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Consumers and Cloned Foods

**An Issues Paper Analyzing the Implications of the
FDA's Action Regarding the Entry of Cloned Foods
into the Food Supply**

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Background

Consumers are notoriously protective of their relationship with food. In the course of food manufacturing, past attempts to achieve greater production without sacrificing quality or endangering consumers have generated significant controversy. Consider the irradiation of food to act as a preservative, or the introduction of hormones to stimulate milk production. Both offended consumers, especially in Europe, and in the case of irradiation, the emotional concerns trumped the science on the issue.

In October 2006, the U.S. media carried reports stating that the Food and Drug Administration, after a lengthy review, was going to allow foods from cloned sources to be sold in the U.S. without labeling. More than a year later, this intention is about to be made a reality.

The environment for such an announcement is not friendly. Witness consumer sentiment not only through past reactions to the manipulation of food, but also the enormous growth of the organic food market as evidence that consumers could very well reject the notion of cloned foods. Consumer organizations have already issued statements in opposition and many consumers are expected to react negatively to the fact that they will have no way of knowing whether the food they buy is clone-sourced. In a release, Chris Waldrop, Director of the Food Policy Institute at the Consumer Federation of America, stated:

Surveys have repeatedly shown that consumers are wary of food from cloned animals. We need a much more comprehensive assessment of the potential implications of allowing food from cloned animals into the food supply. The impacts on U.S. agriculture, trade, and the integrity of the food supply are still largely unknown. Unlabeled products from cloned animals in the food supply could have significant repercussions.

In addition, in an amendment to the recent Farm Bill that was sponsored by powerful bi-partisan members, congress sent a strong message that cloned foods should not yet enter the market. Given its troubles over the past few years and the lame duck U.S. Administration, the Agency does not have a great deal of political support on this, or any other issue, meaning that it will provide an ample target for both policy makers and consumer groups alike.

Lastly, not only does the policy face opposition from consumer groups, but it also has been subject to significant criticism from animal welfare groups as well.

Aside from the Consumer Federation, the list of those in opposition (which is likely to grow considerably) includes: American Anti-Vivisection Society; Center for Food Safety; Center for Science in the Public Interest; Citizens for Health; Consumers Union; Farm Sanctuary; Food & Water Watch; The Humane Society of the United States, and Organic Consumers Association.

Analysis and Implications

Since the election of a Democratic congress, congressional oversight of the U.S. Administration has been searing. One of the agencies most scrutinized has been the Food and Drug Administration. The once gold standard agency has seen its reputation tarnished and public confidence diminished.

With this in mind, there is significant potential for controversy to be fueled by a highly negative reaction among policy makers and for the matter to play out over a long period of time. This could result in a public relations “black eye” not only for the FDA, but also the food manufacturing industry. Just as the images of the Agency and the pharmaceutical industry have both suffered in the wake of questions of drug safety, it is highly likely that the action of the Agency will intrinsically become linked to the perception of the food industry.

Actions such as these are the *raison d'être* for the many groups that exist to protect consumer interests. This development will not only provide a rallying cry to gain media attention, but will become an opportunity for organizations to raise funds and to reinforce their respective mandates.

The following outlines some of the implications of the FDA action and how it might play out with the public in the U.S. and abroad:

Domestic Implications

- FDA action on cloning will likely provoke a serious reaction among policy makers, especially in the wake of the moratorium sought by members of congress. This will likely involve congressional hearings which, in turn, could result in continued controversy, headlines and testimonies by consumer protection advocates as well as heavy criticism aimed at food industry proponents.
- There is a strong possibility that despite the fact that labeling is not included in the FDA plans, some processors or distributors may choose to provide labeling as a means to appeal to consumer sensitivities on the issue. This stands to create a backlash against those manufacturers who seek only to comply with regulation rather than to get out in front of the issue with consumers. Organic food chains, such as Whole Foods, and fast food chains, might react with their own policies or statements to appeal to consumers.
- Such actions will put pressure on other stakeholders within the food production community to take a stand for or against cloned foods and/or the need for labeling, thereby creating a potential schism within the industry.

International Implications

- Like the irradiation measure, there is a potential that foreign markets may react strongly – look for activities that include staged protests calling for boycotts and/or

the bans against imported U.S. meats and dairy. These will likely be accompanied by high profile media coverage.

- Like GMOs, cloned-sourced foods will likely be labeled as “Frankenfoods”, especially in jurisdictions more prone to activism on the issue (e.g., Europe and Canada).
- In the wake of FDA approval, other countries can be expected to review their own policies on cloned foods. In some cases, this could lead to the introduction of more stringent policies against these foods while in others, opportunities may arise to push forward the agenda on this issue, particularly by using the U.S. as a potential model from which to learn.
- Any fallout from other countries’ reactions to a change in the U.S. will likely have important implications for existing trade regimes. Should other countries choose not to allow these new foods across their borders, the U.S. might have grounds to respond with new countervailing measures.

Conclusions

FDA action to allow the entry of cloned meats and food products into the food supply without respecting congressional goals on the matter is likely to provoke national and international reaction. In response, the following offers potential response activities for industry players in preparation for the expected developments:

- Prepare to respond to a series of difficult questions surrounding the FDA action, not the least of which include inquiries on future plans for the labeling of cloned products or products derived from cloned animals. This requires that positions be staked out and messaged not only for industry groups but for individual manufacturers and other stakeholders.
- Develop scenario playbooks to cover a wide span of potential activities including boycotts, testimony, and other measures.
- Invest in consumer and opposition research to better understand the attitudes and beliefs of consumers and to determine what, if any, messaging can best address concerns.
- Construct point/counterpoint documents to address any messaging that distorts the issue or affects the image of stakeholders within the industry.

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