

Rachel's Environment & Health News

#381 - Hormones In Milk: No Right To Know

March 16, 1994

The David and Goliath battle of the century is shaping up over a synthetic hormone called rBGH (recombinant bovine growth hormone) that was approved by federal officials last month for use in milk cows in the U.S.

David is a handful of farm and consumer organizations, and Goliath is a coalition of agrichemical companies backed by top officials of the U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA). At issue is the safety of milk, and the right of consumers to know what chemicals and drugs have been added to the milk they buy in the grocery store. Consumer advocates say the public has a right to know. The agrichemical industry and the Clinton administration say not.

Last November 5 the U.S. Food and Drug Administration (FDA) declared rBGH "safe" for use in milk cows, and last month Monsanto, the chemical company, began selling its version of the drug to dairy farmers.[1] Other companies hoping to get into the business are Eli Lilly, UpJohn, and American Cyanamid. Monsanto's version of the drug is intended to be injected into milk cows every two weeks, to stimulate milk production by 5% to 20%. Consumer and farm organizations, including Consumers Union, publisher of CONSUMER REPORTS magazine, have presented evidence that byproducts of the hormone treatment are measurable in milk and are not safe for humans or for cows; they also say approval of rBGH clearly violated FDA's own regulations.[2] They want the product withdrawn from the market, and, until that happens, they want hormone-containing milk labeled so that consumers can make an informed choice about the milk they buy.

In eleven different surveys, American consumers have indicated overwhelmingly that they do not want milk that contains genetically-engineered hormones, and that they want milk labeled so they can make an informed choice in the grocery store.[3] For example, in a survey of 1000 people in Wisconsin (a leading milk-producing state), 75% of respondents said they would pay as much as 44 cents extra per gallon to avoid genetically-engineered hormones in their milk. This attitude was consistent regardless of income levels, educational background, or residence in rural or urban areas.

In response to consumer concerns, the FDA and Monsanto have spoken with a single voice: the FDA has warned grocery stores not to label milk as free of the hormone,[4] and on Feb. 18 Monsanto sued two milk processors that labeled milk as free of the hormone.[5]

It is no accident that the FDA and Monsanto are speaking with one voice on this issue. The FDA official responsible for the agency's labeling policy, Michael R. Taylor, is a former partner of King & Spaulding, the Washington, D.C. law firm that has brought the lawsuits on behalf of Monsanto. Taylor, a lawyer, is a classic product of the revolving door. Starting in 1980, he worked for FDA for 4 years as executive assistant to the commissioner. In 1984 he joined King & Spaulding and remained there until 1991; during that time the law firm represented Monsanto while the company was seeking FDA approval of rBGH. In 1991, President Bush's FDA Commissioner, David A. Kessler, Jr., revolved Taylor back into FDA as assistant commissioner for policy.[6] Kessler himself was retained by President Clinton, as was Taylor. Last month Taylor signed the FEDERAL REGISTER notice warning grocery stores not to label milk as free of rBGH, thus giving Monsanto a powerful boost in its fight to prevent consumers from knowing whether rBGH produced their milk.

FDA offers two justifications for preventing labeling: 1) FDA is not requiring anyone to keep track of who is using rBGH and who is not and, without a paper trail, grocery stores might make false claims if they said their milk was rBGH-free. 2) FDA says there is "virtually" no difference between milk from cows injected with rBGH and cows not injected. Virtually means "almost." (More on this claim below.)

To remedy the first problem, Consumers Union had suggested that FDA simply require Monsanto to maintain a public list of people who buy rBGH, thus allowing grocery stores and milk wholesalers to determine easily whether any particular farmer is, or isn't, using the controversial drug. FDA refused. And Monsanto is not revealing who is buying rBGH.

By its lawsuits, Monsanto has sent a clear message to anyone who might be tempted to label milk with words about rBGH. Evidently Monsanto fears that informed consumers might choose not to buy milk produced by rBGH-treated cows. An internal company memo dated Sept. 21, 1993, equates a government labeling requirement with a government "ban" on its product.[7]

Monsanto has a lot at stake. The company has been hurt in recent years by lawsuits and publicity over several of its chemical products that it insisted were safe, such as the herbicide 2,4,5-T used in Agent Orange in Vietnam, and PCBs, which Congress banned in 1976. Some Wall Street analysts believe that Monsanto has bet its future on genetically-engineered farm and food products, and that failure of rBGH could damage the company significantly. Monsanto has reportedly spent \$300 million since 1984 developing the rBGH hormone. According to Consumers Union, rBGH should earn Monsanto \$300 to \$500 million annually in the U.S., and \$1 billion each year worldwide.[8]

Both the food and pharmaceuticals industries are reportedly very worried that consumer rejection of rBGH in milk would dim the future for all genetically engineered foods.[9] According to industry analysts, some 60 genetically-engineered food products are scheduled for approval by FDA in the next few years. For its part, the Clinton administration is counting on genetic engineering to give America a competitive advantage in the global marketplace and thus boost the President's flagging prospects for re-election.

Monsanto is clearly aware of the Clinton Administration's enthusiasm for genetically-engineered foods to boost the economy. An internal company memo[7] dated Sept. 21, 1993, suggests that, to persuade the Administration to allow rBGH onto the market, a Monsanto lobbyist should "Let [USDA] Secretary Espy know that companies like Monsanto will likely pull out of the agriculture biotech area if the Administration will not stand up to persons like Senator Feingold [of Wisconsin, an opponent of rBGH use]." Espy is now solidly on board promoting rBGH.

FDA Commissioner Kessler has also proven himself to be a loyal soldier in the consumer wars. He has consistently opposed giving consumers a choice by labeling milk. He says things such as, "The public can be confident that milk and meat from BST-treated cows is safe to consume." (BST is Monsanto's name for rBGH.) And, "There is virtually no difference in milk from treated and untreated cows." [10]

Unfortunately, a considerable body of scientific evidence from the U.S., England and Europe indicates that Commissioner Kessler is simply not telling the whole truth. Substantial evidence indicates that milk from rBGH-treated cows is very likely to feature:

- ** more pus from infected cows' udders;
- ** more antibiotics given to cows to treat those infections;
- ** an "off" taste and shortened shelf life, because of the pus;
- ** perhaps higher fat content and lower protein content;
- ** more of a tumor-promoting chemical called IGF-I, which has been implicated in cancers of the colon, smooth muscle, and breast.

In return for accepting increased pus, more antibiotics, and a tumor-promoting chemical in their glass of milk, what benefits will consumer's get?

None at all. Zero. Even FDA says there are no consumer benefits. In fact, because the U.S. already produces a surplus of milk, which is purchased by Uncle Sam, increasing milk production with rBGH will COST the taxpayer an additional \$200 million or more each year, estimates Consumers Union. That's family money pumped into some chemical company's pocket. That's who benefits.

[More on this developing scandal next week.]

To keep abreast of the growing anti-rBGH campaign and boycott, stay in touch with the Pure Food Campaign [1130 17th Street, N.W., Suite 630, Washington, DC 20036; telephone (202) 775-1132] and with Food & Water [Rural Route 1, Box 114, Marshfield, VT 05658; telephone (802) 426-3700.]

--Peter Montague

=====

[1] Keith Schneider, "Lines Drawn in a War Over a Milk Hormone," NEW YORK TIMES March 9, 1994, pg. A12.

[2] "Statement of Michael Hansen, Ph.D, March 10, 1994," Consumer Policy Institute, Consumers Union, [101 Truman Ave., Yonkers, NY 10703-1057; telephone (914) 378-2000].

[3] Michael Hansen, "Testimony Before the Joint Meeting of the Food Advisory Committee & the Veterinary Medicine Advisory Committee on Whether to Label Milk From rBGH-Treated Cows by Michael K. Hansen, Ph.D.," May 6, 1993. Available from: Consumer Policy Institute, Consumers Union, 101 Truman Ave., Yonkers, NY 10703-1057. Telephone (914) 378-2000.

[4] Keith Schneider, "F.D.A. Warns the Dairy Industry Not to Label Milk Hormone-Free," NEW YORK TIMES February 8, 1994, pg. A1.

[5] Schneider, note 1 above. In an interview with RHWN March 15, Matt Bennett of King & Spaulding refused to discuss these lawsuits, referring us to Tom McDermott at Monsanto in St. Louis, whom we could not reach before our press deadline.

[6] "Two New Deputy Commissioners Named By Kessler," FDA TALK PAPER [T91-38] (Rockville, Md.: Food and Drug Administration, July 15, 1991). Available from Brad Stone at FDA Press Office; phone (202) 205-4241.

[7] Virginia V. Weldon, "Coehlo Talking Points for Espy Dinner," a memo on Monsanto company letterhead dated Sept. 21, 1993.

[8] Michael K. Hansen, BIOTECHNOLOGY AND MILK; BENEFIT OR THREAT? AN ANALYSIS OF ISSUES RELATED TO BGH/BST USE IN THE DAIRY INDUSTRY (Mount Vernon, N.Y.: Consumer Policy Institute/Consumers Union, 1990), pg. 1.

[9] Kathleen Day, "Hormone Hubbub Hinders Program," WASHINGTON POST March 15, 1994, pgs. D1, D5.

[10] "FDA Approves Monsanto's BGH, Consumer Groups Call Boycott, Milk Industry Gears Up Ad Campaign," CORPORATE CRIME REPORTER Nov. 15, 1993, pg. 4.

Descriptor terms: consumer protection; fda; usda; monsanto; hormones; milk; food safety; eli lilly; upjohn co; american cyanamid; consumers union; genetic engineering; biotechnology; gene splicing; king & spaulding; david kessler, jr; michael taylor; labeling; rtk; mike espy; antibiotics; cows; cattle; dairy farming; pure food campaign; food & water; consumer policy institute; bgh;