

THE FEED

# Consumers Won't Know What They're Missing

By ANDREW MARTIN  
Published: November 11, 2007

THE Pennsylvania Department of Agriculture has decided that consumers are too dim to make their own shopping decisions. Agriculture officials in Ohio are contemplating a similar decision.

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Steve Ruark for The New York Times  
Rutter's Dairy started using labels Oct. 1 to tell shoppers that no artificial hormones were used in milk production.

As of Jan. 1, Pennsylvania is banning labels on milk and dairy products that say it comes from cows that haven't been treated with artificial bovine growth hormone, which is sometimes known as rBGH or rBST. State officials say the labels are confusing and impossible to verify.

If you have stepped into the dairy aisle anytime recently, you have probably noticed that some of the milk now for sale has a carton label saying it is free of artificial growth hormones. Consumers are demanding it, and a growing number of milk bottlers, grocery stores and retail chains have taken notice.

It might not surprise you to learn that [Whole Foods Market](#), [Trader Joe's](#) and [Starbucks](#) offer rBGH-free milk. But [Kroger](#), Publix and Costco also use it for their house

brands.

And Dean Foods, the nation's largest milk bottler, has told suppliers in some regions of the country like the Northeast and Texas that they should make the transition to milk without the artificial hormone.

Farmers use artificial bovine growth hormone to increase a cow's milk production by a gallon or more a day. The federal government maintains that it is perfectly safe, but it remains illegal in many other countries and critics continue to question its safety. Regardless, many American consumers buy rBGH-free milk because they are uncomfortable with the idea of milk that comes from cows that have been shot full of artificial hormones and because it's cheaper than organic milk, which, of course, doesn't allow use of the artificial hormones. But the backlash against rBGH has unsettled its manufacturer, [Monsanto](#), and the dairy farmers who have come to rely on it to raise production. They have spent more than a decade trying to persuade federal and state

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authorities to ban or restrict non-rBGH labels on the grounds that there is no difference in milk from cows that are treated with the hormone and those that are not.

They finally found an ally in Dennis Wolff, Pennsylvania's agriculture secretary.

Late last month, Mr. Wolff announced a crackdown on "absence labeling" on milk, meaning labels that tell consumers what isn't in a product rather than what is.

He argues that "hormone free" labels are misleading because cows produce hormones naturally. Even labels that are more carefully worded, such as "contains no artificial hormones" will soon be verboten in Pennsylvania because Mr. Wolff said that there were no scientific tests to prove the truth of such a claim.

His ban also extends to phrases like "pesticide free" and "antibiotic free," which he maintains are confusing for consumers because they suggest that milk without those labels contains pesticides or antibiotics. In fact, he said, processed milk is tested repeatedly in Pennsylvania to make sure that it doesn't contain those substances.

"It confuses them," he said. "It seems to imply there is a safe, nonsafe dimension."

A former dairy farmer, Mr. Wolff said he decided to look into the issue after he received calls from farmers complaining that they were being forced to stop using bovine growth hormone if they wanted to continue selling their milk to certain dairies. He also said his office had received many calls from confused consumers.

Mr. Wolff's office could not provide surveys or research showing that consumers were confused by the issue, and was unable to come up with even one name of a consumer who had complained.

The Ohio Department of Agriculture held a hearing on the milk labeling issue last week, though no decision has been made.

The proliferation of labels making health claims on food is clearly a source of confusion to consumers. And governments can play a useful role in making sure that the labels are accurate. But Mr. Wolff's edict doesn't have anything to do with helping consumers. Otherwise, he would have tried to refine the labels or create a system for verifying dairy farmers' claims (a process for which the [Food and Drug Administration](#) issued guidelines — in 1994).

Rather, Mr. Wolff is bucking consumer demand, which will benefit Monsanto and a bunch of whiny dairy farmers. Monsanto certainly doesn't need his help. On Thursday, the company told investors that its gross profits should double in the next five years. And I find it hard to muster sympathy for farmers who refuse to change to meet consumer demands. Most businesses certainly don't have that luxury.

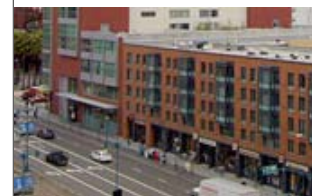
It's harder still to find much merit in Mr. Wolff's arguments for the labeling ban.

He defends the labeling decision by arguing that the non-rBGH labels can't be verified by scientific testing because there is no difference between milk from cows that has been treated with bovine growth hormone and those that have not. But the same argument could be made about organic milk.

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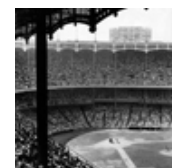
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He also argues that absence labels such as “no artificial hormones” suggest that products without those labels are inferior. So what? As long as the claim is accurate, isn't the point of labels to differentiate one product from another?

Using Mr. Wolff's reasoning, you could argue that organic labels on milk are unfair because they suggest that non-[organic food](#) is inferior. The same goes for labels for “natural,” “from grass-fed cows” and “locally produced.”

But here Mr. Wolff contradicts his own argument. There are exceptions to his rule, for what he describes as “puff” claims like “farm fresh” and “locally produced.”

Isn't he saying that milk produced in New Jersey is inferior? And how do you scientifically prove it's from Pennsylvania anyway?

TODD RUTTER, president of Rutter's Dairy in York, Pa., said he was particularly incensed that he learned about the new standards the day after the decision was made, when he was called by reporters. Mr. Rutter's dairy began labeling its milk as having “no artificial growth hormones” on Oct. 1, using labeling guidelines from the F.D.A. He said his label was reviewed and approved by the Pennsylvania Department of Agriculture last summer.

“I'm not arguing that it may be bad for you, may not be bad for you,” he said. “We just feel that consumers, when given the choice, for the same price point, will always choose a product that they believe is the most naturally produced available.”

Leslie Zuck, executive director of Pennsylvania Certified Organic, said she, too, was disappointed with the ruling. But she offers a sensible compromise. Instead of banning the labels, why couldn't dairy farmers who use the artificial growth hormone use their own labels?

Ms. Zuck suggests this: “We use rBGH and it's great stuff!”

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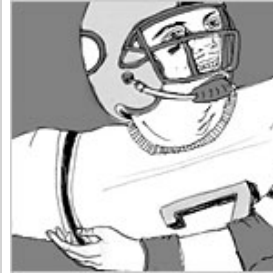
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