



Written by [Raven Clabough](#) on April 7, 2010

## Senate Looks to Ban Trans Fats From School Cafeterias

In March of this year, the Senate Agriculture Committee marked up legislation that calls for healthier choices on school cafeteria menus. Now New York Democrat Kirsten Gillibrand is asking the Senate Agriculture Committee to write legislation that will ban artificial trans fats from school foods, citing examples of New York City schools that have already done so.



Trans fats are the commonly known name for unsaturated fat with trans-isomer fatty acids. They can increase the levels of unhealthy cholesterol while lowering the levels of good cholesterol, and can increase the risk of coronary heart disease. There's no question that trans fats can be detrimental to one's health. Whether the government should dictate what American citizens consume in their diets is another story.

Gillibrand believes decisions like these are in fact the responsibility of Congress "because trans fats have no nutritional value and we should be able to protect our children." She plans to push for an amendment in the legislation when the bill reaches the Senate floor.

The panel of legislation writers has elected to leave the decision with the Agriculture Department. Chairwoman Blanch Lincoln explains that it is best to allow the panel to consider Gillibrand's request so as to avoid "micromanaging through these types of amendments." After all, if Congress bans trans fats, a product okayed for human consumption by the FDA, what might it try to control next? Will they get rid of soda machines in school — machines that often provide schools with monies for putting on extracurricular activities, such as healthful athletics — and ban kids from leaving school during lunch so that they cannot buy soda outside school? Will Congress go so far as to tell kids how much water they can drink in school each day — because drinking too much water can be deadly, causing severe diarrhea and, according to a *Scientific American* article entitled "Strange but True: Drinking Too Much Water Can Kill," a deadly condition called hyponatremia. (Water, too, has "no nutritional value.") Let's face it, almost everything we eat or drink is bad for us if we have too much of it.

Is it the responsibility of the United States government to dictate what American citizens can and cannot consume? Nothing in the Constitution provides this power to the politicians — but that has not stopped them in the past. And this is clearly an area where government should not stray, as is any attempt by Congress to mandate what foods schools offer to children. If parents in a school district want to change what their school is serving their children, they'll demand changes. There's no government (especially *federal* government) needed here.

Margo Wooton, nutrition policy director at the Center for Science in the Public Interest, and Matthew



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Sharp, senior policy manager for California Food Policy Advocates, agree with Gillibrand's motives but do not support the amendment because of where government might take its legislating in the future. Sharp explains, "Trans fats should have been eliminated from our food supply a long time ago, but [when a political entity assumes the power to regulate what products citizens may or may not have, it] opens the doors to a variety of industry ploys — either go after a competitor or go after extra money for themselves." All it takes is for the industry to shunt the right amount of money to the right politicians. Sharp was one of the proponents who worked on the 2005 ban on trans fats in Los Angeles schools, but opposes Congress' role in the struggle.

Though political micromanaging of food has obvious negative fallout, several cities and states have jumped on the "ban trans fats" bandwagon, to the dismay of local restaurants and cooks who use trans fats to preserve flavor and increase the shelf life of foods. In December 2006, the Board of Health unanimously voted to make New York City the first American city to ban trans fat in food. This includes all eateries from the local pizzeria to expensive bakeries. In July 2008, California became the first state to mandate that restaurants can no longer cook with trans fats, typically found in oils and margarines. Those who violate the California law face fines of anywhere from \$25 to \$1,000.

These bans have faced heavy criticism from the National Restaurant Association. Spokesman Dan Fleshler asserts, "We don't think that a municipal health agency has any business banning a product the Food and Drug Administration has already approved."

New York City also passed a measure that forces restaurants to indicate the calorie count of each food item on the menu. Unbeknownst to most Americans, the healthcare reform law also indicates that chain restaurants must start printing calorie counts on menus and posting nutritional content in stores starting next year. Within the past month, Florida lawmakers have been pushing to pass legislation requiring all restaurants to post nutritional information on the menus. Even government actions as seemingly innocuous as these have costly consequences: Restaurants will likely have to buy new signs, signs large enough to contain all of the necessary information. Considering that restaurants are already required to provide health information for their products in the form of a handout to any consumers who ask for it, this seems a waste of resources.

This micromanaging of what we eat will not stop as long as Obama is President. First lady Michelle Obama has chosen childhood obesity as her personal platform and met with several Cabinet secretaries and congressional committee chairs to strategize on a national campaign. She argues that it is the leading cause of preventable death in the United States, killing approximately 100,000 Americans a year. One in three children is overweight or obese. In fact, obesity is said to drive up healthcare costs, in that it leads to chronic diseases like heart disease, diabetes, and even some cancers. But even if there are good intentions behind such legislation, it won't likely do any good anyway. There has never been a government in the world that has managed to make its populace eat healthier and eat less calories through a program it has implemented — at least not without literally taking away the populace's food and starving them. (And Michelle Obama has not even as of yet apparently had success in curbing her husband's smoking habit — which causes some of the same health conditions.) Maybe parents and schools should just "educate" their children to eat better and exercise more.



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