



Written by [Dave Bohon](#) on March 8, 2012

## SEC Rules for PepsiCo's Use of Aborted Fetal Cells

As reported last year in [The New American](#), the shareholders had filed a resolution with the SEC after Pepsi ignored tens of thousands of concerned pro-life individuals who had expressed their disgust and opposition to its contracting with [Senomyx](#), a biotech company that tests its food additive products using a process that includes fetal cells from aborted babies.



In a decision delivered by letter February 28, the SEC said that Pepsi's research and development agreement with Senomyx, which includes the use of aborted fetal remains in flavor enhancement research, falls under "ordinary business operations" for the soft drink company. According to LifeSiteNews.com, the SEC decision came in response to a 36-page document submitted by Pepsi through its attorneys in January 2012. "In that filing, PepsiCo pleaded with the SEC to reject the shareholders' resolution filed in October 2011 that the company 'adopt a corporate policy that recognizes human rights and employs ethical standards which do not involve using the remains of aborted human beings in both private and collaborative research and development agreements,'" reported the pro-life news site.

PepsiCo lead attorney George A. Schieren had argued that the shareholder resolution should be disregarded because it "deals with matters related to the company's ordinary business operations." He added that "certain tasks are so fundamental to run a company on a day-to-day basis that they could not be subject to stockholder oversight."

Debi Vinnedge of [Children of God for Life](#), which had originally exposed the relationship between Pepsi and Senomyx, said that she was "appalled by the apathy and insensitivity" of PepsiCo and the Obama administration's SEC. "We're not talking about what kind of pencils PepsiCo wants to use," she said in a statement. "We are talking about exploiting the remains of an aborted child for profit. Using human embryonic kidney to produce flavor enhancers for their beverages is a far cry from routine operations!"

In its request to the SEC, PepsiCo argued that the shareholder resolution "probed too deeply into matters of a complex nature upon which shareholders cannot make an informed judgment." Responded an outraged Vinnedge: "In other words, PepsiCo thinks its stockholders are too stupid to understand



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what they are doing with the remains of aborted children.” She added that “they are about to find out just how smart the public really is when they turn up the heat on the world-wide boycott!”

Vinnedge noted that Pepsi’s next product roll-out, scheduled for introduction in the next few weeks, will be Pepsi Next, which the company claims will have half the sugar and calories of regular Pepsi, but all the flavor. As reported by *The New American* last November, in an e-mail that brushed aside concerns about cells from aborted babies being used to enhance its products, “Pepsi pointed instead to the tradeoff, noting that the research would help the company create ‘lower-calorie, great-tasting beverages for consumers.’” Wondered Vinnedge: “So is Pepsi Next the new Senomyx-PepsiCo creation?”

On its website Senomyx explains that its flavor research programs “focus on the discovery and development of savory, sweet and salt flavor ingredients that are intended to allow for the reduction of MSG, sugar and salt in food and beverage products. Using isolated human taste receptors, we created proprietary taste receptor-based assay systems that provide a biochemical or electronic readout when a flavor ingredient interacts with the receptor.”

But Vinnedge said that what the company doesn’t say is that it is using “human embryonic kidney cells taken from an electively aborted baby to produce those receptors.” She emphasized that Senomyx “could easily have chosen animal, insect, or other morally obtained human cells expressing the G protein for taste receptors.”

PepsiCo had a significant financial incentive to convince the SEC to side with it against its shareholders. Less than a year ago it inked a \$30-million dollar deal with Senomyx for the research company to develop artificial high-potency sweeteners for its products. Last year Vinnedge and an army of pro-life individuals contacted both companies, asking them to refrain from using fetal cells in the program, pointing out the existence of non-objectionable, fully viable alternatives.

While Senomyx ignored the letter completely, Vinnedge recalled, Pepsi officials replied with a generic e-mail from “Pepsi Consumer Relations,” insisting that the company was “committed to using only the highest ethical methods in all aspects of our research.” The e-mail added that the issue was “something we take very seriously, and we hold ourselves and all of our research partners to the same high standards as the world’s leading research centers.”

Regarding its relationship with Senomyx and the use of fetal cells in flavor research, the Pepsi e-mail explained that the company utilizes “techniques that have been the gold standard for several decades by top universities, hospitals, U.S. government agencies, food and beverage companies, and essentially every pharmaceutical and biotech company in the world.”

That “gold standard” relies on the results of abortion, Vinnedge said, noting the irony of PepsiCo’s own Code of Conduct, which includes the boast that the company deals “with customers, suppliers, the public and our competitors in an ethical and appropriate manner.” Noted Vinnedge: “There is nothing ethical or appropriate in the way they are exploiting the remains of an innocent aborted child.”

In related news, Rebecca Taylor of the [National Catholic Register](#) reported that in Oklahoma, State Senator Ralph Shortey introduced a bill that would ban any product meant for human consumption that either contains tissue from aborted babies, or which in its research or development included the use of cells from aborted babies.

Predictably, Shortey’s effort to protect the unborn made him the object of ridicule among the national media and pro-abortion forces. Taylor noted that “when Shortey suggested that his bill was not simply



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about aborted fetuses in the food supply, but about companies using cells and tissues from aborted human beings to test or develop various chemicals, drugs or therapies, one angry commenter on the Huffington Post retorted, ‘What companies? Name them. If you can’t, then this is the rantings of a paranoid delusional.’”

Taylor, a clinical laboratory specialist in molecular biology who [writes about bioethics on her blog](#), took the challenge on behalf of Shortey, noting, as just one example, [Neuralstem](#), “a Maryland company, which, according to a Bloomberg press release, has a stem-cell line that came from ‘fetal tissue donated by a woman who underwent an elective abortion at 8 weeks.’” Taylor recalled that in 2010 “Neuralstem announced that it injected these stem cells from an aborted fetus directly into the spinal cord of a man with amyotrophic lateral sclerosis (ALS), which is better known as Lou Gehrig’s disease.”

Taylor added that recently Neuralstem announced the discovery of a new drug that shows promise for the treatment of depression. In developing the potential drug, the company “tested several compounds using its stem-cell line to see which chemical showed promise in increasing the size of the hippocampus, a part of the brain that is shrunk in those who suffer from depression.” While Neuralstem did not say if the stem-cell line it used came from an aborted baby, Taylor noted that “in academic publications listed on its website, the stem cells are described as ‘fetal.’”

Neuralstem is not the only company using such cells. Taylor’s research actually came up with a list of a half dozen companies, including Senomyx, that use cells and tissues from aborted babies in their products and research. ([View the list, along with company contact information, here.](#))

Taylor reflected that without the “loud and continuous pressure” from individuals around the world who value and respect life, “the use of aborted fetal tissue to bring products to market will not only continue, it will expand. We live in a culture of death — a reality that means we truly do need labels that warn consumers: ‘This product was made possible by the killing of innocent human life.’”



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