

THE WORK OF THE COMMITTEE ON FOODS

RAYMOND HERTWIG*

The Committee on Foods is one of several public welfare and health departments of the American Medical Association. The Committee was created four years ago to pass on foods and food advertising in the interest of the public. It is delegated to use the influence of the Association for the merchandizing of wholesome foods and for the establishment of truthful advertising in their promotion. The Committee represents a social force operating in the field of foods; it is independent of commercial or political interests and receives no remuneration for its services. No charges are made for considering or accepting foods.

The Committee personnel (as of 1933) follows:

Morris Fishbein, M.D., Editor of The Journal of the American Medical Association, Chicago, Chairman.

Lafayette B. Mendel, Ph.D., Sc.D., Professor of Physiological Chemistry, Yale University, New Haven, Conn., Vice Chairman.

E. M. Bailey, Ph.D., Chemist in Charge, Analytical Laboratory, Connecticut Agricultural Experiment Station, New Haven, Conn.

Julius H. Hess, M.D., Professor of Pediatrics, University of Illinois School of Medicine, Chicago.

Philip C. Jeans, M.D., Professor of Pediatrics, University of Iowa School of Medicine, Iowa City.

Edwin O. Jordan, Ph.D., Sc.D., Professor of Bacteriology, University of Chicago.

James S. McLester, M.D., Professor of Medicine, University of Alabama, Birmingham, Alabama.

Grover F. Powers, M.D., Professor of Pediatrics, Yale University, New Haven, Conn.

Mary Swartz Rose, Ph.D., Professor of Nutrition, Teachers College, Columbia University, New York City.

Russell M. Wilder, Ph.D., M.D., Professor of Medicine, Mayo Foundation, Mayo Clinic, Rochester, Minn.

Raymond Hertwig, B.S., Secretary of the Committee, American Medical Association, 535 North Dearborn Street, Chicago.

The Committee grants the privilege for display of its "Seal of Acceptance" with foods presented for consideration which fulfill the requirements of its rules, regulations, and decisions. The seal may be displayed on the container label or in any advertising related to accepted products. Its use is subject to the restrictions of the rules of the Committee. All foods with but few exceptions, such as retailed liquid milk and ice cream, are eligible for acceptance. The exceptions are products which quickly spoil and are especially subject to contamination that may cause disease. The seal on containers of such foods may give a false assurance of safety. Advertising independent of a food itself for all classes of foods, however, will be considered.

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The Committee requires that accepted foods, either dried, concentrated, or in any manner processed, packed, or canned, shall retain their natural nutritional values in highest degree possible by most efficient methods of preparation available to the trade. They shall be wholesome and shall meet all food law requirements. The claims shall accord with the physical and chemical composition of the foods, their biological or nutritional values, process of manufacture, sterility, freedom from pathogenic organisms, mode of preservation, keeping qualities, quality of excellence, source, and raw material from which made.

The Rules and Regulations of the Committee in pamphlet form are distributed free to food manufacturers, advertising agencies, and others on request. The Rules define the purpose of the Committee, its scope and policy, the significance of the seal; outline the requirements governing the use of the seal, the submission of new advertising and labels subsequent to acceptance, rules governing package labels and advertising directed to the public and to physicians; and include an outline of the form of submission of foods for consideration by the Committee. The Rules are amended from time to time to meet the requirements of the work as it develops. An important recent amendment calls for the automatic submission of proof of all new advertising of accepted foods at the time of preparation. This requirement assures that the Committee will be familiar with all advertising for accepted foods and thereby better prevent any improper advertising militating to discredit the seal. Although this requirement may work some inconvenience on manufacturers and advertising agencies, it is a necessary step as inappropriate claims have been found to creep unwittingly into advertising for accepted foods in spite of conscientious effort by the sponsors to comply with the requirements of the Committee.

The Rules governing the package label and advertising state the policies of the Committee on food package labels and distinguish between food advertising to the public and to physicians. Foods with fanciful brand names shall be accompanied by statements describing the nature of the food or the identity of the ingredients. This requirement is vital for preventing misleading claims. Names of diseases shall not be used in advertising to the public. Statements regarding nutritional disorders arising from inadequacy of the diet in nutritional essentials are permissible. Advertising to physicians may discuss the use of foods in the diet of the sick, but statements tending to transform foods into therapeutic agents are not permissible.

The outline of submission of foods for consideration by the Committee is sufficiently complete to guide manufacturers in submitting any type of food article. Submissions include samples, copies of all pieces of advertising, manufacturing formula, chemical analysis, information on micro-organisms to substantiate any special claims, specifications and definition of all raw material or ingredients used in preparation of the food, description of process of manufacture and packaging, and biologic vitamin assay in support of any special vitamin claims. The detailed information required is necessary for thoroughly and scientifically passing on each individual submission.

For its own guidance and that of food manufacturers and advertisers, the Committee is supplementing its rules and regulations by a series of General Committee Decisions on questions of foods and food advertising. The 38 decisions adopted to date have been published in booklet form which are distributed without charge, as are the Rules. The individual decisions define the Committee's opinion on nutritional and food issues of public import, on specific types of permissible and unpermissible advertising claims and names of foods, and on the proper and improper use of certain terms and phrases in advertising; they define the Committee's requirements for declaration of certain ingredients in specific foods and for the nutritional values and composition of certain classes of prepared foods. These decisions exemplify and illustrate the practical and explicit application of the Rules and Regulations to specific foods, to specific advertising statements, and to specific food problems.

A few of the briefer rulings are set forth below to exemplify their content:

Testimonials of a Medicinal or Therapeutic Character in Food Advertising.—Testimonials of a "health", medicinal or therapeutic character, or with such implication, in food advertising by persons unqualified to express a scientific authoritative opinion or judgment on the subject of the testimonial are misleading or deceptive and are not permissible. Testimonials accompanied by the writer's name and used with his permission will be considered as to their acceptability in individual instances.

Tonic Claims.—The term "tonic" or its inflected forms have vague and misleading meanings or implications in food advertising and are not permissible.

Fortification of Foods Other Than Table Salts with Iodine or Iodine Compounds.—The fortification of foods other than table salt with iodine or iodine compounds for dispensing additional food iodine to the public and supplementing that naturally present in foods is unnecessary and may lead to excessive iodine intake and endanger public health. Foods so fortified, other than table salt, will not be eligible for acceptance.

Sulphur Dioxide in Infant Foods.—Small quantities of sulphur dioxide are permissible in fruit products specially prepared for infants or children, provided the quantity does not exceed that compatible with good manufacturing practice in the preparation of the dried fruit used.

The wide range of the decisions is illustrated by the titles of others:

- Academic Titles "Doctor" and "M.D." as Integral Parts of Names of Foods.
- Ambiguous and Incorrect Use of the Term "Adequate" in Food Advertising.
- Analytic Statements on Labels and in Advertising.
- Chocolate and Cocoa Products: Special Recommendations for Children.
- Constipation Statements in Lay Advertising for Roughage Foods and Bran.
- "Digests Starch" Claim for Foods Containing Diastatically Active Malt or Malt Extract.
- Feeding Formulas for Infants in Lay Advertising.
- Food Advertising Claims with Scientific or Technical Significance.
- Gelatin Not an Aid to the Digestibility of Milk and Milk Products.
- Good Food Advertising.
- "Health Food" Claims and the Term "Healthful."
- Ideal Food Label.
- Mastication Not an Aid to "Health" of Teeth and Gums.

Questionnaire Advertising.

"Sleep Inducing" Claims for Specific Foods.

So-Called Special "Diabetic Foods" or Special Foods for Sugar and Carbohydrate Restricted Diets.

Superlative and Comparative Claims.

Trick Claims in Food Advertising.

Uses of Terms "Sterile," "Sterilized" and "Sterilization."

Vague "Clinical Experience" Claims.

Vague Mineral Claims.

Vague Use of Terms "Balanced" or "Scientifically Balanced."

Vitamin Claims in Food Advertising.

Addition of Phenolphthalein, Acetylsalicylic Acid (Aspirin) and other Drugs to Chewing Gum, Candy and Food Articles.

Iodized Salt and Goiter an Iodine Deficiency Disease.

Vitamin and Mineral Content of Dried Vegetables.

Vitamin and Mineral Content of Sieved Fruits or Vegetables Recommended for Infants, Children and for Special Diets.

Vitamin Content of Prepared Fruit Juices; Liquid, Frozen or Dried.

Vitamin Content of Tomato Juice.

Vitamin Fortification of Foods.

Whole Wheat and Graham Foods.

These General Committee Decisions are being augmented as the work of the Committee progresses. They give exactness, permanence, and continuity to the Committee's judgments and work; they are for the explicit guidance and instruction of the food industry and advertising agencies. They are intended to so clearly distinguish between good and bad advertising that in the future it will not be possible for advertisers to plead ignorance as an excuse for incorrect and inappropriate advertising. The decisions are a part of the Committee's plan of operation to practically and constructively lead and advise the food industry in matters of foods and food advertising to the advantage of public health and welfare.

Experience is showing that the Rules and Regulations and General Committee Decisions are efficiently serving their intended purpose of instructing and familiarizing the industry in the fundamentals of good food advertising. They are serving as a guide in the preparation of new foods for the market, of new food labels, and of new advertising. They are instructing the food industry that it may better serve the public good in food merchandizing.

The Committee already has accepted 1,094 food products and rejected 41. Announcements of these acceptances and rejections are published in *The Journal of the American Medical Association* and include such descriptive information as should be helpful to persons interested in foods. The data in these announcements will be published later in one volume, "Accepted Foods." Information of this character is instructive to the public on the true nature and value of foods on the American market, and should puncture the sales value of exaggerated and inflated advertising frequently used to exploit the public.

From the start the Committee adopted a constructive advisory and educational program of operation. It was realized that only such a program in the field of food merchandizing could lead to the accomplishment of its purpose. The food laws penalize the offender but do not provide for directly aiding the law abiding; the law acts in a negative sense, its beneficence is indirect. The Committee chose to use its influence predominantly in the positive sense to identify and support those manufacturers who operate, to the best of their ability and understanding, to the mutual advantage of themselves and the public.

Food manufacturers are seeking an authoritative specialized unprejudiced guidance and leadership to meet successfully prevailing antisocial business practices. Food manufacturers are willing voluntarily to follow a leadership which they recognize as scientifically authoritative and equitable, free from political, industrial, or self-centered influences, in the movement of adopting sound business practices in the public's interest. Such leadership is offered by the Committee on Foods.

Food advertising apart from the container label is without the jurisdiction of food statutes. There has been no organized effective restraining force to discourage false advertising before the creation of the Committee. It is well recognized that all human agencies and activities require some sort of control. The most effective control originates with and is exercised by the controlled themselves. The Committee is undertaking its extraordinary task in the field of foods by instituting a system of self-control by which the food industry from within itself will be governed only by established knowledge, the welfare of the industry itself and the consciousness and recognition of public welfare. The goal can be achieved only by arraying certain available social and economic self-operative forces which by their very nature will mold merchandizing and advertising efforts in the public's interest. The demand for good advertising and meritorious foods will grow stronger as the industry and the public come to realize and enjoy their benefits. Good advertising will become generally established, and nutritionally desirable foods sought for when they are recognized and rewarded by buying support and penalized by lack of buying support. The Committee is committed to bring these social and economic forces into active play.

The forces of blame and praise, reward and punishment, must be released and active in the field of food merchandizing and advertising as elsewhere in society. These are the constructive social forces which support truth and the deserving but condemn falsity and the fraudulent; they are the forces which will effectively control the food industry and food advertising. Social and economic forces can be maneuvered and directed to the advantage of the socially high-minded and to the disadvantage of the socially low-minded. The need is for capable social engineers in the service of the public.

As previously stated the program of action of the Committee involves the positive aid of food manufacturers who are dedicated to sound business policies in the interest

of the public. These public spirited manufacturers may obtain the privilege of using the Committee seal on their products and in advertising complying with the Committee's requirements. The seal gives added potential sales value to accepted products which is not possessed by unaccepted competing products; it gives authenticity and trustworthiness to accepted advertising not possessed by unaccepted competitive advertising.

The Committee seal harnesses the active competitive forces in the business field to serve as control agencies in promotion of accepted foods of required food values and of good advertising. It is a constant reminder of truthfulness to the copywriter in the preparation of advertising; it exercises a restraining influence. An advertising agency is doubly cautious with advertising for accepted foods as criticism by the Committee of the advertising addressed to the client—the manufacturer—brings the work of the agency into question and jeopardizes its business standing. The seal therefore is a positive influence for the extension of good advertising. In these ways the conjugate influences of the seal and competitive forces work in the interest of better foods, better advertising, and the interest of the public.

The acceptance of foods in practically all cases follows more or less drastic changes in the labels and advertising. It is exceptional for a product to be accepted as submitted. In a large proportion of instances the labels and advertising are completely reconstructed. New tradenames are adopted for some foods. Manufacturing formulas of foods are being modified to satisfy the Committee's recommendations. The industry with fewer exceptions has been willing to comply with the Committee's requirements.

Subsequent to considering foods the Committee gives reasons for its decisions and recommendations, proposes means to meet its requirements, and the Committee's office discusses the Committee's findings and recommendations with the manufacturers that they may thoroughly understand the Committee's requirements and act intelligently and properly thereon. This is part of the Committee's constructive and educational program. This procedure establishes confidence in the Committee and gains the sympathetic support and good will of manufacturers. Understanding of the Committee's purpose and a sympathetic attitude on the part of the industry are essential to the success of the Committee.

It is intended that all highminded, worthy and socially responsible manufacturers will be supporters of the Committee and that the incapable and socially irresponsible only will be its opponents. It is a common occurrence for manufacturers to address letters of appreciation to the Committee after they have been put to the trouble and expense of altering labels and discarding advertising; they frequently acknowledge that the revised new labels and advertising, in addition to being correct and more appropriate, are improvements over the old labels and advertising for sales reasons. The response and reaction of the industry are highly gratifying.