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Souring on Sweeteners

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NEW YORK - Is the stuff that makes soda sweet as bad for you as the nicotine in a cigarette? No one has scientifically proven that high-fructose corn syrup--the cheap and supersweet concoction that has all but replaced sugar in most leading brands of soda and other foods--is the primary cause of the so-called obesity epidemic in the United States. But that hasn't stopped a cottage industry of self-appointed consumer advocates, reporters and plaintiffs' attorneys from fingering corn syrup as the sinister source of the nation's widening waistline.

"High-fructose corn syrup is one the of many things we are looking into," intones plaintiffs' attorney and George Washington University law school professor John F. Banzhaf III, better known for the blizzard of lawsuits he's filed against cigarette companies. "The changes in the kinds of sugars we have seem to be a significant factor in why we have this epidemic of obesity."

"A coronary on the cob?" cracked the headline of a newspaper opinion piece written by Fat Land author and journalist Greg Crister, whose book's promotional press release rails against "the ever-powerful corn lobby pushing its high-fructose corn syrup on manufacturers, who ignore the research explaining the dangers of how HFCS metabolizes."

But for the handful of companies that make corn syrup, and the significantly larger number of farmers who grow the corn that gets ground and processed into the stuff, the corn syrup hysteria is no laughing matter. For now at least, the big processors of corn syrup, most notably Archer Daniels Midland, which had \$30.7 billion in sales for fiscal 2003, are pulling their punches when it comes to defending their cash crop.

The conspicuous silence on the alleged connection between HFCS and obesity is unusual coming from ADM, where a crackdown on HFCS could hit the bottom line hard. Although the division that makes HFCS is only the third largest of ADM's four primary

business units, it is by far the most profitable. The corn processing group produced an operating margin of 11.6% through the latest nine months on net sales of \$2.1 billion, compared with an operating margin of less than 1% for the company's largest division: agricultural services.

If ADM isn't talking (the company didn't return a call for comment), the industry's primary trade group, the Corn Refiners Association, isn't shying from a fight with anyone who badmouths HFCS. In addition to dashing off letters to the editor of any newspaper that runs a story linking HFCS to obesity, the group has also recently started distributing an "Obesity E-Newsletter" featuring headlines such as "America's Obsession with 'Thinness' is Dangerous to Our Health" and "NY Times Writer Calls for Tax On Obese Americans (We're Not Kidding)."

"It's a smear campaign by these self-appointed consumer advocates and plaintiffs' attorneys," says Curt D. Mercadante, the Corn Refiners' spokesman. "HFCS is a convenient target even though the science is false across the board. Look no further than who is promoting this."

By that, he means Banzhaf, the high-profile attorney whom conservatives and companies love to hate. Often mentioned in the same breath as the equally despised Center for Science in the Public Interest, Banzhaf even merits his own hate site, www.banzhafwatch.com. Sponsored by the conservative Frontiers of Freedom think tank, the site characterizes Banzhaf as an "enemy to consumers," and muses about whether Banzhaf will "sue cereal companies for making Lucky Charms so darn tasty" and "sue his mother for not teaching him better eating habits as a youth."

"To the extent someone is known by the enemies he keeps," Banzhaf sighs, "I'm somewhat honored one site is devoted to me."

No one disputes that as the popularity of HFCS soared following its introduction in 1967, so too have obesity rates. But whether there's a connection is a point that's hotly debated. Even the statistics are somewhat misleading. Several newspapers, for instance, including The Washington Post and the Los Angeles Times, have recently reported that "consumption" of HFCS increased 37% in the U.S. from 1986 to 2001, to 62.6 pounds per person from 45.7 pounds (in contrast to an 8% increase for sugar during the same period, to 64.6 pounds).

The statistic is accurate, but it actually refers to "shipments" of HFCS to food processors like Coca-Cola, PepsiCo, General Mills, Kraft Foods, and other manufacturers, which is higher than actual consumption due to waste, spoilage and uneaten food. It is similar loose interpretations of data that infuriate the industry. Some scientists, for example, have argued that unlike regular sugar, the higher amount of fructose in HFCS metabolizes into more fat, among other problems.

"Junk science," harrumphs Mercadante. "Humans rarely consume pure fructose. In one study, they pumped 30% to 60% pure fructose [into rats]. A lot of these news

stories have latched onto anything."

Rather, HFCS supporters argue that obesity is as much a function of a corresponding decline in physical activity during the same period that HFCS consumption increased. In a polemic titled, "The Truth About High Fructose Corn Syrup and Obesity," the Corn Refiners trade group argues that as total "adult caloric intake" increased by 200 calories from 1977 to 1995, Americans have become more sedentary, while a quarter of U.S. kids are glued to the tube for four hours a day.

"Obesity is a problem," concedes Mercadante. "But what makes a sexier story? Talking about personal responsibility? That doesn't sell magazines. What does is, 'Hey, we have this magic culprit.' It's a flavor of the month."

"The food people say it's personal responsibility," scoffs Banzhaf. "It can't just be personal responsibility. Did we lose all personal responsibility over the last 15 to 20 years? What has happened is we changed in terms of the sugar we use and in terms of the economics of these sugars. They're cheaper."

As for ADM, the company bragged to a trade magazine last April that it was almost single-handedly responsible for getting the soda industry to replace sugar with HFCS. "We wanted to get HFCS into soft drinks in a big way," Martin Andreas, ADM's assistant to the CEO and director of marketing told Food Processing magazine.

That's a claim the company may want to reconsider now that Banzhaf and his cohorts on the plaintiffs' bar have food manufacturers on their hit list. Banzhaf was a featured panelist at a June conference in Boston among lawyers looking for ways to blame the food industry for obesity. Discussions included topics such as "Marketing to Children" and "Food Marketing and Supersized Americans."

"I remember doing tobacco litigation, and people laughed and said, 'how can you ban smoking?,'" says Banzhaf, who acknowledges the food industry has a lot more within its power to make its products healthier, whereas cigarettes will always be dangerous. "I guess it's *deja vu* all over again."