

Flogging foods with the help of junk science

The food industry's health claims regularly get knocked down by Europe. Is Andrew Lansley set to make its life easier?

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The EFSA panel found that all 12 studies submitted by Yakult for its proprietary strain of probiotic bacteria, *Lactobacillus casei shirota*, were inadequate to support its claim that its products maintained immune defences against the common cold. Photograph: David Sillitoe for the Guardian

When Andrew Lansley, the health secretary, invited PepsiCo, McDonald's, Mars, Kellogg's and the rest of the food and drink industry in to Whitehall a few weeks ago to help write UK public policy on obesity and diet related diseases, he made clear that the future would be a "partnership" between government and big business. Not only did he tell them he wouldn't burden them with further regulation on food and health, he offered to see what he could do to remove obstacles for them such as unhelpful regulation in Europe. All they have to do is sign up to a voluntary responsibility deal that they can help write themselves.

The biggest bugbear for the food industry at the moment of course is the fact that most of the health claims they have used to sell their highly processed products to us have been knocked down by the European Food Safety Authority (EFSA). It has been examining the evidence behind industry health claims such as probiotics boosting immunity or omega-3 fatty acids making you more intelligent and has effectively declared it junk science. The process is part of new regulation due to be introduced to prevent manufacturers making claims for particular additives that aren't true or from applying them to products that are unhealthy overall.

More than three quarters of the health claims submitted by the food industry and assessed by EFSA so far have been rejected as unsubstantiated. But flogging junk foods high in salt, sugar, and/or fat with the help of junk science has been at the heart of industry marketing efforts for decades, going right back to the earliest days of food advertising when breakfast cereals manufacturers claimed that their products "made red blood redder" or even that grape nuts could cure malaria and loose teeth. Advertising is the sunshine that makes their markets grow, as one pioneer put it, and without advertising whole categories of newly created products would barely exist.

The new BBC series, *The Foods that Make Billions* (BBC2 9pm Tuesdays from tonight), to which I along with others have been a consultant, makes the point forcefully. It tracks how cheap or even free commodity goods, water, cereals, milk, are turned by the power of marketing into highly profitable brands. You can see the head of Nestlé describe how he had the idea of bottling his industrial supplies of factory water to create a multimillion global business.

In part two on breakfast cereals, ad guru John Hegarty describes how early TV advertising enabled commercial interests to "buy the nation in a night" and in part three Lord Haskins, former dairy food industry boss, admits he thinks functional foods such as probiotics are a lot of nonsense but good luck to anyone who can "get away with it" and make money out of them.

The common thread is that we have been persuaded to buy these new products by the sophisticated appeal to our emotional needs that advertising makes. We have no physical need for them; but we have bought in to the notion that they offer us health and choice.

No surprise then that an unhelpful piece of new regulation in Brussels restricting health claims to those that are true in order to protect consumers is top of the industry's shopping list of obstacles they would like Lansley's help removing, or at least neutering. Corporate sources have confirmed to me that this is an area where they would like to take up his offer of help. And in the trade sites where the industry talks to itself, they have already come up with an alternative to the irritatingly independent scientists at EFSA.

One of their proposals is that experts could apply to be registered as such with EFSA and then allowed to issue their own scientific opinions on whether industry claims pass muster. Industry would fund the experts who might otherwise not be interested in this sort of science and the commission could be given powers to audit them. This neat solution to the industry's problems with EFSA's scientists is being called "the third way".

How far will Lansley go to oblige them? Watch this space.