



By Adi Narayan Sunday, May. 02, 2010

At a Bravo supermarket on a recent weekday evening in Brooklyn, N.Y, shopper Jamilya Shroud-Garrett looks for a breakfast cereal for her son. She points to a box of Cheerios, which has a banner-style label bearing the message, "Can help lower cholesterol," and dismisses it as ridiculous. "It's common sense. If you have high cholesterol, it's not going to help to eat two bowls of cereal," she says.

Shroud-Garrett is an unusually conscious brand of consumer, not easily swayed by so-called "front-of-pack" labeling — the carefully worded, attention-getting health and nutrition claims (Made with whole grains! All natural!), which appear on so many processed-food packages and which the Food and Drug Administration (FDA) is now seeking to rein in. While Shroud-Garrett scanned the more detailed dietary information contained in the Nutrition Facts panel on the side of the box, most other shoppers who paused for an interview in the cereal aisle that evening said their choices were guided either by past purchases or front-of-the-box labels. (See eight common packaged-food labeling systems.)

Nutritionists and obesity researchers say such blind food-buying habits have gotten dicier in recent years, with the explosion of increasingly aggressive front-of-package labels and logos that are designed to mislead, confuse and distract consumers. "People tend to assume, [mistakenly], that what's stated on the front of the pack has the explicit or at least the tacit approval of the government," says Dr. David Ludwig, an associate professor of pediatrics at Harvard Medical School and founder of the Optimal Weight for Life Program at Children's Hospital Boston, yet many products' labeling efforts actually flout government regulations.

As part of its effort to improve labeling practices, on Friday the FDA began asking for public comment on "ways to enhance the usefulness to consumers of...information on the principal display panel of food products ('front-of-pack' labeling) or on shelf tags in retail stores." In particular, the agency wants to know how consumers read and use such nutritional information, and whether there's a way to standardize its presentation to help people make better choices. Some observers say the FDA is readying what will be the most extensive food-labeling reform since 1990.

Tricks of the Trade

Reform is overdue. Under current law — the 1990 Nutrition Labeling and Education Act — all packaged foods must display nutrients and ingredients in a consistent format. That law spawned the now familiar Nutrition Facts label, which is printed on virtually every processed food product in the Western world. The legislation also authorized the FDA to officially define marketing terms such as "light" and "low fat," created guidelines for nutrient claims and set up a regulatory framework for approving any health claims used on the front of packaging. (See a quick guide to the FDA.)

But since then, food makers have devised all sorts of creative ways to circumvent labeling regulations — and to confuse and seduce consumers. One common strategy: to misuse what is known as the nutrient content claim. A package of Dreyer's Dibs bite-size ice cream snacks, for instance, declares that it contains "0 g Trans Fat," but fails to mention that the product also has 28 grams of total fat and 20 grams of saturated fat per serving (information that is available on the Nutrition Facts panel on the back of the package). Regarding fat-content information, federal law has an all-or-nothing stipulation: if food manufacturers choose to tout trans fat information on the front of the package, they must disclose the amount of saturated and total fats as well.

Another standard bit of hucksterism is to add a micronutrient or two to a food, then label the product "Rich source of antioxidants" or "Contains added vitamins and minerals."

Historically, foods were fortified to compensate for nutrients lost during processing and to curb malnutrition within the population. Today, with vitamin deficiencies in the U.S. at an all-time low, the tactic is largely a marketing gimmick. "Most of our nutritional problems are problems of excess not deficiency," says Karen Glanz, professor of epidemiology and nursing at the University of Pennsylvania, noting that fortification claims distract consumers' attention from more important information, including calorie, fiber and sodium content.

And then there's the almighty health claim ♦ labeling that suggests a food component or nutrient helps fight a disease ♦ which is perhaps surrounded by the most front-of-the-box hand waving. That's because companies need regulatory approval for straightforward health claims such as, "Calcium reduces the risk of osteoporosis." To get around the obstacle of approval, which can take more than 500 days to acquire, food makers subtly recraft such statements into what is known as a structure/function claim: "Calcium builds strong bones." (Note the absence of a mention of a disease.) Ask your average shopper, however, and chances are, he or she could not distinguish between the two.

Healthier Reform
In addition to its systematic review of current labeling and marking practices, the FDA has been cracking down on violators in recent months: in February, the agency sent warning letters to 17 companies, including Dreyers, demanding corrections to obvious cases of misleading product labels. It is unclear, however, whether the agency will go so far as to eliminate certain labeling loopholes, such as the structure/function claim. In an email statement to TIME, Siobhan DeLancey, a spokeswoman for the FDA, writes that "existing regulations already require that claims be truthful and not misleading, and we have taken enforcement action against manufacturers who are not in compliance." (See which sugary cereal brands are doing the most advertising to children.)

Meanwhile, Congress has pledged \$500,000 to the Institute of Medicine (IOM) for a detailed study of various front-of-package nutrient-profiling systems used worldwide. One promising program, called Traffic Light, which was developed in the U.K. by the national Food Standards Agency, uses a color-coded scheme to indicate at a glance the amount of fat, saturated fat, sugars and salt contained in a food (red for high, amber for medium and green for low). British supermarkets that have instituted the labeling system report that shoppers tend to purchase products bearing more green dots than red.

A similarly uniform system could be put into place in the U.S. "We at FDA have been spearheading an effort with our colleagues in government and outside to develop a system for front-of-pack nutrition labeling that will be evidence-based, easy to read...and provide clear and consistent guidance for making healthy food choices," said FDA Commissioner Margaret Hamburg in a speech on Wednesday. The IOM's final report expected in 2010 ♦ as well as public comment ♦ will inform the agency's decision. (See the top 10 bad beverage ideas.)

If It's Broke, Don't Fix It
By developing a voluntary national system for package-front labels, the FDA intends to make healthy eating easier. "For better or for worse, I think we all want to be able to scan and absorb nuanced information about our food as quickly as we scroll through e-mail on our BlackBerrys," Hamburg said. But some experts argue that simplified labeling may do more harm than good in the long run.

At-a-glance labels assume that the consumer is too ignorant to make an informed decision, says Harvard's Ludwig. The solution should be to offer more, not less, information. Ludwig says improved nutrition education would help consumers fully understand Nutrition Facts panels and choose better foods. "It's good to be simple, but not too simple," says Ludwig. "Food choices are too complicated to be reduced to simply green, amber or red."

Ludwig and New York University

professor of nutrition Marion Nestle go further, suggesting an outright ban on all front-of-package claims. That would "encourage the public to eat whole or minimally processed foods and to read the ingredient lists on processed foods," the co-authors wrote in a commentary published in the Journal of the American Medical Association in February.

Indeed the recently passed health-care bill calls on the FDA to set a national standard for instituting calorie and fat labeling on restaurant menus. Under the ruling, chain restaurants with at least 20 locations, as well as vending machines, would be required to display nutritional information prominently. The hope is that more and better information will help lead to better choices.

Source: http://www.time.com/time/specials/packages/article/0,28804,1986269_1986240_1986272-2,00.html