

## [The 2009 Food 'Safety' Bills Harmonize Agribusiness Practices in Service of Corporate Global Governance](#)

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"I think it's time to de-professionalize the public debate on matters that vitally affect the lives of ordinary people. It's time to snatch our futures back from the "experts." Time to ask, in ordinary language, the public question and to demand, in ordinary language, the public answer."

-- Arundhati Roy, *Power Politics*

It's enough to make you so queasy you lose your lunch. HR 875, the "Food Safety Modernization Act of 2009," is a head-spinning piece of legislation that would radically change the structure of the US government's regulatory agencies, usurping states rights to federalize food inspection and determine what agricultural practices are permissible. Considerable concern has been voiced about what this bill would mean for small and medium sized farmers, organic farming, the future of conventional and organic seeds, the food localization movement, and even home gardens. HR 875 would give regulators the power to enter private property, which is conveniently redefined as "premises," and impose enormous fines for noncompliance. Though not discussed in the corporate media, numerous articles about it appear on the internet, launching a debate about whether or not Monsanto is behind the bill.

In response to these articles, Brad Mitchell, a member of Monsanto's public relations staff who writes for the company's new blog -- a less-than-stealth effort to counter the public's deep distrust of the predatory corporation -- has gone on record stating that Monsanto has absolutely nothing at all to do with the bill.

Brad's assurances aside, experience dictates that taking Monsanto at its word is patently foolish. But for those who need a bit more proof, like the Organic Consumers Association and Food and Water Watch, let's settle the issue, once and for all: Who crafted the legislation and what do they hope to gain by it? Would it really make our food safer as it claims, or would it make mandatory the industrial agricultural practices that are the root cause of the food-borne illnesses it claims to vanquish? And what else might be at stake?

After a series of well-publicized cases of food contamination – E. coli-tainted meat, melamine-adulterated pet food and baby formula, salmonella-infected peanut butter – the public has been well primed to look toward Congress to fix a poorly funded and insufficiently staffed food safety inspection system. And, right on cue, a crop of "food safety" bills gets dumped our way. The most controversial and transformational of these pieces of legislation, Congresswoman Rosa DeLauro's HR 875, can be traced directly to recommendations made by the Trust for America's Health, a non-profit organization sponsored by the Robert Wood Johnson Foundation.

The Trust for America's Health has produced reports that serve as blueprints for a major restructuring of the agencies involved in overseeing food safety policy as well as eye-popping changes to the public health system. Its recommendations also have made their way into the other food safety bills that have been recently introduced in Congress: SB

425, the "Food Safety and Tracking Improving Act;" HR 814, the "Trace Act of 2009;" and HR 759, the "Food and Drug Administration Globalization Act of 2009."

While the vaguely worded HR 875 gives the appearance of being a reasonable attempt to fix the problems outlined, a close inspection of the blueprints on which they are based --and a bit of knowledge about the industry players who crafted them -- reveals critical clues about how the public health system would be transformed for the benefit of biotech, pharmaceutical and agribusiness giants. Non-profit foundations have long served as effective tools for corporate wealth to influence public policy, providing the means to guarantee outcomes that enrich corporations at the public's expense. The global pharmaceutical and consumer product company Johnson & Johnson's tax-exempt foundation is no different.

### **Tayloring the Message: The Trust for America's Health**

The public should familiarize itself with three key reports produced by The Trust for America's Health: "Keeping America's Food Safe: A Blueprint for Fixing the Food and Safety System at the US Department of Health and Human Services,"(1) "Fixing Food Safety: Protecting America's Food Supply from Farm-to-Fork,"(2) and the "Blueprint for a Healthier America: Modernizing the Federal Public Health System to Focus on Prevention and Preparedness."(3)

President Obama's nominee for Commissioner of the Food and Drug Administration Margaret Hamburg, MD, sits on the board of directors at the Trust for America's Health. Hamburg, a well-connected player in the public health field, also serves on the board of directors of the Rockefeller Foundation. Among other things, the Rockefeller's vast fortune is responsible for funding foundations and institutes that spread unsafe genetically-engineered food crops around the world.(4) Sadly, those who hoped that Obama's election would herald positive changes have repeatedly found themselves duped: the deep corporate ties of his appointees guarantee a continuation of corporate control over the US government, a veritable concierge service on steroids for private interests.

A notable craftsman at the Trust for America's Health is none other than the notorious Michael R. Taylor, JD. Taylor penned a paper included as an appendix of "Keeping America Safe: A Blueprint for Fixing the Food Safety System at the Department of Health and Human Services" called "Restructuring Food Safety at HHS: Design and Implementation." In it, Taylor prescribes the creation of a new Food Safety Administration that consolidates all safety functions formerly performed by a host of other government regulatory agencies and institutes on a federal level the use of industry-friendly "risk assessment" methods.

### **Monsanto's Jack of All Trades**

Most people who know Michael Taylor's name recall that he worked as Monsanto's lawyer at King & Spalding for years before being appointed to the FDA to oversee the swift introduction into the marketplace of GMOs. He did so by ramming through a faux scientific regulatory conceit called "substantial equivalence."

Industry-independent scientists have rightly criticized the concept of substantial equivalence as an inappropriate method for determining safety, calling it "a pseudo-scientific concept because it is a commercial and political judgment masquerading as if it were scientific. It is, moreover, inherently anti-scientific because it was created primarily to provide an excuse

for not requiring biochemical or toxicological tests. It therefore serves to discourage and inhibit potentially informative scientific research."(5)

FDA scientists at the Division of Food Chemistry and Technology wanted to see testing performed to ensure that GMO foods didn't increase levels of naturally occurring toxins, create new, previously unidentified toxins, increase the tendency to gather toxic substances from the environment such as pesticides or heavy metals, and alter the level nutrients.(6) Ignoring their scientific objections, the politically-appointed Taylor let loose GMO technology on the nation of guinea pigs without requiring any legitimate safety and toxicology investigations to protect public health. He also ensured that the public would remain ignorant of GMOs in their food by instituting a no-labeling policy. Now, almost 80% of the food sold in grocery stores contains GMOs. Monsanto subsequently rewarded Taylor for his government work by making him its Vice President of Public Policy.

These days, we find that Taylor has morphed from Monsanto's VP into a "research professor" at George Washington University School of Public Health and Health Services. He also spends his time writing policy at a number of industry-funded think tanks, including Resources for the Future, Resolve Inc, the Food Safety Research Consortium, and the Alliance to End Hunger,

Those who are concerned about what the Organic Consumers Association calls the *real* Monsanto bill, The Global Food Security Act (SB 384), can see Taylor's contribution to that piece of legislation by reviewing a report he wrote for a think tank called the Partnership to Cut Hunger and Poverty in Africa. The report, "Beating Africa's Poverty By Investing in Africa's Infrastructure,"(7) supports the expansive agenda of biotech firms. The organization is funded in part by the Rockefeller and Gates foundations, and Taylor's work product provides the rationale for SB 384.(8) According to the organization's website, it aims to "implement Partnership activities to strengthen agricultural and rural enterprises and to facilitate their integration into regional, national and global markets" by bringing together "core representatives from U.S. and Africa-based private and public organizations who have experience with Africa's agriculture and trade-related issues." To give him credit, Taylor is relentless and prolific. If only his work sought to empower rather than enslave.

Since shedding the title of Vice President of Monsanto, Taylor has been busy promoting the concept of "risk assessment" as a means to deal with food-borne illness as an alternative to urging regulatory agencies to actually enforce laws already on the books and to adequately fund them so they could do so. Like "substantial equivalence," the risk assessment conceit offers a great opportunity to change the system to benefit corporate interests. Taylor has spent years churning out the necessary conceptual building blocks in cross-pollinating think tanks and foundations to create the intellectual framework for legislative proposals like these food "safety" bills.

The reports produced by the Trust of America's Health rely heavily on "risk assessment, management and communication," a form of message control hatched at the Harvard Center for Risk Analysis, a corporate-funded affair that provides "scientific" justification for a wide range of policies corporations want to see implemented. Using this method of risk analysis, the necessary justification can be produced for just about whatever outcome is wished by the underwriters.

It's no real surprise that Taylor's think-tank-funded policy on risk assessment, like his report "Food Safety Updated: Developing Tools for a More Science- and Risk-Based Approach,"(9)

underwritten by the Milbank Memorial Fund and Resources for the Future, has been embraced and institutionalized by the Codex Alimentarius Commission.

### **Codex – A Tool of Global Governance by Corporate Command**

If some variation of this batch of bad bills is passed into legislation, US citizens will find their laws considerably closer to becoming harmonized with Codex Alimentarius, a set of international food codes crafted by unaccountable and unelected bureaucrats in conjunction with vested industry and trade interests. It's important that the public learns more about Codex, because its "standards" will be enforced by the World Trade Organization to govern global trade practices of all its member nations. Furthermore, this body of food codes will take legal precedence over national laws, like the 1994 Dietary Supplement Health and Education Act (DSHEA).

The US media are assiduously silent on the matter of Codex. Under the helpful cover of the media's information blackout, Codex Alimentarius Commission meetings are regularly attended by officials from the Departments of Agriculture, Health and Human Services, State, Commerce, the Environmental Protection Agency, the Office of US Trade Representative, and the US Codex Office. Non-governmental agencies in attendance at the meetings include the 49<sup>th</sup> Parallel Biotechnology Consortium, the Biotechnology Industry Organization, Consumers Union, Crop Life International, Dow Chemical, Dupont, the European Association of Bioindustries, the Grain and Feed Trade Association, the International Cooperative Alliance, the International Council of Beverages Associations, the International Council of Grocery Manufacturers Association, the Institute of Food Technologists, the International Glutamate Technical Committee and the International Life Sciences Institute, Monsanto, and Sygenta, among others –with the exception, that is, of any democratically elected and accountable representatives of citizens these food codes will affect.

The standards created by the Codex Alimentarius Commission are set to enable industry interests to dictate and control rules covering vitamins, minerals and nutrients, genetically modified plants and livestock, toxic residues, antibiotics, drugs, growth stimulants and other hormones in food and animals, organic foods, the irradiation of plants and animal food and nanotechnology. Scott Tips, President of the National Health Federation, the only accredited health freedom organization allowed to participate at Codex meetings, projects that these standards are on tract to be implemented sometime between 2011 and 2013.

Codex committees -- such as the Codex Committees on Food Additives and Contaminants (CCFAC), Pesticide Residues (CCPR), Residues of Veterinary Drugs in Foods (CCRVDF), Food Hygiene (CCFH), General Principles (CCGP), Food Labeling (CCFL), Nutrition and Food for Dietary Uses (CCNFDU), Import and Export Inspection and Certification Systems (CCFICS) and Methods of Analysis and Sampling (CCMAS) – all employ the concept of risk management to determine the rules they recommend to the Codex Alimentarius Commission (CAC).

Codex standards are of critical importance to agribusiness, because they are acknowledged as the appropriate guidelines in the Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) Agreements of the WTO Agreement. While the WTO had provisions that allowed member states to create barriers to trade by citing national legislation to ensure food safety, those provisions would become void, thanks to the SPS and TBT agreements, if an international safety standard created by Codex determined otherwise. So, thanks to the

unelected and unaccountable private deal-makers who wrote these trade agreements, Codex rules will trump national law.

### **Meet the Missus -- Christine Lewis Taylor**

Undermining US law for the benefit of multinational corporations is a family affair in the Taylor household. To see how the concept of "risk assessment" can be usefully abused, let's look at how Mrs. Michael Taylor adopts the conceit to her purposes.

Christine Lewis Taylor, a veteran FDA employee, has been busy working up the "scientific" justification for placing a cap on the level of nutrients people should be allowed to consume. To do so, she pushes a perverse concept that defines nutrients as toxins. In other words, Mrs. Taylor would like us all to believe that the vitamins and minerals needed by cells throughout the body in order to function and detoxify should be considered hazardous, requiring governmental oversight that would limit people's exposure to them under law.

After a stint heading up the Codex delegation on the Committee on Food Labeling and another as a delegate to Codex's Committee on Nutrition and Foods for Special Dietary Uses, Christine Lewis Taylor was farmed out by the Institute of Medicine to the World Health Organization, where she played an instrumental role as Project Director in applying the risk assessment model to redefine nutrition as we know it. Her mission: To develop the framework whereby an "upper safe limit" would be set, defining the amount supplements the public should be allowed to purchase except by prescription. In her WHO capacity, she organized a seminar, selected the scientists who would be allowed to participate in it, and oversaw the group's published conclusion.(10)

US law regulates supplements as food. But the pharmaceutical industry wants to change that and have supplements regulated as drugs, and bureaucrats like Mrs. Taylor are doing what they can to comply. Taylor argues that people are exposed to too many nutrients and wants to see the establishment of a one-size-fits-all international standard set that stipulates how much of each nutrient people need, a amount that in some cases is less than the already established recommended daily allowances.(11)

But the good news, at least for pharmaceutical companies, is that there would be more profit to be made in treating a host of vitamin-deficiency diseases. And, once these guidelines are adopted by Codex, people would no longer have the freedom to purchase therapeutic amounts of dietary supplements to compensate for a nutrient-deficient and legally poisoned food supply to which we're subjected. Supplements would no longer be consider food as they are under DSHEA but instead would be regulated as drugs, available only by prescription or in amounts so limited as to render them insufficiently helpful in the prevention of disease.

People are subject to disease not because they are deficient in pharmaceuticals. We are subject to disease because we either do not get the nutrients we need from our food sources or because we are exposed to environmental toxins and harmful food adulterants like hydrogenated oils, high fructose corn syrup, MSG, pesticide residues, aspartame, and GMOs, falsely deemed safe by the FDA. These adulterants contribute directly to a long list of predictable degenerative diseases. But thanks to the tireless work of Mrs. Taylor, the chemical cartel will get wealthier by making us sick and wealthier still by treating us for illnesses its products cause.

## **Sweeping Inconvenient Facts Under the Rug**

In addition to her work toward the implementation of Codex, it's worth noting that Christine Taylor Lewis has done her part to rewrite history to make her husband's tenure at the FDA to appear less corrupt than it, in fact, was. Talk about housekeeping. While serving as the thesis advisor to a Tuft's university student, Taylor oversaw the details of a dissertation entitled the "Labeling of Genetically Modified Foods: Stakeholder Perceptions of the Food and Drug Administration's Public Consultation Processes and Food Industry Reactions to the United States Voluntary and European Union Mandatory Policies."(12)

This thesis belongs to Janice Lee Albert, who happened to be an employee of the UN's Food and Agricultural Organization in Rome while working on her dissertation. Albert's dissertation focuses on the controversy over labeling GMOs, a topic that deeply involved Michael Taylor, her thesis advisor's husband. However, that marital relationship is never disclosed in the dissertation. In fact, while Mr. Taylor's work is described throughout the dissertation, Albert fails to identify him by name as a key participant in the controversy. On the contrary, when Michael Taylor is – finally – mentioned by name, it is as one of twenty-four people Albert interviewed to obtain their views on the appropriateness of the FDA's labeling decisions. Astonishingly, Albert identifies Michael Taylor as an "Independent Expert," revealing nothing about the fact he (1) previously worked as a lawyer for the company who's product was getting special treatment or (2) the fact that he was the one in charge of implementing the concept of "substantial equivalence" at the FDA or (3) went to work for Monsanto afterwards.

Under Christine Lewis Taylor's supervision, Albert's thesis defends the FDA's controversial labeling decision and its consultation processes with the public as being "conducted as intended by law." Albert claims that members of the public who are dissatisfied with the FDA's decision not to label GMO products just don't understand the all the factors that go into making decisions at the FDA. She's probably correct on that point: Most of the public is under the mistaken assumption that the FDA has a responsibility to protect it from the unsafe products of an untested technology. Thanks to her explanation, at least we now know that certain employees of the FDA consider their only legal obligation is to offer the public an opportunity to voice its concerns, not act upon them.

Albert contends that the exact nature of the public concerns about GMOs was outside the scope of her dissertation and therefore unnecessary for her to address or even note. Nevertheless, a thorough pre-market study of the health risks associated with GMOs should never have been outside the scope of the FDA's responsibilities.

Scientists and journalists have lost their jobs for daring to cross the powerful biotech industry to publicize the health risks of GMOs.(13) The well-controlled media dutifully ignores the pile up of evidence of the nature of the dangers. In recent months, research has been published showing that GM corn increases infertility (14) and that the key ingredients in Monsanto's Round-Up Ready, the herbicide used on all GMO crops, cause death to human cells.(15)

Given what we now know about the dangers of GMOs, we should dispense with the discussion of whether or not to label them and move right to the topic of banning them altogether.

## **Identifying What Ails Us**

Americans should be able to have confidence that the food they eat is safe. The Trust for America's Health, however, is using recent food-borne illness events as an excuse to make radical and unnecessary changes to a regulatory system that has been purposely underfunded and understaffed.(16) While focusing exclusively on food-borne illnesses, it has ignored the predictable diseases suffered by millions that are caused by the chronic consumption of foods adulterated with ingredients that an industry-dominated FDA deems to be GRAS, that is, "generally regarded as safe."

Restoring and protecting our health requires a real understanding about what ails us. To put things in perspective, food-borne illnesses are responsible for some 5,000 deaths a year; but over 700,000 people die each year from government-approved medicine(17), and millions more suffer from predictable diseases that could be prevented if we had a safe, clean, whole-foods based food supply. If we allow those behind the food "safety" bills to use this crisis as an opportunity to change the food safety system, transnational corporations will have even more control over our health than they do now.

Prevention, as they say, is the best cure.

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