RSW 100, November 4, 2010

“I wanted to make a film that made us think about where this food comes from and figure out how we can have a system that's going to be a sustainable system” (PBS). These are the words of filmmaker, Robert Kenner, in regards to his documentary, *Food Inc.* Kenner has produced and directed a number of films and documentaries for American Experience including *Two days in October*, *Influenza 1918*, and *War Letters*. *Food Inc.* addresses the topic of food production in the United States. Through *Food Inc.* Kenner argues that there is much about the industrial food system that the American public is unaware of. With the help of food investigator, Eric Schlosser and writer, Michael Pollan, Kenner supports his argument by presenting his audience with stories of real people who have been negatively affected by the American food system, revealing what the main ingredients are in food produced in America, and exposing some of the laws that are in place to keep citizens from criticizing the industrial food system. Kenner’s purpose is to make the American public more knowledgeable about the food that they are eating and inform them about the role that large corporations play in withholding vital information about their food. Kenner adopts an eager tone for his audience, the viewers of *Food Inc.*, as he urges them to take actions to live more sustainably and fight against the industrial food system in America. In this paper I will use outside texts including “How Biofuels Could Starve the Poor” by Ford C. Runge and Benjamin Senauer, “Gain for Winfrey in Suit By Beef Producers in Texas” by Sam Howe Verhovek, and “Veggie Libel” by Ronald K.L. Collins to clarify and extend claims presented in *Food Inc.* I will use Runge and Senauer’s article to extend the claim that the heavy reliance on corn leads to a fragile food system in America. I will then clarify the Oprah Winfrey case that relates to the “veggie libel laws” using Verhovek’s article. Lastly, I will extend the claim that it is unjust that Americans can be sued for criticizing their food through Collins’s article.

*Food Inc.* presents the claim that Americans have a high dependency on corn, and this dependency causes the American food system to be vulnerable. Pollan states, “we've had a food system that's been dedicated to the single virtue of efficiency, so we grow a very small number of crops… And even though you achieve efficiencies, the system gets more and more precarious. You will have a breakdown eventually.” In other words Americans grow corn because it allows the food system to be efficient however the efficiency makes the food system more susceptible to failure. In the film Kenner presents the Vice President of the American Corn Growers Association, Troy Roush who states, “we produced a lot of corn and they came up with uses for it.” What Roush means is farmers produced large quantities of corn because it is subsidized by the government, and then scientists found ways to alter it and make it useful in a variety of products. The film reveals that ninety percent of the items displayed on the shelves of our grocery store contain a soybean or corn based ingredient. The film presents the audience with examples of corn based products that include “ketchup, cheese, Twinkies, batteries, peanut butter, Cheez-its, salad dressing, Coke, jelly, Sweet & Low, syrup, juice, Kool-Aid, charcoal, diapers, Motrin, meat, fast food.” It is evident that the creators of *Food Inc.* want viewers to become more aware of how many of the products that they use and consume everyday have corn as one of the main ingredients and how this effects the food system in America. Ford C. Runge and Benjamin Senauer extend upon this claim in their article “How Biofuels Could Starve the Poor.” Runge and Senauer’s article talks about how the relationship between corn and ethanol has a negative impact on the food system in America, and discusses the domino effect that will take place as a result of this relationship.

“How Biofuels Could Starve the Poor” reveals that corn is one of the main ingredients in ethanol and in the efforts to “go green” ethanol is slowly beginning to replace petroleum-based fuels. Runge and Senauer explain that as the demand for ethanol begins to increase, the amount of corn available for consumption will begin to diminish. Since corn is such a prevalent ingredient in most of the food that we eat today the prices of food will increase as a result of the decreasing amounts of corn. Runge and Senauer reveal that, “in the United States, the growth of the biofuel industry has triggered increases not only in the prices of corn, oilseeds, and other grains but also in the prices of seemingly unrelated crops and products.” This statement extends the claim presented in *Food Inc.* because, since ethanol and corn are so closely related they have the ability to greatly affect one another. Therefore a slight change or variation in the production of corn not only directly affects the price of ethanol but also a large range of food and non-food products and vice versa. Runge and Senauer’s statement, “biofuels have tied oil and food prices together in ways that could profoundly upset the relationships between food producers, consumers, and nations in the years ahead, with potentially devastating implications for both global poverty and food security” extends the *Food Inc.* claim beyond just the American food system. This statement mentions the possibility of devastation related to global poverty. According to the World Bank there were 2.7 billion people in world in 2001 who were living on less than two dollars a day. Therefore the spike in food prices caused by the dependent relationship between corn and ethanol will ultimately have a devastating effect on the poor. Runge and Senauer state that if America wants to have a more stable food system it will have to grow a more diverse number of crops so that minute changes in any one crop will have little or no effect on the food system and its consumers. “How Biofuels Could Starve the Poor” extends the claim presented in *Food Inc.* by focusing on one specific corn based product and providing a clear view of the consequences that are to follow if humans continue to rely so heavily on corn to serve as a main ingredient in food and non-food products.

*Food Inc.* briefly mentions the veggie libel laws, more formally known as food disparagement laws. Kenner describes these laws as being “designed to stop us from disparaging a food product” therefore making it “illegal to damage the profits of a corporation by talking about food” (PBS). *Food Inc.* reveals the story of Barbara Kowalcyk, a woman who became a food safety advocate after her two and a half year old son died from eating a hamburger tainted with E. coli. In the film Ms. Kowalcyk was in the process of getting a bill known as “Kevin’s Law” passed. This bill would allow the government to shut down any meat producing plant that continuously failed a number of tests that revealed the production of contaminated meat. Later in the film, after revealing the challenges that Ms. Kowalcyk would have to face in order to get this bill passed, Ms. Kowalcyk was interviewed. During the interview one of the questions Ms. Kowalcyk was asked her related to how she had changed what she ate since the death of her son. To the interviewer’s surprise Ms. Kowalcyk hesitated to answer this question due to the fear of being sued for violating the veggie libel laws. Ms. Kowalcyk then mentioned “the case where Oprah was sued by the meat industry for something she said on her show.”

Ronald K.L. Collins’s article “Veggie Libel” and Sam Howe Verhovek’s article “Gain for Winfrey in Suit By Beef Producers in Texas” will further clarify the case that Ms. Kowalcyk mentioned in the interview. Collins reports that in 1996 Oprah Winfrey, a famous American talk show host, invited Howard Lyman, a vegetarian activist to be a guest on her show. Lyman was a guest on the show speaking in response to a mad cow disease outbreak. Lyman spoke about how the beef becomes tainted with mad cow disease. This explanation included sharing that cows were fed “rendered cattle and other animals” (Collins). This is the information that prompted Ms. Winfrey to make the statement, “that just stopped me cold from eating another burger” (Verhovek). Shortly after this show was aired Ms. Winfrey was sued by Texas cattlemen for allegedly violating the veggie libel laws. The Texas cattlemen accused Ms. Winfrey of intentionally criticizing their beef and claimed that the statement she made and the information that was revealed on her show had caused a ten percent decline in sales and the loss of millions of dollars the day after the show was aired. The lawsuit ended up costing ten point three million dollars and took many years to come to a close, but ultimately the judge overseeing the case, Judge Mary Lou Robinson of Federal District Court, ruled in favor of Ms. Winfrey (Verhovek). In regards to this case Judge Mary Lou Robinson said that, "it would be difficult to conceive of any topic of discussion that could be of greater concern and interest to all Americans than the safety of the food that they eat" (Collins). In other words Judge Mary Lou Robinson supported Ms. Winfrey’s decision to inform the public about how meat becomes contaminated with mad cow disease.

*Food Inc.* showed its viewers what Ms. Winfrey said that got her involved in a huge lawsuit with Texas cattlemen but the movie did not reveal exactly what Ms. Winfrey was responding to when she made the statement that allegedly violated the veggie libel laws. Nor did *Food Inc.* reveal details about what it took for Ms. Winfrey to win her case against the Texas cattlemen. Therefore these articles revealed more information about Ms. Winfrey’s case and ultimately clarified why Ms. Kowalcyk was so cautious about sharing how her diet has changed since the death of her son.

In Collins’s article he presents a quote from Ralph Nader, a consumer advocate, in which he states, "the realistic objective of the frivolous `veggie-libel' statutes and lawsuits is not money, it is to send a chilling message to millions of people that they better keep their opinions to themselves." By suing Ms. Winfrey the Texas cattlemen succeed in getting people, like Ms. Kowalcyk, to “keep their opinions to themselves.” However this idea brings upon another claim that is addressed in “Veggie Libel.” Collins’s article also extends the claim in *Food Inc.* by presenting the idea that the veggie libel laws go against the free speech portion of the First Amendment in the United States Constitution. First Amendment authority at the William and Mary Law School, Professor Rodney Smolla says that food disparagement laws "dilute First Amendment standards and/or undermine the spirit of the principles underlying them.” In other words Professor Smolla agrees with Collins that the veggie libel laws infringe upon the rights given to Americans in the Constitution.

In the film, food investigator, Eric Schlosser states that “in Colorado, it's a felony if you're convicted under a veggie libel law. So you could go to prison for criticizing the ground beef that's being produced in the state of Colorado.” This statement displays the intensity of these laws and reveals the great lengths that our state governments will go to in order to keep people from speaking negatively about the industrial food system. However many large food producing companies refused to speak with the producers of *Food Inc.* to clarify any misconception about the role that they play in America’s industrial food system. Collins’s article extends this statement by pointing that there are thirteen states in the nations that obtain veggie libel laws. The thirteen states that have food disparagement laws are Idaho, Louisiana, North Dakota, Oklahoma, Arizona, Mississippi, South Dakota, Alabama, Colorado, Ohio, Texas, Georgia, and Florida. To further show the impact that these laws may have on people Collin’s provides examples of how writing a blog or a book that criticizes food can cause you to be sued by any or all of the thirteen states that have these food disparagement laws even if the blog or book is in no way affiliated with any of those states. Collins also reveals that two other states, California and Michigan, are currently pressing to obtain these laws.

Through “How Biofuels Could Starve the Poor”, “Gain for Winfrey in Suit By Beef Producers in Texas”, and “Veggie Libel” I extended and clarified claims presented in the Documentary, *Food Inc.*, which addresses the topic of food production in the United States. Filmmaker, Robert Kenner with help from food investigator, Eric Schlosser and writer, Michael Pollan aimed to inform the American public about what is in the food they eat, where their food comes from, and how their food is produced through the film *Food Inc.* The main argument in this film is that there is much about the industrial food system that the American public is unaware of. By exposing the laws that are in place to keep citizens from criticizing the industrial food system, revealing what the main ingredients are in food produced in America, and interviewing people who were negatively affected by the American food system Kenner supported his argument. I used the article, “How Biofuels Could Starve the Poor” by Ford C. Runge and Benjamin Senauer to extend the claim that the high dependency on corn causes a fragile food system in America. This article aimed to open the eyes of Americans by presenting them with the consequences that will occur if they continue to have such a high dependency on corn. The Article “Gain for Winfrey in Suit By Beef Producers in Texas” by Sam Howe Verhovek clarifies the claim mentioned by Ms. Kowalcyk that relates to the veggie libel laws in the Oprah Winfrey case. “Veggie Libel” by Ronald K.L. Collins further clarifies the Oprah Winfrey case and extends on the topic of veggie libel laws by revealing the number of states that obtain these laws and questioning their constitutionality. Overall the film and the texts that clarify and extend the claims presented in the film present the audience with the idea that the food system in America is in need of reform and Americans have the power to take actions to live more sustainably and ultimately improve the food system.