PACs tend

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<sup>107</sup> Maisel, Louis Sandy, L. Sandy Maisel, and Jeffrey M. Berry. *The Oxford Handbook of American Political Parties and Interest Groups*. Oxford: Oxford U, 2012. Print.

<sup>108</sup> Dowding, Keith. "Collective Action Problem." *Britannica Encyclopedia*. Encyclopedia Britannica Inc., n.d. Web. 20 Oct. 2017.  
<<https://www.britannica.com/topic/collective-action-problem-1917157>>.

<sup>109</sup> Ibid.

<sup>110</sup> PACs are political committees organized for the purpose of raising and spending money to elect and defeat candidates.

"What Is a PAC?" *Open Secrets*. Center for Responsive Politics, n.d. Web. 24 Dec. 2017.  
<<https://www.opensecrets.org/pacs/pacfaq.php>>.

<sup>111</sup> Ibid.

to go to where their money will see the most immediate and direct impact.

Additionally, use of PACs have been growing since the creation of “Super PACs” which may raise and spend as much money as they please, including from corporations, unions and individuals, to broadcast whatever they want about politicians within the context of their particular special interest. In 2012, a super PAC that spent more than \$3 million this year to help more than a dozen Republican and Democratic candidates in tough congressional race.<sup>112</sup> Since 1990, the agribusiness industry has given more than \$800 million in campaign contributions. “Part of why the farm organizations were successful [in influencing farm bill legislation] was because of their PACs,” says Rep. Collin Peterson, (D-MN), who serves as the House Agriculture Committee’s ranking member. In a Congressional report, Representative Peterson went on to explain that farm groups “had fairly significant PAC money, especially sugar”.<sup>113</sup> The power and wealth circulating from lobbyists and into the government continues to swell. Thus, it is increasingly more important to obtain a critical view of the effects of lobbying and private business interests in the study of policy development.

Part of an interest group’s effectiveness, goal, or sphere of influence can be evaluated from analyzing their monetary contributions to federal officials or candidates. PACs often make monetary contributions to federal candidates, which is the most visible and measurable display of their interest. Scholars have struggled to document

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<sup>112</sup> Schouten, Fredreka. "Super PACs Become Lobbying Force." *USA Today*. Gannett Satellite Information Network, 03 Dec. 2012. Web. 24 Oct. 2017.  
<<https://www.usatoday.com/story/news/politics/2012/12/03/groups-use-super-pacs/1742403/>>.

<sup>113</sup> Wyant, Sara. "PAC's Pave the Way for Greater Political Influence in Rural America." *AgriPulse*(2014): n. pag. *AgriPulse*. DuPont, 21 July 2014. Web. 16 Apr. 2018.

the impact of campaign contributions on policy decisions, but with mixed results.

Donations from political action committees sometimes seem to have swayed legislators and equally as often seem to have had no effect. Since most of these studies been based on one or a handful of issues at a time, and since vote outcomes must be either yes or no, the results could very well be attributable to random fluctuations rather than any systematic effects of donations.<sup>114</sup> Still, there is no doubt that money helps the wealthy gain greater access to policymakers and political leaders.<sup>115</sup> Additionally, interest groups might support representatives throughout their campaign to help them secure an election. This aspect of lobbying is more opaque, untraceable, and immeasurable due to the fact that one group's donations cannot equate to a win or a loss for any candidate. Lastly, interest groups might work directly with federal agencies in an effort to influence policy during its formulation.<sup>116</sup> There are many factors that influence election success and policymaking. Thus, it is difficult to definitively ascertain the influence of any particular group on an election cycle or policy. Still, lobbying has developed into a lucrative industry, and has extended to nearly every revenue generating industry accumulating a total of \$2.43 billion dollars in revenue in 2017.<sup>117</sup>

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<sup>114</sup> Baumgartner, Frank R., and Beth L. Leech. *Basic Interests: The Importance of Groups in Politics and in Political Science*. Princeton, New Jersey, Princeton University Press, 1998. *JSTOR*, [www.jstor.org/stable/j.ctt7rxwh](http://www.jstor.org/stable/j.ctt7rxwh).

<sup>115</sup> Leech, Beth L., Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, and David Kimball. *Does Money Buy Power? Interest Group Resources and Policy Outcomes*. University of North Carolina. Midwest Political Science Association, 15 Apr. 2007. Web. 24 Oct. 2017. <[https://www.unc.edu/~fbaum/papers/MPSA\\_2007\\_Does\\_Money\\_Buy\\_Power.pdf](https://www.unc.edu/~fbaum/papers/MPSA_2007_Does_Money_Buy_Power.pdf)>.

<sup>116</sup> Maisel, Louis Sandy, L. Sandy Maisel, and Jeffrey M. Berry. *The Oxford Handbook of American Political Parties and Interest Groups*. Oxford: Oxford U, 2012. Print.

<sup>117</sup> *Ibid*.

### History of Lobbying in the Food Industry

The food industry is no exception to the trends and quarrels of lobbying, but the history of lobbying food policy is peculiar. The political scene, as far as food policy is concerned, during World War II was unique because lobbying groups, farmers, and the federal government cohesively worked together on a similar common interest. Food producers felt that their voices were being heard, and subsequently were satisfied with their representation within the USDA. The USDA as a single entity was small and unified, allowing it to be more easily connected to the needs of food producers. Occasionally, it would even exclude the President or Secretary of Agriculture in its decision making process, due to the fact that as an agency they felt connected to the constituency.<sup>118</sup> The USDA upheld its integrity and withheld political pressures until the 1970's, where it then began to break down to outside pressures and demands from constituents. Inclement weather, increased consumerism, poor harvests abroad, and increased grain purchases from the Soviet Union led to an increase in food costs and a more widespread conversation around what the government's role in regulating the fluctuating prices of food items. As agriculture became a larger market presence, large processing and marketing companies began to overshadow their smaller competitors. Furthermore, as welfare programs began to increase their assistance through food stamps, advocates for the poor began seeing their interests heightened in the USDA.<sup>119</sup> For the first time in American history, there were now interest groups established for

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<sup>118</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

<sup>119</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

the large corporations as well as the America's poor and welfare dependents. As a response, Congress expanded the jurisdiction of House and Senate Agriculture committees. Previously these groups legislated over agricultural production, marketing, research, and development. Now, they oversaw rural development, forestry, domestic food assistance, some aspects of foreign trade, international relations, market regulation, and taxes.<sup>120</sup> This made the committees and their members more of an interest to more Americans. With the expansion of these committees' roles in the legislative process, private interests navigated to Washington D.C. to attempt to influence the future of their enterprises.

The number of food lobbying groups has increased exponentially throughout the second half of the 20th century. In the 1950s, there were only 25 groups representing food producers, but by the 1990s there were thousands of groups and individuals seeking influence in Washington. Job exchanging is extremely prevalent in the lobbying industry, where individuals who once worked for a particular government agency go into lobbying later in their career. They have numerous contacts, and truly understand the inner workings of their respective agency. As further incentive, they will almost certainly increase their income by leaving a federal office and entering a private company. The USDA and FDA are no exception to this trend. For example, in the 1990s Dr. John Hathcock, once a senior researcher at the FDA and a leading expert on nutritional toxicology, took a position with the Council for Responsible Nutrition, a

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<sup>120</sup> Ibid.

trade association for the dietary supplement industry.<sup>121</sup> This scenario is not unique, as similar crossovers are prevalent amongst all lobbying groups and government agencies.

PACs with interest in food policy have followed the trends present in lobbying more generally. Although most PACs are from the broader business sector, there are 82 PACs that concentrate on food and agriculture, 42 of which specify on producer groups.<sup>122</sup> PAC funds in the agriculture sector generally go to members of the House and Senate Agriculture Committees. From 1987 to 1996 35 of the main 50 Senate and House recipients of contributions from PACs were members of agriculture committees. In a study of the 1981 and 1985 farm bills, a study by Thomas Stratman at Montana State University discovered that without campaign contributions, agricultural interests would have lost five out of every seven votes that were won.<sup>123</sup> Most of these payments took form through PACs, which have only increased in their financial status and legislative influence. PACs have immeasurable influence over agricultural policy, and it is important to consider the influence that money buys in Washington when observing the development of legislation.

### **History of Lobbyists' Influence over the Nutrition Guidelines**

Nutrition guidelines are drafted by the government to inform the public on the development of federal food policy, scientific advancements in nutrition, and health policies and programs. The Dietary Guidelines are considered to be a tool utilized by professionals and policymakers to help the American public enjoy a healthy diet, but

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<sup>121</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

they are also used to inform other federal food programs, such as the USDA's National School Lunch Program. The guidelines are accepted as the evidence-based foundation for nutrition education materials that are developed by the federal government for the public.<sup>124</sup>

However, the nutrition guidelines have not been immune to outside influence from self-interested lobbying efforts. Marion Nestle, a leading food policy scholar, explains that the recommendations shifted from focusing on nutrient deficiencies to focusing on nutrition that would prevent chronic diseases. Nestle explains the problem now is that "people consume too many calories and are overweight."<sup>125</sup> It is difficult to exactly mark when this shift happened, but events in Washington in 1977 seem to have precipitated this trend. Responding to an alarming increase in chronic diseases linked to diet including heart disease, cancer and diabetes, a Senate Select Committee on Nutrition headed by George McGovern held hearings on the problem and prepared what by all rights should have been an uncontroversial document called "Dietary Goals for the United States." The committee learned that while rates of coronary heart disease had soared in America since World War II, other cultures that consumed traditional diets based largely on plants had strikingly low rates of chronic disease. Epidemiologists also had observed that in America during the war years, when meat and dairy products were strictly rationed, the rate of heart disease temporarily plummeted. Naively putting two and two together with limited scientific input, the

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<sup>124</sup> Vilsack, Thomas J., and Sylvia M. Burwell. "The Dietary Guidelines for Americans: What It Is, What It Is Not." *Health.gov*. U.S. Department of Agriculture, 2018. Web. 21 Mar. 2018.

<sup>125</sup> Nestle, Marion, and Michael Pollan. *Food Politics: How the Food Industry Influences Nutrition and Health*. Berkeley: U of California, 2013. Print.

committee drafted a straightforward set of dietary guidelines calling on Americans to cut down on red meat and dairy products. After reaction from the red-meat and dairy industries and a reconsideration from Senator McGovern, the committee's recommendations were hastily rewritten. The words used in the guidelines were changed. Originally, the committee had advised Americans to actually "reduce consumption of meat," but this was replaced by a compromise: "Choose meats, poultry and fish that will reduce saturated-fat intake."<sup>126</sup> Although this appears to be a subtle change in wording, here lies a powerful change in a government publication because of an uproar from an industry. First, the stark message to "eat less" of a particular food has since been removed from the vocabulary of any official U.S. dietary pronouncement. Since second, the removal of distinctions between entities as different as fish, beef and chicken foods, lumps together three different taxonomic classes to represent a single nutrient. The linguistic corrections did nothing to rescue McGovern from the wrongdoings he committed to the beef industry that was densely popular in his district. When McGovern ran for reelection in 1980, the beef lobby helped remove the three-term senator, sending an unmistakable warning to anyone who would challenge the American diet, and in particular the big chunk of animal protein sitting in the middle of its plate. From this publication into the publications of the 21st century, government dietary guidelines would sway away from plain talk about whole foods, each of which has its trade association on Capitol Hill. Instead, the guidelines speak in terms of nutrients, entities that few Americans really understood but that lack powerful

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<sup>126</sup> Ibid.

lobbies in Washington. This was precisely the tactic taken by the National Academy of Sciences when it issued its landmark report on diet and cancer in 1982. Organized nutrient by nutrient in a way guaranteed to offend no food group, it codified the official new dietary language. Industry and media followed suit, and terms like polyunsaturated, cholesterol, monounsaturated, carbohydrate, fiber, polyphenols, amino acids and carotenes soon colonized much of the space previously occupied by the tangible substance formerly known as food. The Age of Nutritionism had arrived and nutrition guidelines became more incomprehensible by the American public than ever.

In 1985, the dietary report issued by the USDA was only 19 pages long and contained simple advice. In 2015, the report is 571 pages and has expanded to put forth dietary advice but also to include sustainability recommendations and tax policies. In order for the guidelines to have any real credibility, they would need to remain free from political entanglements that might skew their integrity. However, many were disappointed after the release of the 2015 guidelines, which seemed to play into the trend that lobbying will overpower the government's will to ensure the best advice reaches the public. Even though a panel of experts convened by the government, named the Dietary Guidelines Advisory Committee, suggested that healthy dietary pattern is "lower in red and processed meats" the new guidelines make no mention of "red meats." In addition, the new guidelines ignore the advisory committee's analysis that concluded that a healthy diet should be "low in sugar-sweetened drinks." Walter Willet, chair of the Department of Nutrition at Harvard University notes that, "there are clear benefits of replacing red meat with almost any other protein sources — but the meat

lobby is very powerful in Congress." He also mentions that "the Dietary Guidelines Committee was also quite explicit in their recommendation to limit sugar-sweetened beverages, and that's not talked about [in the guidelines] at all." The guidelines did encourage Americans to increase their intake of fruits and vegetables, a positive change compared to previous publications. But still, the reasons for an overlook of advice from a federally appointed research body seems skeptical at best.

Increasingly, more and more Americans are losing trust in the advice published by the federal government. Representative Collin Peterson (D-MN) sees the skepticism towards nutritional advice within his district. He sees that "Most of [his] constituents don't believe this stuff anymore ... [the government has] lost credibility with a lot of people...they are flat-out ignoring [it]."<sup>127</sup> Representative Peterson has also stated that "the public is skeptical of the whole process." He goes on to say that "[he] is a little concerned that [the government has] lost sight of what [they are] doing, and there seems to be more focus on ideology and marketing food products than on providing nutrition advice to the general public."<sup>128</sup>

Congressman David Scott (D-GA) believes that since "[our agriculture] is the most important industry in the world" that "he hopes that [Congress] would go back and review a bit," since "the emphasis of this session [was] to restore trust."

Conversely, Representative Mike Conway (R-TX) wishes the government would completely stop releasing nutritional advice. He believes that "the guidelines are

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<sup>127</sup> Kelly, Julie. "So Fat and Salt Aren't So Bad for Us: Why We No Longer Trust the Government's Food Guidelines." *National Review*. National Review, 14 Oct. 2015. Web. 06 Apr. 2018.

<sup>128</sup> Kelley, Julie, and Jeff Steir. "Why Americans No Longer Trust the Government's Food Guidelines." *Sott.net*. National Review, 14 Oct. 2015. Web. 06 Apr. 2018.

important, but they are involuntary.” Ultimately, he states when “[he] is going to go have lunch, [he] will decide for [himself]” what he wants to eat. He believes that Americans can and will make their food choices for themselves, without much regard for what the government says is an ideally healthy option. So from his perspective it is not the best allocation of federal resources and Congressional time to discuss these matters.<sup>129</sup>

### **Lobbying within the USDA and FDA**

The breadth of food-related legislation makes it especially susceptible to the effects of lobbying. The Agricultural Act of 2014, or the most recent farm bill legislation, makes apparent the power dynamics and lobbying efforts can have on federal legislation. It has a budget of \$956 billion to be spent over the course of ten years and includes legislation on food stamps (officially named SNAP), crop insurance, commodity programs, and conservation projects among other programs. The expansion of farm bill legislation has led to a change in the landscape of the American agriculture sector. Recent trends have shown an increase in farm size, and a decrease in total number of farms, there have been a number of effects felt by small farm owners as a result of farm bill legislation.<sup>130</sup>

A major criticism of the farm bill legislation is that it benefits the wealthiest families exponentially more than the average farmer, leaving many small, family farm

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<sup>129</sup>Hamblin, James. "How Agriculture Controls Nutrition Guidelines." *The Atlantic*. Atlantic Media Company, 08 Oct. 2015. Web. 26 Mar. 2018.

<sup>130</sup> For the purposes of this paper, a farm will be defined using the definition from the USDA which identifies a farm as any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, during the census year.

owners food insecure and living in poverty. The Environmental Working Group, using USDA data from 1995 to 2010, concluded that 10 percent of farmers who received subsidies acquired three-quarters of farm subsidy dollars while 62% of American farmers do not receive any subsidies at all.<sup>131</sup> It becomes hard to justify farm subsidies when they are being utilized by farmers who are making well beyond the average non-farming American. Furthermore, a large majority of subsidies go to commercial farmers with average incomes of \$200,000 and net worths of \$2 million while most farmers expect incomes below \$100,000. More than 90% of all subsidies go to just five crops (wheat, cotton, corn, soybeans, & rice), which are mostly harvested on industrial farms. Additionally, subsidies are paid per amount of crop produced, a system designed to benefit the largest farms. This system of subsidization has encouraged the accumulation of farmland by large corporations, and steadily the number of farms in America has decreased as the average farm size has constantly been increasing. Additionally, the legislation cut food stamp spending by \$8.6 trillion and deduced subsidies to crop growers by \$50 billion. Groups pressing for the bill spent \$150 million in lobbying in 2013, and at least 350 food corporations hired lobbyists to work on the Senate's farm bill.<sup>132</sup> Companies like Monsanto, Pepsi, and Dean Foods all had stakes in this legislation. The only legislative subjects with comparable debates have

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<sup>131</sup> Riedl, Brian. "How Farm Subsidies Harm Taxpayers, Consumers, and Farmers, Too." *The Heritage Foundation*. 20 June 2007. Web. 01 May 2017.

<sup>132</sup> "Lobbying." *Open Secrets*. Center for Responsive Politics, n.d. Web. 24 Dec. 2017. <<http://www.opensecrets.org/lobby/>>.

been over federal budgeting, immigration, and defense.<sup>133</sup> It is illogical to think that in a bill as big and comprehensive as the farm bill that everyone will be happy. There will always be winners and losers. However, in a bill from the USDA supposedly designed with rural America in mind on the premise of helping all farmers, it seems that the lobbyists working on behalf of large corporations were triumphant over a smaller, less politically salient group.

The FDA has been accused of being similarly influenced by money and lobbying. Every five years, the FDA establishes a new set of Dietary Guidelines for Americans. The guidelines' influence goes beyond simply a newly colored pyramid and extends into classrooms and onto nutrition labels. The sugar and meat industry have obvious and serious stakes in the recommendations put forth by the government as people tend to take the official suggestions very seriously. As a result, their sales fluctuate with the information presented in the final and passed legislation. The FDA convened a panel of nutritional experts, named the Dietary Guidelines Committee, to serve as advice in the drafting the recommendations. The committee said that a diet "lower in red and processed meats" was beneficial, but the new guidelines did not even mention "red meats."<sup>134</sup> Similarly, the new guidelines neglected to include advice from the committee which deduced that a healthy diet should be "low in sugar-sweetened drinks." The Department Chair of Nutrition at Harvard University, Walter Willet,

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<sup>133</sup> "Lobbying." *Open Secrets*. Center for Responsive Politics, n.d. Web. 24 Dec. 2017.  
<<http://www.opensecrets.org/lobby/>>.

<sup>134</sup> Duhaime-Ross, Arielle. "New US Food Guidelines Show the Power of Lobbying, Not Science." *The Verge*. The Verge, 07 Jan. 2016. Web. 24 Dec. 2017.  
<<http://www.theverge.com/2016/1/7/10726606/2015-us-dietary-guidelines-meat-and-soda-lobbying-power>>.

believes that there are “clear benefits of replacing red meat with almost any other protein source, but the meat lobby is powerful in Congress.”<sup>135</sup> Dr. Willet was let down by the final legislation and he theorizes that, “due to strong lobbying by the meat industry and the resulting strong pressure that Congress put into the developers of the 2015 DGAs, the recommendation to reduce consumption of red and processed meats was not included.”<sup>136</sup> Furthermore, The Center Science in the Public Interest published a letter that exposed big food corporations asking that the federal government delay the implementation date for refaced nutrition labels from July 2018 to 2021. The letter, addressed to the Health and Human Services Secretary Tom Price, is signed by executives from the Grocery Manufacturers Association and various other food industry trade and lobbying groups. The revised Nutrition Facts label includes a line for added sugars, which it says could prove embarrassing for manufacturers of processed foods high in sugar. Some companies took initiative to implement the new formatting, as Secretary Price said that the new labels would only be deployed if the FDA issues final guidance. It’ll take another year to comply otherwise.

Recently, a former lobbyist for the corn syrup industry found a place in Trump’s USDA. Kailee Tkacz, former lobbyist for the Snack Food Association and the Corn Refiners Association was granted a spot advising the forthcoming 2020 dietary guidelines after White House lawyer Donald McGahn granted her a waiver of conflict

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<sup>135</sup> Ibid.

<sup>136</sup> Ibid.

of interest.<sup>137</sup> The USDA is the lead agency for the 2020 guidelines, and generally the guidelines have issued recommendations against the consumption of sugar and salt. Snack foods are a major source of salt, and high fructose corn syrups translate to a large proportion of sugar consumed by Americans. Tkacz's association to both of these industries has scholars questioning the existence of a conflict of interest. McGahn explained that this waiver would allow Ms. Tkacz "to advise the Secretary of Agriculture and other senior Department officials with respect to the Dietary Guidelines for Americans process." He says "it is in the public interest to grant this limited waiver because of Ms. Tkacz's expertise in the process."<sup>138</sup> Still, Tkacz's ties to the industries that often fight against important consumption suggestions relating to unhealthy foods seem to align with trends that have been influencing the guidelines since their existing. A new report published in the journal *The BMJ* criticizes the evidence provided for the 2015 U.S. Dietary Guidelines. It underlined the fact that committee members working on the USDA guidelines are not required to disclose conflict of interests. One member received research funding from the Tree Nut Council, while another received more than \$10,000 from Luminari, which produces content for companies like General Mills and Pepsi Co.<sup>139</sup> Meanwhile, industry lobbyists and experts still continue their fight for their

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<sup>137</sup> United States, Congress, Office of Ethics, and Donald F McGahn . "Office of the General Council." *Office of the General Council*, White House , 25 Aug. 2017. [www.foodpolitics.com/wp-content/uploads/Tkacz\\_Ethics\\_Pledge\\_Waiver.pdf](http://www.foodpolitics.com/wp-content/uploads/Tkacz_Ethics_Pledge_Waiver.pdf).

<sup>138</sup> *Ibid* (pp. 1).

<sup>139</sup> Teicholz, Nina. "The Scientific Report Guiding the US Dietary Guidelines: Is It Scientific?" *The BMJ*. British Medical Journal Publishing Group, 23 Sept. 2015. Web. 19 Mar. 2018.

cause and alliances through direct impact on the suggestions that shape the American diet at the detriment of public health in the U.S.<sup>140</sup>

### **Food Industry Funding of Research**

Lobbying can take alternative avenues in order to extend its influence and legitimize its interests. Generally, scientific studies and evidence are supposed to be the objective analysis of numbers, data, and results. However, research pronouncements by prominent scientific institutes and journals have been funded by food industries to promote their interests with convenient scientific validity. One study suggests as much as 90 percent of the studies that are funded by the food industry come up with outcomes that favor the sponsor's interest.<sup>141</sup> In 2016, it became news that the Journal of American Medicine had paid for scientists in the 1960s to produce research that would downplay the link between sugar and heart disease. Since then, the sugar industry has been caught funding similar research. Other food companies and industries are guilty of the same sketchy tactics. For example, studies funded by Welch Foods determined that drinking Concord Grape Juice may boost brain function. Another study funded by Quaker Oats concluded that a hot oatmeal breakfast will keep you full longer. An investigative piece by the *The New York Times* revealed that Coca-Cola was funding high-profile scientists and organizations to promote a message that, in the battle against

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<sup>140</sup> Nestle, Marion. "Food Industry Lobbyists Running the Dietary Guidelines?" *Food Politics*. Marion Nestle, 05 Feb. 2018. Web. 19 Mar. 2018.

<sup>141</sup> Bes-Rastrollo, Maira, Matthias B. Schulze, Miguel Ruiz-Canela, and Miguel A. Martinez-Gonzalez. "Financial Conflicts of Interest and Reporting Bias Regarding the Association between Sugar-Sweetened Beverages and Weight Gain: A Systematic Review of Systematic Reviews." *PLOS Medicine*. Public Library of Science, 31 Dec. 2013. Web. 19 Mar. 2018.

weight gain, people should pay more attention to exercise and less to what they eat and drink. In the aftermath of that investigation, Coca-Cola released data detailing its funding of several medical institutions and associations between 2010 and 2015, from the Academy of Family Physicians to the American Academy of Pediatrics. All told, Coca-Cola says it gave \$132.8 million toward scientific research and partnerships.<sup>142</sup> Similarly, the Associated Press released an investigation that looked at research funded by the National Confectioners Association, a trade group whose members are primarily large candy producers. One study the group funded concluded that kids who eat candy tend to weigh less than those who don't. In an email to her co-author, the AP reported, one of the scientists behind that study wrote that the finding was "thin and clearly padded." Nonetheless, the paper was published in a journal called *Food & Nutrition Research*. Interestingly, the amount of money that the National Institutes of Health (NIH) spends on nutrition research has been slowly increasing since 2012. The NIH has consolidated the number of open projects, and funded fewer projects in the last six years than it has since 2006, despite a growing budget. Meanwhile, the number of reported corporate-funded projects is on the rise, insinuating an increase in the prevalence of this problem. An environment of research skepticism has naive consumers tricked into consuming foods that are working against their health. Scientific research has been utilized by industries and lobbyists as a type of marketing. A health

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<sup>142</sup> O'Connor, Anahad. "Coca-Cola Funds Scientists Who Shift Blame for Obesity Away From Bad Diets." *The New York Times*. The New York Times, 09 Aug. 2015. Web. 19 Mar. 2018.

or nutrition claim cannot be trusted solely on the premise that it was backed by clinical studies, a notion that goes against many Americans' intuitions towards science.<sup>143</sup>

### **Monsanto: A Case Study**

Monsanto's lobbying efforts reflect the typical efforts taken by large corporations to maintain the industrial-style agriculture promoted by U.S. policy today. The large agriculture company consistently outspends all other agribusiness companies and interest groups to influence policymakers and opinion leaders, lobby members of Congress, contribute to campaigns, and promote advertisements aimed at reaching specific constituencies.<sup>144</sup> In 2008, the company recorded nearly \$9 million in lobbying expenditures intended to influence decisions in Congress and the USDA. In 2010, the company spent \$8 million in lobbying, proceeded by an additional \$7 million in 2011 and an additional \$6 million in 2012.<sup>145</sup> Furthermore, Monsanto was reported to be lobbying for a "modern agriculture" caucus in Congress. Unsurprisingly, in February of that year the Congressional Caucus on Modern Agriculture was created.<sup>146</sup> Furthermore, the company spends additional money in advertising with hopes to influence public opinion. Their ads are often placed to reach Washington decision-makers, showing up at DC airports and train stations and near federal office buildings. They tell a story of heroic farmers who "grow our economy, provide us with jobs and protect our

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<sup>143</sup> Godoy, Maria, and Rhitu Chatterjee. "The Food Industry's Influence In Nutrition Research." *NPR*. NPR, 17 Sept. 2016. Web. 19 Mar. 2018.

<sup>144</sup> "Lobbying and Advertising - 8 Ways Monsanto Fails at Sustainable Agriculture ." *Union of Concerned Scientists*, 31 Jan. 2013, [www.ucsusa.org/food\\_and\\_agriculture/our-failing-food-system/genetic-engineering/lobbying-and-advertising.html#.WkKE6VQ-cxE](http://www.ucsusa.org/food_and_agriculture/our-failing-food-system/genetic-engineering/lobbying-and-advertising.html#.WkKE6VQ-cxE).

<sup>145</sup> *Ibid.*

<sup>146</sup> *Ibid.*

environment.” According to documents the company filed with the Securities and Exchange Commission, it spent \$100 million on advertising in fiscal year 2011, \$87 million in FY 2012, and \$95 million in FY 2013.<sup>147</sup> Monsanto also influences policy through direct campaign contributions. According to the Center for Responsive Politics, the company consistently ranks among the top political check-writers in the agricultural services and products industry. Monsanto gave more than \$420,000 in campaign gifts during the 2010 Congressional election cycle, topped the half-million mark in 2012, and had given more than \$216,000 for 2014 as of December 2013. Monsanto supported the Safe and Accurate Food Labeling Act of 2015, which passed in the House, which critics claim makes it harder for shoppers to interpret GMO information on food labels.

<sup>148</sup> The bill was “hotly contested” due to the fact that it kept states from issuing mandatory labeling laws for foods that contain genetically modified organisms (GMOs).<sup>149</sup> The bill was introduced by Congressman Mike Pompeo, who was the single largest recipient of campaign funds from the Koch Brothers in 2010.<sup>150</sup> After winning election with Koch money, Congressman Pompeo hired a Koch Industries lawyer to run his office. Congressman Pompeo then introduced bills friendly to Koch Industries while

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<sup>147</sup> Ibid.

<sup>148</sup> McQueeney, Ryan. “You’ll Never Guess How Much Bayer and Monsanto Spend on Lobbying.” *NASDAQ*, 16 Sept. 2016, [www.nasdaq.com/article/youll-never-guess-how-much-bayer-and-monsanto-spend-on-lobbying-cm680808](http://www.nasdaq.com/article/youll-never-guess-how-much-bayer-and-monsanto-spend-on-lobbying-cm680808).

<sup>149</sup> Marcos, Lydia Wheeler, and Cristina Marcos. “House Passes Bill Blocking States from Requiring GMO Labels on Food.” *The Hill*, 1 Feb. 2016, [thehill.com/blogs/floor-action/house/248974-house-passes-gmo-labeling-reform-bill](http://thehill.com/blogs/floor-action/house/248974-house-passes-gmo-labeling-reform-bill).

<sup>150</sup> “Koch Industries and Monsanto Team up to End Your Right to Know.” *Center for Food Safety*, 3 Apr. 2013, [www.centerforfoodsafety.org/press-releases/3042/koch-industries-and-monsanto-team-up-to-end-your-right-to-know](http://www.centerforfoodsafety.org/press-releases/3042/koch-industries-and-monsanto-team-up-to-end-your-right-to-know).

Koch hired outside lobbyists to support them.<sup>151</sup> Koch Industries' subsidiary, Georgia-Pacific, is a member of the Grocery Manufacturers Association (GMA) which donated more than \$7 million against the recent Washington State ballot initiative to label GMO foods. Monsanto, another GMA member, was the single largest contributor to that campaign. Between Washington State and California, Monsanto, GMA (including Georgia-Pacific), and others, have contributed over \$67 million to keep consumers in the dark about GE foods. Monsanto's political leverage through their wealth is interesting proof of the power agribusiness has over the USDA and legislation that passes through the federal body.

The battle between private interests and the greater public good is inevitable and seemingly constant in the grand scheme of American politics. The realm of food policy is not immune to this paradigm. There is constantly competition between big and small actors, or more specifically big corporations and small farm owners, who hope to sway legislators into drafting federal mandates favorable to their interests and betterment. What is seemingly more unique to food policy are the observable ramifications that incredibly wealthy interest groups and lobbyists have had on the development of the entire food industry in addition to their impact on its current status. Lobbyists and large agribusinesses have successfully bolstered American GDP generated revenue by

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<sup>151</sup> Eggen, Dan. "Pompeo Draws Liberal Groups' Ire." *The Washington Post*, WP Company, 20 Mar. 2011, [www.washingtonpost.com/politics/pompeo-draws-liberal-groups-ire/2011/03/10/ABogK33\\_story.html?utm\\_term=.00997c5cea6d](http://www.washingtonpost.com/politics/pompeo-draws-liberal-groups-ire/2011/03/10/ABogK33_story.html?utm_term=.00997c5cea6d).

creating an agricultural economy dominated by a few select cash crops, all which are supported by government subsidization.

## **Chapter 4: Crop Subsidization and its Effects on the American Diet:**

### **Past & Present**

The development of federal subsidies in U.S. food and agricultural policy process makes apparent the influence of politics and lobbying on the evolution of the entire agricultural sector. The United States spends over \$25 billion on subsidies for farm businesses.<sup>152</sup> Most agricultural subsidies go to farmers producing crops such as wheat, corn, soybeans, rice, and cotton. Although technically roughly a million farmers and landowners receive federal subsidies, the allotment of payments are heavily tilted toward the largest producers.<sup>153</sup> The current system of crop subsidization has been many years in the making, and agricultural policy as it stands in 2018 can only be analyzed given an understanding of its historical development.

### **History of Subsidization - Early 1900's to the Great Depression**

Government intervention in agriculture has been an attractive agenda item for most of American history. The Agriculture Committees of Congress are among some of the oldest, established in 1820 in the House and 1825 in the Senate.<sup>154</sup> During early America, federal subsidies were not the first tool implemented to aid farmers and the agriculture sector. During the mid-1890s, the secretary of agriculture, J. Sterling Morton, focused on cutting budgets, not pushing subsidies, even amidst 18 percent

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<sup>152</sup> Edwards, Chris. "Agricultural Subsidies." *Downsizing the Federal Government*. Downsizing the Federal Government, 07 Oct. 2016. Web. 06 Feb. 2018.

<sup>153</sup> Ibid.

<sup>154</sup> "A Short History and Summary of the Farm Bill." *Farm Policy Facts*. Web. 06 Feb. 2018. <<https://www.farmpolicyfacts.org/farm-policy-history/>>.

unemployment.<sup>155</sup> He reduced his department's budget by almost 20 percent, which allowed taxpayers to keep and spend more of their cash.<sup>156</sup> Morton fired unproductive bureaucrats and slashed the travel budgets.<sup>157</sup> This was not technically agriculture policy, but rather a budgetary adjustment. It was not until the 1900s that concrete farm policy was implemented in the U.S.

Prior to the notorious farm bill, the U.S. government initiated agriculture programs with the Morrill Act of 1862 which established land grant colleges. These provided states with the economic means to establish colleges (later to be known as the “A&M” colleges) which specialized in “agriculture and the mechanic arts.”<sup>158</sup> Proceeding the Morrill Act was the Hatch Act of 1887 which financed agricultural research and the Smith-Lever Act of 1914 which funded agricultural education. The Federal Farm Loan Act, legislated in 1916, created cooperative “land banks” to provide loans to farmers, a system which grew to become the Farm Credit System which is a federal financial system worth more than \$250 billion.<sup>159</sup> Although these policy initiatives were centered around farms, they did not include direct government intervention into the growing or sales of crops. Instead, they focused on giving farmers tools and utilities so they themselves could create a more successful enterprise.

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<sup>155</sup> Folsom, Burton, Jr. "The Origin of American Farm Subsidies." *The Freeman: Ideas on Liberty*(2011): 34-35. Print.

<sup>156</sup> Ibid.

<sup>157</sup> Ibid.

<sup>158</sup> The Editors of Encyclopædia Britannica. "Land-Grant College Act of 1862." *Encyclopædia Britannica*. Encyclopædia Britannica, Inc., 18 Jan. 2017. Web. 06 Feb. 2018. <<https://www.britannica.com/topic/Land-Grant-College-Act-of-1862>>.

<sup>159</sup> Ibid.

Throughout the 1920s, federal agricultural subsidization was still relatively nonexistent. The USDA during this time focused primarily on producing and analyzing statistics, funding research, and responding to emergency situations. During the late 1920s, farmers began vocalizing their desire for direct subsidies for farms.<sup>160</sup> Throughout much of the '20s, farmers were stuck in a continuous cycle of debt.<sup>161</sup> Much of this debt stemmed from the fact that crops saw falling prices while farmers saw increases in costs as the need to purchase expensive machinery became more necessary.<sup>162</sup> When the stock market crashed in 1929, many American farmers became disillusioned and doubtful that their lives would ever improve.<sup>163</sup> As previously mentioned, the USDA during this time was closely connected to the desires and needs of America's farms. The small size of the agency made it accessible to rural America, while ensuring that the farm's needs were at the forefront of any USDA initiative. The voices of the farmers were heard, but conflict between the Department of Commerce and the USDA made creating a fluid executive initiative more difficult.

While Herbert Hoover served as secretary of commerce in the 1920s, there was internal conflict over the direction of agricultural policy, making change in the current plan seemed imminent. There was conversation around increasing federal intervention in agriculture. Hoover thought that the American farm problem was aggravated by what

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<sup>160</sup> "The Farming Problem." *Ushistory.org*. Independence Hall Association, Mar. 2016. Web. 09 Feb. 2018.

<sup>161</sup> *Ibid.*

<sup>162</sup> *Ibid.*

<sup>163</sup> *Ibid.*

he called the socialist ideas of Henry Wallace, the secretary of agriculture at the time.<sup>164</sup> Although coining it as socialism might be extreme, Wallace and his followers did more than any other single group to thwart Hoover's plan for expanding the powers of the Department of Commerce at the expense of the Department of Agriculture. They also persistently interfered with the creation of voluntary marketing cooperatives, which Hoover deemed as the equivalent of trade associations for farmers.<sup>165</sup> Wallace believed that Hoover was an "exceptionally big-brained businessman" who was out of touch with the unique problems of the farmer.<sup>166</sup> Still, Hoover recognized that Wallace was "admirably fitted for the work" of secretary of agriculture, and he refused to oppose his nomination. Hoover's stubbornness persisted as secretary of commerce, he refused to turn his Food Administration files over to the Department of Agriculture because he no longer wanted to engage in the dispute over wartime price supports.<sup>167</sup>

The major confrontation between the two men came over proposed policy initiatives focused on bringing the American farm industry out of its post-war decline. The secretary of agriculture favored direct government intervention through a federal export corporation that would be designated with purchasing surplus agriculture commodities and selling them abroad. This idea was contrasted with the secretary of commerce who opposed federal tampering in the natural laws of supply and demand.

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<sup>164</sup> James H. Shideler; Herbert Hoover and the Federal Farm Board Project, 1921–1925, *Journal of American History*, Volume 42, Issue 4, 1 March 1956, Pages 710–729.

<sup>165</sup> *Ibid.*

<sup>166</sup> Wilson, Joan Hoff. "Hoover's Agricultural Policies 1921-1928." *Agricultural History* 51.2 (1977): 335-61. *JSTOR*. Agricultural History Society, 1977. Web. 3 Feb. 2018. <<https://www.jstor.org/stable/pdf/3741164.pdf?refreqid=excelsior:1876f13298e38c4e6fe7731309687eb8>>.

<sup>167</sup> Hawley, Ellis W. *Herbert Hoover as Secretary of Commerce: Studies in New Era Thought and Practice*. IA City, IA: U of Iowa, 1981. Print.

He also feared international pushback with American policy that would dramatically shift the price and status quo of international commodity markets. Hoover urged instead that the government develop a system of voluntary marketing cooperatives to "give a larger part of the consumer's dollar to the farmer."<sup>168</sup> These cooperatives, according to an address to the American Dairy Federation on October 1st 1924, would have also encouraged greater diversification of crops among farmers who found themselves suffering from "continuous overproduction."<sup>169</sup> Hoover said at the President's Agricultural Conference later that year that "the fundamental need is the balancing of agricultural production to our home demand."<sup>170</sup> These ideas foreshadowed the underlying ideology of the Federal Farm Board created when Hoover was president.

Hoover asserted that his plans for the American farmer were based on economic, not political, thinking, and he logically followed up his pleas for legislation to create a system of marketing cooperatives with a call to exempt these organizations from the "restraint of trade laws."<sup>171</sup> His argument here did not contradict the defense he made of antitrust legislation in connection with trade association activity because, as he stated in several addresses and press releases in 1920s, "agricultural products differ from other products in that an excessive price cannot be fixed and maintained in the event a cooperative obtained a monopoly of a product."<sup>172</sup> In other words, Hoover believed that there can be no continuous organization of the farmers in the marketing of

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<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

<sup>170</sup> Ibid.

<sup>171</sup> Ibid.

<sup>172</sup> Ibid.

their product which will militate against public interest. Any concern with the possible combination of the farmer to override the consumer against public interest was in Hoover's opinion entirely unimaginable.

President Coolidge entertained the idea of limited government involvement in aiding agricultural stability. One proposal during the 1920s, the McNary-Haugen bill, would have fixed prices of some crops through a bureaucratic system and passed the costs on to American consumers. When Congress, under pressure from some farmers, passed the bill, Coolidge vetoed it. In his veto message, Coolidge echoed major themes of limited government:

“I do not believe that upon serious consideration the farmers of America would tolerate the precedent of a body of men chosen solely by one industry who, acting in the name of the Government, shall arrange for contracts which determine prices, secure the buying and selling of commodities, the levying of taxes on that industry, and pay losses on foreign dumping of any surplus. There is no reason why other industries—copper, coal, lumber, textiles, and others—in every occasional difficulty should not receive the same treatment by the Government. Such action would establish bureaucracy on such a scale as to dominate not only the economic life but the moral, social, and political future of our people.”

Coolidge's ideology was abandoned by the presidents proceeding him. But as the Great Depression hit, both Hoover and Roosevelt argued in favor of taxes to provide subsidizations for farmers.

Prior to the Great Depression and his term as President, Hoover was named Secretary of Agriculture, where he saw more success with developing cooperative ideas. By the end of the decade almost two million farmers belonged to cooperatives

which distributed about \$2 billion in farm products annually.<sup>173</sup> Hoover eventually oversaw the implementation of a voluntary crop reduction system, an idea that is said to be years ahead of his time. This took the form of the Agricultural Marketing Act of 1929 which established a Federal Farm Board.<sup>174</sup> The Board drafted legislation that submitted the first direct payments made to farmers, and it attempted to raise commodity prices by stockpiling production of wheat and cotton. If market prices went below 80 cents a bushel for wheat and 20 cents a pound for cotton, the federal government would step in to buy the crop, pay to store it, and hope to resell it later for a decent price. This plan by the Farm Board had tangible unintended consequences for almost everyone. For example, many farmers who typically grew other crops shifted to wheat or cotton because they were protected and now provided a secure income. The resulting overproduction forced down the prices of both crops below the price floors, so the government had to buy over 250 million bushels of wheat and 10 million bales of cotton. The costs of buying and storing these crops quickly used up the program's allotted \$500 million. After about two years of buying surpluses, the government finally just gave them away or sold them on the world market at huge losses.<sup>175</sup>

Federal intervention through the Farm Board contributed to the fluctuating domestic and global prices of wheat. The Farm Board took immediate action after its

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<sup>173</sup> Wilson, Joan Hoff. "Hoover's Agricultural Policies 1921-1928." *Agricultural History* 51.2 (1977): 335-61. *JSTOR*. Agricultural History Society, 1977. Web. 3 Feb. 2018. <<https://www.jstor.org/stable/pdf/3741164.pdf?refreqid=excelsior:1876f13298e38c4e6fe7731309687eb8>>.

<sup>174</sup> *Ibid*.

<sup>175</sup> Folsom, Burton, Jr. "The Origin of American Farm Subsidies." *The Freeman: Ideas on Liberty*(2011): 34-35. Print.

inception by boosting the income of American farmers through a consolidation of the world grain market, subsequently driving up prices. By the end of 1929, six months after its inception, the Farm Board pressured the federal credit banks to liberalize their loans to farms to help increase the amounts of loans distributed to farmers. In November 1929, the chairman of the Farm Board declared, “Anyone selling wheat or cotton at the present market price is foolish,” and with that domestic wheat prices subsequently plunged. By December 1929, Farm Board officials were preaching to farmers to reduce production and abandon exports so that the government could drive their prices up for them.<sup>176</sup> Soon thereafter, the Farm Board established the Grain Stabilization Corporation, which began buying up American wheat to reduce surplus. The board was able to successfully increment U.S. prices to 18 cents a bushel, which in turn made American wheat less appealing on the international market and lead to the collapse of U.S. wheat exports. The Farm Board was certain that the rest of the world would struggle to produce enough wheat for themselves, and that eventually the global consumption of wheat would depend upon U.S. surpluses. During the mid and early 20th century, there were four wheat exporters: Canada, Argentina, Australia and the United States who produced approximately 90 percent of total world wheat exports in the 1920s. The increased domestic price of U.S. grain meant that countries like Australia and Canada saw a notable increase in their profits from exports. Canada led with exports of wheat and flour worth \$10.9 million in 1901, \$33.5 million in 1921 and

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<sup>176</sup> Ibid.

\$495 million in 1929.<sup>177</sup> By encouraging that farmers stash their surpluses rather than sell them, The Farm Board technically advised the farm to gamble or invest their crop with hopes that they would soon see greater profits. But in turn, the amassed U.S. surpluses hurt the success of grain prices in the U.S. During 1930 it was the known surplus of agricultural commodities in the U.S. and the effects of the Great Depression which forced farmers to face the most drastic price cuts in a decade.<sup>178</sup> Geta Feketekuty, a former economist at the U.S. trade representative's office in the White House, observed in 1988 that the "world protectionist binge of the 1930s started as a result of efforts to protect American farmers from low world market prices."<sup>179</sup> Through the Farm Board, Hoover created what has been deemed an "almost perfect illustration" of his idealistic decentralized approach to voluntary regulation of the American economy.<sup>180</sup> However, these institutions became one of the first legislative victims of the Great Depression.

The Great Depression was a time that illuminated the need for federal assistance for crops. Commodity crops like wheat and corn proved to be vital as an interest for American economic prosperity as well as a financial necessity for many individual households. The Farm Board provided guidance to farms throughout the Depression, however when it became necessary to make strong decisive action that would alleviate

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<sup>177</sup> Manning, Richard. *Against the Grain: How Agriculture Has Hijacked Civilization*. New York: North Point, 2005. Print.

<sup>178</sup> Bovard, James. "Hoover's Second Wrecking of American Agriculture." *The Future of Freedom Foundation*. N.p., 29 Oct. 2012. Web. 06 Feb. 2018.  
<<https://www.fff.org/explore-freedom/article/hoovers-wrecking-american-agriculture/>>.

<sup>179</sup> Ibid.

<sup>180</sup> Hawley, Ellis W. *Herbert Hoover as Secretary of Commerce: Studies in New Era Thought and Practice*. IA City, IA: U of Iowa, 1981. Print.

farm crisis or negate rural hunger Hoover's policy was not as successful. Hoover himself saw agriculture as a daunting and complicated agenda item. Hoover admitted that it was proving next to impossible to integrate the agricultural industry into his comprehensive plans for eliminating the contradiction between the domestic and foreign policies of the United States because of the "extreme individualism" of the American farmer "which persistently keeps individuals competing with the [farmers'] cooperatives, and the natural inability of the farmers themselves to provide the large sums of working capital" to build more cooperative associations. He also believed that the agricultural industry in general lacked "skilled direction" in diversifying crop production.<sup>181</sup> As secretary of commerce Hoover attempted not only to reorganize his own department, but also the entire executive branch to improve efficiency and avoid duplication of work. Hoover's ideas were fundamental to creating a conversation amongst federal, executive officials, but New Deal programs were the first clear indication of a hands-on government approach to stabilizing the American agriculture sector.

In sum, Hoover believed that there can be no continuous organization of the farmers in the marketing of their product which will militate against public interest. Hoover stated in several addresses and press releases in 1920s that "agricultural products differ from other products in that an excessive price cannot be fixed and maintained in the event a cooperative obtained a monopoly of a product." Any concern

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<sup>181</sup> Hawley, Ellis W. *Herbert Hoover as Secretary of Commerce: Studies in New Era Thought and Practice*. IA City, IA: U of Iowa, 1981. Print.

with the possible combination of the farmer to override the consumer against public interest was in Hoover's opinion entirely unimaginable. It seems that Hoover did not imagine the creation of an agricultural sector that is present today, one with vertical and horizontal integration and monopolization.

### **History of Subsidization - Post Great Depression**

New Deal farm policy was comprised of various interrelated programs and policies that sought to increase the long-term socioeconomic position of farmers, but the successfulness of the legislation is highly controversial.<sup>182</sup> Some view it as a saving grace in leveling out the market, others view it as the beginning of a disastrous trend toward misguided federal intervention in economic activities.<sup>183</sup> Under President Roosevelt's leadership, the USDA played the most prominent role in influencing this initiative. The most relevant of the farm agencies established was the Agricultural Adjustment Administration (AAA).<sup>184</sup> This agency was designed to help farmers improve their financial position amidst by increasing an artificial scarcity of their goods.<sup>185</sup> The primary initiative of AAA was to close the discrepancy between farm and nonfarm policies by granting payments to producers who cooperated with the federal government. The government sought to balance production with demand, which required a reversal of farmers' incomes to the level they were receiving between 1909

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<sup>182</sup> Ibid.

<sup>183</sup> Lotterman, Edward. "Farm Bills and Farmers: The Effects of Subsidies over Time." *Federal Reserve Bank of Minneapolis*. 01 Dec. 1996. Web. 06 Feb. 2018.  
<<https://www.minneapolisfed.org/publications/the-region/farm-bills-and-farmers-the-effects-of-subsidies-over-time>>.

<sup>184</sup> Ibid.

<sup>185</sup> "The Farming Problem." *Ushistory.org*. Independence Hall Association, Mar. 2016. Web. 09 Feb. 2018.

and 1914.<sup>186</sup> In order to do so, for the first time the government implemented a revolutionary structure for federal agricultural aid.

Being that the main objective of AAA was to raise farm parity levels, the New Deal was partly successful in accomplishing its goals by 1939. The prices of most farm commodities in August 1939, moments before the Nazis invaded Poland, were low in comparison with parity and August 1929 price levels. Two concepts in the AAA were revolutionary as far as federal assistance to farmers is concerned. First, the government began paying farmers to stop growing on parts of their land so that they could create some collective action around decreasing overproduction. Second is the idea of “parity,” that farmers ought to be protected from falling prices by fixing them so that they were comparable to the purchasing power of their crop in the excellent years 1909–1914. The act was passed swiftly and implemented in spring 1933 with the hopes to provide some immediate relief in the South, where rural economic conditions were particularly severe.<sup>187</sup> Farm income did increase under the AAA. Wheat and Corn prices doubled in three years. However, the bounty did not trickle down to the lowest economic levels. Tenant farmers and sharecroppers did not receive government aid, instead the subsidy went to the less financially unstable landlord.<sup>188</sup> The owners often bought better machinery with the money, which further reduced the need for farm labor, removing . In fact, the Great Depression and the AAA brought a virtual end to

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<sup>186</sup> Ibid.

<sup>187</sup> Ibid.

<sup>188</sup> Ibid.

the American practice of sharecropping, a source of income and labor for many Southerners.<sup>189</sup>

The Supreme Court ending up declaring the act's commodity tax provision unconstitutional. Supreme Court Justice Owen Roberts posed the following analogy in his dissent:

Assume that too many shoes are being manufactured throughout the nation; that the market is saturated, the price depressed, the factories running half-time, the employees suffering. Upon the principle of the statute in question Congress might authorize the Secretary of Commerce to enter into contracts with shoe manufacturers providing that each shall reduce his output and that the United States will pay him a fixed sum proportioned to such reduction, the money to make the payments to be raised by a tax on all retail shoe dealers or their customers.<sup>190</sup>

The idea that supplying a business group with such substantial federal assistance would create a precedent that could not be maintained by the government was also reiterated by Coolidge. With revisions, the AAA had established support prices for six basic commodities, including grains, relative to the "parity," or the price of the commodity relative to the general price level in the 1910-1914 period. During the war, legislation was passed extending such mandatory price support to 14 more commodities ranging from turkeys to sweet potatoes, such support to last through 1948, expanding the breadth of federal intervention in price supports of commodities.

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<sup>189</sup> Ibid.

<sup>190</sup> Ibid.

### History of Subsidization - From Nixon to George W. Bush

Although the government's involvement began to taper off throughout the 1950s, a decision by the Nixon Administration in the early 1960s caused shortages, a spike in prices, and hysteria around the government's role in the debacle. The government once again began developing fixed payment programs to increase wheat production. According to Richard Wiles, a senior vice president for the nonprofit Environmental Working Group, the result from these commodities was a surplus of basic commodities like wheat, corn, soybeans, and cotton.<sup>191</sup> This act, named the Freedom to Farm Act eliminated crop subsidies, but instead gave farmers fixed amounts of money based on what they had grown in earlier years.<sup>192</sup> By 2000, these fixed payments reached \$22 billion, or three times the pre-reform level of 1996.<sup>193</sup> According to Wiles, the act was fatally flawed. "It grandfathered everybody who received subsidies at that time so that they could get subsidies forever, whether or not they grow anything. It turned the commodity payments into commodities themselves that could be passed around, sold, and traded." The 2002 Farm Bill abandoned this attempt to eliminate subsidies and reduce farm payments. Instead, it is scheduled to distribute about \$190 billion by 2012, an increase of about \$72 billion when compared

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<sup>191</sup> Fields, Scott. "The Fat of the Land: Do Agricultural Subsidies Foster Poor Health?" *US National Library of Medicine National Institutes of Health*. Environ Health Prospect, Oct. 2004. Web. 06 Feb. 2018.  
<<https://www.minneapolisfed.org/publications/the-region/farm-bills-and-farmers-the-effects-of-subsidies-over-time>>.

<sup>192</sup> Ibid.

<sup>193</sup> Kirwan, Barrett, and Micheal J. Roberts. "Who Really Benefits from Agricultural Subsidies? Evidence from Field-Level Data." *Agricultural & Applied Economics Association* (2010): n. pag. *University of Minnesota*. July 2010. Web. 5 Feb. 2018.  
<[http://ageconsearch.umn.edu/bitstream/62028/2/Who%20benefits%20from%20agricultural%20subsidies\\_AAEA.pdf](http://ageconsearch.umn.edu/bitstream/62028/2/Who%20benefits%20from%20agricultural%20subsidies_AAEA.pdf)>.

to the programs it replaced. Supporters call this provision a vital safety net for small family farmers with few resources, some of America's most vulnerable workers. On the other hand, critics view it as a welfare program that largely benefits huge agricultural corporations like giant farms, grain brokers, food processors, fast-food chains, and prepackaged food companies more than family farms.<sup>194</sup>

Farm bill legislation saw pushback from the Bush administration, showing the politicalization of the issue and subjectivity of the effectiveness of subsidizations. While it has been passed in each renewal, President Bush was strongly opposed to both 2002 and 2008 drafts of the Farm bill, he even vetoed the bill in 2008. He felt that the legislation, especially in 2008, contained too many subsidies and insurance measures for farmers in a time when agriculture was at an economic high. Especially with the increased demand for grain, President Bush thought that passing the bill would be unnecessary spending and the commodity section, as well as other provisions, would only be creating breaks for those who are already wealthy. While Bush did in fact veto this bill, Congress overruled his veto with more than the two-thirds majority required as the House voted 306-110 and the Senate voted 77-15.<sup>195</sup> In its entirety, the 2008 Farm Bill contains 40 billion dollars dedicated to subsidies Bush was against. The bill did contain a variety in spending, politicians had diverse reasons for wanting it passed over Bush's veto, and many agreed that it needed to be implemented even if only for the nutrition

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<sup>194</sup> Mercola, Dr. "How the USDA Can Make or Break Public Health." *Mercola.com*. N.p., 18 June 2014. Web. 23 Jan. 2018.

<sup>195</sup> Walsh, Deirdre. June 18, 2008. "Congress Passes Farm Bill over Bush Veto". CNN Capital Hill.

and welfare aspects.<sup>196</sup> By structuring programs in terms of outputs such as crop yield or acreage, programs cannot influence the way crops are produced. This means that policy cannot steer farms towards more economically equitable practices. Legislation should work towards correcting problems rather than reinforcing them

During the drafting process, the 2014 Farm Bill was promised to save costs and provide subsidy reforms, but it proved to be the most expensive ever.<sup>197</sup> Two new crop subsidy programs, Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC), contain dramatic increases in payouts. Estimates projected that the two new types of coverage would generate more than \$24 billion in payments over the 2014-2018 life of the farm bill, \$2.4 billion more than the “direct payment” subsidies the plan replaced, which cost taxpayers \$21.6 billion from 2009 through 2013.<sup>198</sup> Most counties in Ohio, Iowa, Minnesota and Kansas received payouts of between \$60 and \$200 an acre for only corn alone, a notable increase from the average \$24 per acre formally paid for under the direct payment program.<sup>199</sup> Even under the previous farm bill, per-acre premium subsidies were larger than direct payments for most crops, and the new projections show that these subsidies will remain high in the coming years.<sup>200</sup>

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<sup>196</sup> Ibid.

<sup>197</sup> *U.S. Baseline Briefing Book Projections for Agricultural and Biofuel Markets*. University of Missouri Food and Agricultural Policy Research Institute. E Integrated Policy Group, Division of Applied Social Sciences, Mar. 2015. Web. 9 Feb. 2018.

<sup>198</sup> Ibid.

<sup>199</sup> Ibid.

<sup>200</sup> Ibid

## Subsidies Today

The subsidies program began decades ago to support struggling farmers and to secure American food supply. Since 1995, the government has provided farmers with close to 300 billion in agricultural subsidies, all included in the farm bill. The U.S. government still heavily subsidizes grains, oilseeds, cotton, sugar, and dairy products. Meanwhile, most other agriculture including beef, pork, poultry, hay, fruits, tree nuts, and vegetables receive only minimal government support. U.S. farm programs have cost about \$20 billion per year in government budget outlays in recent years. But budget costs are not a particularly useful measure of the degree of support or subsidy. Some subsidy programs, such as import tariffs, actually generate tax revenue for the government but also impose costs on consumers that exceed the government's revenue gain. According to Marion Nestle, a professor of nutrition, food studies, and public health at New York University, herein lies the relationship between agricultural subsidies and poor public health. Because prices of these staples are low, so are those of HFCS, hydrogenated fats, and corn-fed meats. And the cheapest way to make foods taste good, she says, is to add sugars and fat.<sup>201</sup> The Senate Agriculture Committee noted in a press release that the new law would eliminate one big subsidy altogether to save taxpayers a total of \$23.3 billion over the following 10 years.<sup>202</sup> However, those projected savings, it turns out, were a mirage. According new estimates for Farm Bill spending over the next few years released by the Congressional Budget Office, total

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<sup>201</sup> Ibid.

<sup>202</sup> Charles, Dan. "Farm Subsidies Persist And Grow, Despite Talk Of Reform." *NPR*. NPR, 01 Feb. 2016. Web. 09 Feb. 2018.

government aid to farmers will swell to \$23.9 billion in 2017.<sup>203</sup> Thus, the marketed reduction of subsidy money spent is not completely honest, highlighting the relevance of examining the effectiveness and implications of subsidies.

### **American Farmland Today**

Subsidization has shaped the agriculture business by changing the profitability of certain crops and discouraging the growth of certain more volatile crops. Today's rural America is 59 percent commodity crops such as corn and soybeans while only 2 percent is used to grow fruits and vegetables. Current farm policy encourages and worsens this trend by prohibiting any farmer receiving federal subsidies from growing fruits and vegetables at all. Federal crop insurance programs are also tailored to favor commodity crops by making it more difficult for farmers who choose to grow fruits and vegetables to obtain crop insurance or credit, let alone subsidies.

Instead of supporting small farmers endeavors, the subsidies have become increasingly absorbed more by large agribusinesses. Large agribusiness which function through commercial farms producing commodity crops, receive about half of all subsidies.

The commodity crops are used primarily to feed livestock, produced processed foods such as high fructose corn syrup, and create to biofuel. Mary Franck, research assistant at McGill University acknowledges that many factors influence what people eat, and it is difficult to argue that subsidies are a direct cause of obesity. However, Franck believes "it is safe to say that what happens at the top of the food chain

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<sup>203</sup> Ibid.

influences what happens at the bottom, and agricultural policies are not aligned with public health goals.”<sup>204</sup>

### **Subsidies’ Implications on the American Diet**

The USDA was formed with the intention of developing and executing federal policies pertaining to farming, agriculture, forestry and food. However, through congressional legislation and presidential executive actions, the federal body has expanded to become the policy setter of both agricultural policies and nutritional guidelines—a type of legislative horizontal integration.<sup>205</sup> As a result, the government’s agriculture and food policy has become increasingly more susceptible to the effects of lobbying through an expansion of jurisdictional breadth.<sup>206</sup> Herein lies a conflict of interest within the U.S. government—to support the increased economization and profitability of commodity crops and industrialized farms run by large corporations or to prioritize legislation that will better the general public health status of American citizens. The policies in effect are arguably aligned more towards the interest of large, industrial, commodity producing farms, rather than the improvement of public health.

The effects of early legislation that encouraged the growth of less volatile and predictable crops, have resulted in an crop system since drowning in overproduced commodities. Since its inception in 1933, the farm bill that is revisited every four years

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<sup>204</sup> "Government Heavily Subsidizes Junk Food, Report Suggests." *Fox News*. FOX News Network, 21 July 2016. Web. 06 Apr. 2018.

<sup>205</sup> Mercola, Dr. "How the USDA Can Make or Break Public Health." *Mercola.com*. N.p., 18 June 2014. Web. 23 Jan. 2018.

<sup>206</sup> Summer, Daniel. "Agricultural Subsidy Programs." *Agricultural Subsidy Programs: The Concise Encyclopedia of Economics*. Library of Economic Liberty, June 2012. Web. 06 Feb. 2018. <<http://www.econlib.org/library/Enc/AgriculturalSubsidyPrograms.html>>.

constantly includes subsidies for commodity crops. These subsidies are provided to agricultural growers who are producing certain types of food namely soybeans, corn, wheat and rice. Subsidies have encouraged farmers to stray away from growing a variety of different crops, and instead to become fewer farms that specialize in one or two commodities since this style of farming will gain them the most federal support.<sup>207</sup>

Disproportionate allocation of farming subsidies has forced many small, biodiverse farms out of business at the benefit of industrialized farms.<sup>208</sup> Since subsidies are paid per amount of crop produced, the system is inherently designed to benefit the largest farms. This system of subsidization has encouraged the accumulation of farmland by large corporations, and steadily the number of farms in America has decreased as the average farm size has constantly been increasing.<sup>209</sup> Additionally, these large farms found ease in and a normalization of monocropping in order to maximize output.

Monoculture, or the growing of a single crop or plant over many years, has created a type of assembly line out of nature.<sup>210</sup> In 2016, the farms in the highest economic sales class (those generating revenues of \$1,000,000 or more) accounted for the largest percent of total subsidy recipients. More than 90% of all subsidies go to just five crops: wheat, cotton, corn, soybeans, & rice. These crops are mostly harvested at large

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<sup>207</sup>Franck, Caroline, and Sonia Grandi. "Agricultural Subsidies and the American Obesity Epidemic." *American Journal of Preventative Medicine* 45.3 (2013): 327-33. *American Journal of Preventative Medicine Online*. Sept. 2013. Web. Jan. 2018.

<sup>208</sup> Ibid.

<sup>209</sup> See Appendix A

<sup>210</sup> Guzman, Dena Rash. "Monoculture In Farming: The First In A Series On The Food Industry." *STIR Journal*. N.p., 01 June 2017. Web. 25 Jan. 2018.  
<<http://www.stirjournal.com/2014/03/31/monoculture-in-farming-the-first-in-a-series-on-the-food-in-dustry/>>.

quantities on industrialized farms. In 2004, 96% of U.S. cropland was dominated by the eight main commodity crops: corn (30%); soybeans (29%); wheat (23%); cotton (5%); sorghum (3%); barley (2%); oats (2%); and rice (1%).<sup>211</sup> U.S. farmland was not always dominated by grains and soy, and the farmland of the early 20th century carried a much more diverse range of crops. 21st century America now sees a rural America rearing entirely corn, wheat, soybeans, cotton and rice. The Midwest and Great Plains have been coined the “Corn Wheel,” as from central Pennsylvania to Nebraska, nearly 1,500 miles, corn is overwhelmingly prevalent.<sup>212</sup>

Given the abundance of corn and soy produced in America, it is not surprising that they have taken a more dominant role in the Standard American Diet (SAD). Surpluses of these commodities have accumulated over the years, and food processors and production companies have found uses for the cheap ingredients. Because prices of these commodities are so low, so are those of High Fructose Corn Syrup, hydrogenated fats, and corn-fed meats. Colin Khoury, a scientist from the International Center for Tropical Agriculture notes that, "over the past 50 years, we are seeing that diets around the world are changing and they are becoming more similar - what we call the 'globalized diet'."<sup>213</sup> Khoury believes that other crops provide the supplementary nutrients to diets that the major staple foods cannot deliver, and "a diet [that] is

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<sup>211</sup> Franck, Caroline, and Sonia Grandi. "Agricultural Subsidies and the American Obesity Epidemic." *American Journal of Preventative Medicine* 45.3 (2013): 327-33. *American Journal of Preventative Medicine Online*. Sept. 2013. Web. Jan. 2018.

<sup>212</sup> Foley, Jonathan. "It's Time to Rethink America's Corn System." *Scientific American*. N.p., 05 Mar. 2013. Web. 25 Jan. 2018. <<https://www.scientificamerican.com/article/time-to-rethink-corn/>>.

<sup>213</sup> Kinver, Mark. "Crop Diversity Decline 'threatens Food Security'." *BBC News*. BBC, 03 Mar. 2014. Web. 25 Jan. 2018. <<http://www.bbc.com/news/science-environment-26382067>>.

composed of big, major crops such as wheat, rice, potatoes and sugar...[and] crops that were not important 50 years ago but have become very important now, particularly oil crops like soybean” is nutritionally insufficient and unsustainable.

Research indicates that the amount of corn and soy being consumed by the average American is a contributor to the declining health of the average American, something the USDA’s nutritional guidelines are trying to preserve. In 2015, 34 pounds per person of corn products were available for consumption in the United States, up from 10.8 pounds per person in 1975, according to ERS’s food availability data.<sup>214</sup> Using data that tracked what more than 10,000 Americans ate in a single day, the Centers for Disease Control and Prevention calculated how much of America's diets were made up of subsidized foods, including soybean and corn. Much of these foods are processed and become sweet sugar replacements or types of unhealthy oils. According to the researchers, 61 percent of the food Americans buy is highly processed. This later equates to almost 1,000 calories a day in highly processed foods per American consumer. The researchers went further to study and contrast diets containing various amounts of subsidized foods. Not surprisingly, people whose diets composed of more subsidized foods had worse health than those whose diets contained less. The people who ate the most subsidize food had a 41 percent greater risk of belly fat, 37 percent high risk of obesity, 34 percent higher risk for elevated inflammation, and a 14 percent higher risk of abnormal cholesterol. Although there is problems with

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<sup>214</sup> United States. United States Department of Agriculture. Economic Research Service. *Food Availability and Consumption*. N.p., May 2016. Web. 25 Jan. 2018. <<https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/food-availability-and-consumption/>>.

attributing complete causation between subsidized food and poor health, there is staggering evidence for the correlation between the two.

If the cliché “you are what you eat” stands, then Americans are almost entirely corn and soy. Todd Dawson, a plant biologist at the University of California-Berkeley studies the amount of corn and soy in people’s diets. He describes Americans as “walking corn chips” because of the “very, very large fraction of corn in our diets ... [disguised] as an additive in so many of the foods we find on the market shelves.”<sup>215</sup> Dawson believes, the danger “with corn is that much of the corn grown now in North America is going into making high fructose corn syrup...it is not that corn per se is bad, but it's the sweetener made from corn that gets into many of the foods that Americans are probably consuming too much of.” Dawson is another scientist that believes this is correlated to the rise in obesity, heart disease, and type 2 diabetes.<sup>216</sup>

Americans also consume atypical amounts of soybean oil, another key ingredient in processed foods. According to the American Soybean Association, 70% of the fats and oils consumed by Americans are soy oil, found primarily in cooking oils, baking, and frying fats.<sup>217</sup> Dr. Joseph Hibbeln at the National Institute of Health estimates that soybeans, usually in the form of oil, account for an astonishing 10 percent of our total calories in the United States.<sup>218</sup> “It's quite likely that most of the

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<sup>215</sup> Ibid.

<sup>216</sup> United States. United States Department of Agriculture. Economic Research Service. *Food Availability and Consumption*. May 2016. Web. 25 Jan. 2018. <<https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/food-availability-and-consumption/>>.

<sup>217</sup> Foley, Jonathan. "It's Time to Rethink America's Corn System." *Scientific American*. N.p., 05 Mar. 2013. Web. 25 Jan. 2018. <<https://www.scientificamerican.com/article/time-to-rethink-corn/>>.

<sup>218</sup> Ibid.

diseases of modern civilization, major depression, heart disease and obesity are linked to the radical and dramatic shift in the composition of the fats in the food supply," Hibbeln says.<sup>219</sup> Furthermore, companies began creating a sugar-like substance from corn, later to be known as High Fructose Corn Syrup. Thus, when the U.S. government encourages the production of foods like corn, soy, and grains, they are subsequently worsening the low quality of the Standard American Diet.

A study published by the American Journal of Preventive Medicine further connects agricultural policies to the poor health of Americans. The study conveys that between 1970 and 2000, the average per person consumption of added fats increased by 38%, whereas that of sugars increased by 20%. The consumption of high fructose corn syrup (HFCS) alone increased more than 1000% between 1970 and 1990, and today accounts for more than 40% of caloric sweeteners added to food and beverages.<sup>220</sup> This excessive intake of fats and sugars is worsened by the availability of extremely cheap caloric options for both the consumer and producer.<sup>221</sup> A surplus of commodities like corn and soy makes them attractive as an unhealthy but cheap additive during the food production process. Furthermore, these products are then shelved at cheaper prices, making them more attractive for the consumer as well. It is completely logical, especially for those shopping with smaller budgets, to purchase the packaged foods that will provide them with caloric needs and alleviate their hunger. Most consumers fail to

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<sup>219</sup> Ibid.

<sup>220</sup> Franck, Caroline, Sonia Grandi, and Marc Eisenberg. "Agricultural Subsidies and the American Obesity Epidemic." *American Journal of Preventive Medicine* 3rd ser. 45: 327-33. Elsevier Inc., Feb. 2013. Web. Jan. 2018. <[http://www.ajpmonline.org/article/S0749-3797\(13\)00320-6/pdf](http://www.ajpmonline.org/article/S0749-3797(13)00320-6/pdf)>.

<sup>221</sup> Ibid.

take into account the hidden costs of inexpensive food, and the connection between health and the ingredients in their cheap and convenient foods.<sup>222</sup> The three leading causes of death in the U.S.—heart disease, cancer, and stroke—are all associated with poor diet and obesity.<sup>223</sup> Instead of taking necessary measures to consume more fruits, vegetables, and whole foods Americans are being surrounded by more unhealthy, processed, corn and soy centric food options.

The USDA, FDA, and the smaller offices under their control have published nutritional advice that has fluctuated and changed confusing Americans further on what should appear on a healthy plate. According to a new analysis of government data, over the past 50 years Americans cut fat intake by 25 percent and increased carbohydrates by more than 30 percent. However, science has increasingly shown that a high-carb diet rich in sugar and refined grains increases the risk of obesity, diabetes and heart disease — much more so than a diet high in fat and cholesterol.<sup>224</sup> In the 1980s, grocery stores began replacing whole food options with cheaper cereals and grain based options. Nutritional advice during this time encouraged that Americans increase their consumption of grains and carbohydrates and reduce their meat consumption in an effort to lower their cholesterol. During the same time, the food industry set about re-engineering thousands of popular food products to contain more of the nutrients that science and government had deemed the good ones and less of the bad. By the 1980s,

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<sup>222</sup> Ibid.

<sup>223</sup> Ibid.

<sup>224</sup> Teicholz, Nina. "The Government's Bad Diet Advice." *The New York Times*. The New York Times, 20 Feb. 2015. Web. 25 Jan. 2018.  
<<https://www.nytimes.com/2015/02/21/opinion/when-the-government-tells-you-what-to-eat.html>>.

food science reacted to the government's advice and the prevalence of easily manipulated commodities like corn and soy to explode as an industry. Food scientists succeeded in getting their new concoctions into nearly every processed food sold in America. A combination of confusing government advice and surpluses of cheap commodities has led the Western diet to be composed primarily of meat-centric dishes, processed foods, foods with added fat and sugar, and seemingly everything else except fruits and vegetables.

Still, it is apparent through the legislation's support for the crops that the USDA views corn and soybeans as the two largest U.S. commercial crops in terms of both value and quantity. It is believed that these crops provide important inputs for the domestic livestock, poultry, and biofuel sectors.<sup>225</sup> Furthermore, the U.S. is traditionally one of the world's leading exporters of corn, soybeans, and soybean products. They state that "the outlook for these two crops is critical to both farm sector profitability and regional economic activity across large swaths of the United States as well as in international markets."<sup>226</sup> Furthermore, a report from the USDA states that U.S. corn and soybean crops have experienced remarkable growth in both productivity and output. Both crops had record harvests in 2014, above-average harvests in 2015, and record harvests again in 2016, thus helping to build stockpiles at the end of the marketing year and pressure prices lower in U.S. and international markets) in 2017. From these numbers it can be deduced that the corn and soybean crops are not only

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<sup>225</sup> Ibid.

<sup>226</sup> United States. Congressional Research Service. Office of Agricultural Policy. *U.S. Farm Income Outlook for 2017*. By Randy Schnepf. 5700 ed. Vol. 7. 2017. <<https://fas.org/sgp/crs/misc/R40152.pdf>>.

extremely stable in U.S. farms, but also increasing in prevalence. These crops serve as important and necessary support for the U.S. economy. However, the reasoning behind giving such stable crops such a majority of federal support money remains seemingly inconsistent with the needs of America. American agricultural policy has lacked policy initiatives that offer proper incentivization or fiscal support for fruits and vegetables, the foods that modern dietary advice recommends consuming more of. Farmers are penalized for growing “specialty crops,” which includes fruits and vegetables, if they have received federal farm payments to grow other crops. Although farmers might see economic benefits to growing fruits and vegetables, their price volatility and lower economic stability makes government support for them a risky proposition. The motivations behind the U.S. government’s current policy become even more unclear given the fact that these foods have proven to be so detrimental to public health in America.

Consumers and policymakers tend to overlook the determinants of their health and the connection between legislation and what appears in their grocery stores. If America is going to subsidize agriculture, the least it could do is subsidize healthy foods, says Richard Atkinson, a professor of medicine and nutritional sciences at the University of Wisconsin–Madison and president of the nonprofit American Obesity Association. He states that, “there are a lot of subsidies for the two things we should be limiting in our diet, which are sugar and fat, and there are not a lot of subsidies for

broccoli and Brussels sprouts.”<sup>227</sup> But if we’re trying to look for something political that might make a difference, try subsidizing fruit and vegetable growers so the cost is comparatively lower for better foods.” The government seems to send misleading messages to the public - encouraging the consumption of nutrient dense foods and consuming minimal added sugars while failing to encourage the growth and accessibility of foods that might actual encourage Americans to meet public health goals.

### **Rise of Monopolies within the Food Industry**

Commodity price supports through subsidies are vital and necessary components to the American agricultural system. Their original implementation had the intentions of stabilizing family incomes and the broader economy. This was pressing legislation because in the 1930s 25% of the nation’s population resided on the nation’s 6,000 farms. Federal support for these farms was necessary in order to maintain a domestic food supply for the U.S. at stable and constant prices while bolstering the economy. In this regard, these policies were largely successful.

Although significantly fewer Americans consider themselves “farmers,” today price supports still provide vital aid to the lucrative and economically important U.S. agriculture sector.<sup>228</sup> In 2010 Colorado, one of the major agricultural states, it was estimated that without subsidies the state would have seen 75% of its farms at a deficit.

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<sup>227</sup> Fields, Scott. "The Fat of the Land: Do Agricultural Subsidies Foster Poor Health?" *Environmental Health Perspectives*. National Institute of Environmental Health Sciences, Oct. 2004. Web. 09 Feb. 2018.

<sup>228</sup> Database, EWG's Farm Subsidy. "The United States Farm Subsidy Information." *Environmental Working Group*. 2016. Web. 25 Jan. 2018.  
<<https://farm.ewg.org/region.php?fips=00000&progcodes=total&yr=2009>>.

<sup>229</sup> Similarly, Montana would have generated a zero net farm income for 2010 without government assistance.<sup>230</sup> However, even given the lasting benefits to subsidization, the landscape of farms in America is much different now, with insufficient legislative shift to mirror the sector's evolution. By 1997, 157,000 large farms accounted for 72% of farm sales, with only 2% of the U.S. population residing on farms. The Environmental Working Group, using USDA data from 1995 to 2010, concluded that 10 percent of farmers who received subsidies acquired three-quarters of farm subsidy dollars while 62% of American farmers do not receive any subsidies at all.<sup>231</sup> This seems to show that the need for \$50 billion tax dollars to be spent on subsidies might be less necessary now than when the bill was first signed into fruition. The goal of agricultural subsidies is to protect farmers against risks inherent to their trade while ensuring at least a baseline minimum economic prosperity and stability. However, the system has developed to only benefit the largest farms and the most profitable companies.

Monopolization in the food industry is another facet of the industry supported by the current policy. The Institute for Agriculture and Trade Policy's "Beyond the Farm Bill" states it perfectly:

Corporate concentration in ownership of the agriculture and food system is suffocating innovation, driving inequality, and limiting economic development in rural and urban communities. Consumers and farmers need opportunities for ownership of food and farm-related

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<sup>229</sup> Manning, Richard. *Against the Grain: How Agriculture Has Hijacked Civilization*. New York: North Point, 2005. Print.

<sup>230</sup> Ibid.

<sup>231</sup> Riedl, Brian. "How Farm Subsidies Harm Taxpayers, Consumers, and Farmers, Too." *The Heritage Foundation*. 20 June 2007. Web. 01 May 2017.

enterprises, and opportunities for farmer-owned operations.<sup>232</sup>

According to data from a study conducted by the University of Missouri-Colombia, in 2012 the four largest companies in the agriculture and food sector controlled 85% of soybean processing, 82% of beef packing, 63% of pork packing, and 53% of broiler chicken processing. In a type of muckraking documentary titled, *Food Inc.*, journalist Eric Schlosser further points out that while in the 1970s the top five beef packers controlled some 25 percent of the market, today they hold sway over more than 80 percent. Monopolization has enabled agriculture and food companies to expand in wealth and political power through lobbying. Thus, their opinions in Washington carry much more weight than any concerns for public health or small farmers.

Farm bills, nutritional guidelines, and all current legislation have done much to pave the way for economic growth in the agriculture and food sector. Food and agriculture legislation has done much to control disease, encourage grain growth, stabilize prices, and support low-income families. However, it has done very little to control food industry monopolies which have taken advantage of the system. This is most concerning because these companies do not appear to desire to improve the state of public health in America. According to the Institute for Agriculture and Trade Policy's "Beyond the Farm Bill," "Corporate concentration in ownership of the agriculture and food system is suffocating innovation, driving inequality, and limiting economic development in rural and urban communities." The current state of America

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<sup>232</sup> "Beyond the Farm Bill." *Institute for Agriculture and Trade Policy*. 09 Jan. 2013. Web. 09 Feb. 2018.

food policy contains a substantive amount of conflicting ideas and interests, leading the policy to not only be confusing and contradictory but also insufficient in its protection and advancement of public health.

### Conclusion

An analysis of the food subsidy system, the agricultural industry, and the American diet shows that the three are inextricably linked. The current status of health in America incites a reconsideration of the government's impact on the public health through public policy. It seems that subsidy policy has led to an excess of unhealthy food options presented as cheap commodities for American consumers, all while Congress's hands pockets expand thanks to wealthy and powerful lobbying efforts. But even after putting the negative implications of subsidies aside, there are systemic inadequacies present in the current structure of food policy.

There are far reaching implications for food policy. Michael Pollan, a leading scholar of food policy, believes there are "few pieces of legislation more influential, more important" than the farm bill. Agriculture and food policy have connections to "climate change, health, public health, and the obesity epidemic," and these are all impacted by the farm bill "which [Americans] pay little attention to".<sup>233</sup> The foods that the government makes easier for farmers to produce subsequently become cheaper options on grocery stores shelves. Cheap food comes with expensive negative externalities, it is costly to our nation's public health, and it has created an agriculture sector dependent on a few commodity crops. Corn and soy, highly-subsidized commodities, are where the majority calories in most of the junk food come from. By

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<sup>233</sup> Pollan, Michael. "Michael Pollan on Improving Food Policy and Its Coverage in the Media." *Shorenstein Center*. Harvard University, 08 Nov. 2017. Web. 06 Apr. 2018.

subsidizing them, we have inadvertently created a system where the cheapest calories in the supermarket are the least healthy.

The evolution of U.S. food and agriculture policy from a small, personal federal bureau with legislation that directly reacted to small farmers' needs to a \$500 billion farm bill from two federal agencies has impacted the face of rural America and the foods that Americans decide to eat. The swelling of governmental agencies and federal legislation that are active players in agricultural has increased the venues available for outside, self-interested lobbying and agribusiness efforts to skew the policy to their interests. For this reasons, a number of scholars have advocated for a National Food Policy, which would consolidate government resources into one federal body to better guarantee that:

all Americans have access to healthful food; farm policies are designed to support our public health and environmental objectives; our food supply is free of toxic bacteria, chemicals and drugs; production and marketing of our food are done transparently; the food industry pays a fair wage to those it employs; food marketing sets children up for healthful lives by instilling in them a habit of eating real food; animals are treated with compassion and attention to their well-being; the food system's carbon footprint is reduced, and the amount of carbon sequestered on farmland is increased; the food system is sufficiently resilient to withstand the effects of climate change.<sup>234</sup>

With a handful of states already developing food charters, and scores of U.S. cities having established food policy councils, there are already precedents for these types of policies. Additionally Mexico, Brazil, and other countries have developed

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<sup>234</sup> Ibid.

national food policies leading to important reforms. The food system should support U.S. health, rather than undermine it. In its current shape, U.S. food policy is no longer succeeding in promoting the well-being of the American public. The federal government needs legislation that will better balance the interests of industrial farms, American public health, small farmers, and the economic interests of big agribusinesses.

**Appendix**

**Appendix A.**<sup>235</sup>

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<sup>235</sup> Kim, Yunji, and Kai Ludwigs. "Measuring Community Well-Being and Individual Well-Being for Public Policy: The Case of the Community Well-Being Atlas." *Quality of Life on the Agricultural Treadmill* (2016): 423-33. *Journal of Rural Social Sciences*. Iowa State University, 2012. Web. 28 Apr. 2017.

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