

# Don't Tread on My...

BY MARNI SOUPCOFF

**I**'VE NEVER SUSPECTED ANY BRANCH OF THE government of being a brain trust. But when Health and Human Services Secretary Tommy Thompson publicly emphasized that the Bush administration would take a "personal responsibility" approach to battling obesity, I thought the results would be worth investigating. After all, it's not every day that the folks in Washington clue in to the fact that those of us who find fulfillment through avenues other than elected office are actually capable of making our own decisions—and, in drastic cases, even of putting ourselves on slimming regiments. Could it be that the federal government would actually get the obesity issue right?

I soon found my answer in three simple words on the Food and Drug Administration's Web site: Obesity Working Group.

No one has ever gotten anything right by convening a working group. A working group is something government agencies put together when they're not sure what they're doing or why they're doing it or even if it should be done, but want to look like they're doing something. They figure that if they call themselves a working group, at least people will assume they're working. Actually accomplishing something is just icing on the cake.

The FDA's Obesity Working Group (OWG) seems content to remain a working group of the unfrosted variety. As far as I can tell from the Web site, the OWG's prime accomplishment has been releasing a report that reveals that the surprise cause of obesity is a complicated and elaborate syndrome of behaviors and inputs that can be best summarized as eating too much.

To help explain this revolutionary concept to those of us not fortunate enough to be a part of a working group, the OWG has set up a series of questions and answers on the FDA's site.

For example, "Q: What changes can the FDA make to the Nutrition Facts panel (NFP) to emphasize calories?"

The answer is simple, really. The OWG recommends that the FDA publish an ANPRM about the NFP. To which the average reader's reasonable response may be "WTF?" But never mind the acronyms. Once translated, the suggestion boils down to this: The FDA should request public comments on how to give more prominence to the "calories" portion of a food label.

I suppose this is very egalitarian of the OWG, and I'm sure they'll listen to all the public comments they get, but I can't help wondering how many ways can there possibly be to make a number on a label more prominent. Up the font size to 50 and use neon orange ink and you're set. Maybe add a big pink piggy icon to get through to those who are illiterate, but then surely you're done. No public comment necessary.

Here's another example of the OWG's questions and answers:

"Q: Does FDA encourage the use of any dietary guidance statements concerning obesity?"

"A: Yes. The OWG report recommends that FDA encourage manufacturers to use dietary guidance statements."

Why the OWG refrained from calling the dietary guidance statements "DGSS," I can't imagine, but they certainly make up for it with their brilliant examples of what helpful DGSS might look like. According to the OWG, "examples of dietary guidance statements are... 'have a carrot, not the carrot cake.'"

The OWG is right; that's a very good dietary guidance statement because it can be extrapolated to so many different situations. "Have an apple, not the apple pie." "Have a peanut, not the peanut butter chocolate chip ice cream sundae with sprinkles, marshmallows, and hot fudge sauce." Thank goodness for clever bureaucrats.

The truth is, there never was any great mystery about the obesity problem. Most of us managed to divine without the FDA's expert help and opinion that eating too much and not moving enough is the cause of weight gain. Why else have Americans been slurping Slim Fast shakes and hanging out at sweaty gyms for the past 20-odd years? I doubt it's for the great taste or classy décor, respectively.

While most government uses of our tax dollars may constitute a waste, there has got to be a better way to make use of our money than solemnly advising us not to consume an entire Sara Lee pound cake in one sitting. And we certainly don't need the government popping into our bathrooms to weigh us (Tommy Thompson has proposed giving tax breaks to those who are not overweight), or snooping around our pantries to levy charges on our Snickers bars (a number of states are considering or have recently considered "fat taxes" on foods the government considers unhealthy).

But take heart. Although all signs point to much of the world surrendering its eating habits to OWG-like entities (the World Health Organization recently recommended that governments tax junk foods and the British Prime Minister's Strategy Unit is said to have considered the same), the United States has shown some signs of restraint. In March, the House of Representatives passed the Personal Responsibility in Food Consumption Act, which bans frivolous fat-related lawsuits against restaurants and food manufacturers. And even some of the OWG's question and answers offer hope. For example:

"Q: Is the FDA conducting research on obesity?"

"A: No."

Sometimes, even government working groups can get things right. R

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