

Ben & Jerry's in fight over rBGH-free labeling restrictions

AP Associated Press

By Lisa Rathke, Associated Press Writer | February 4, 2008

MONTPELIER, Vt. --Ben & Jerry's Homemade Inc., one of the first companies to label its ice cream as free of a synthetic hormone, is protesting a move by some states to restrict such labeling.

The South Burlington ice cream maker has joined a national campaign to block what critics say is an effort driven by Monsanto Co., which markets recombinant bovine somatotropin, or rBST, also known as recombinant bovine growth hormone, or rBGH.

"We're very concerned about, from a primary standpoint, the freedom of speech to be able to put what we believe is truthful and appropriate messaging on our packaging," said Rob Michalak, a spokesman for Ben & Jerry's, which has mounted a campaign to get consumers on its side.

But a newly formed farmers' group, backed by Monsanto, is pushing for labeling changes, saying the hormone-free labels imply that the milk is safer than other milk, when they say it's not.

"There's no question that rBST is safe. ... That's what's so frustrating to us, that there are organizations out there that would indicate that it's something other than safe," said Carrol Campbell, a Kansas dairy farmer who co-chairs American Farmers for the Advancement and Conservation of Technology, the new group.

He says they aren't out to take choices away from consumers. They just want them to know that whatever choice they make, it's the same, nutritious, wholesome product, he said.

Monsanto, a corporate sponsor of the group, says it's a question of accuracy in labeling.

"Monsanto is really an advocate in support of accurate labeling of dairy products in the dairy case," said Monsanto spokeswoman Lori Hoag.

Others say consumers have a right to know what is and isn't in their food.

The hormone, which was approved by the Food and Drug Administration to boost production in dairy cows in the early 1990s, was not approved in Canada, Japan or the European Union, largely out of concerns it may be harmful to animals.

And "there are unanswered human questions with it. It probably should never have been approved," said Michael Hansen, a senior scientist with Consumers Union, which publishes Consumer Reports.

"As people worry about food they eat, the demand has increased," he said.

The use of rBGH increases the levels of another growth hormone in cows, said Rick North, a spokesman for Oregon Physicians for Social Responsibility, a leading critic of rBGH. Elevated levels of that hormone in humans promote cancer, he said.

"There is not absolute proof that shooting cows up with rBGH is increasing cancer rates in humans, however, there is a significant amount of scientific data that is pointing in that direction and our stance is better safe than sorry. That this is an unnecessary risk," said North.

So far, efforts to ban hormone-free labeling have stalled.

Pennsylvania, the nation's fifth-largest dairy state, banned the hormone-free labeling in October, but later rescinded the ban. Ohio has held hearings on the issue, and the state's agriculture director is expected to issue a decision early this year on dairy labeling.

Last week, Indiana Rep. William Friend pulled legislation that would have made it illegal to label dairy products as free of rBGH, since there's no test to determine if the hormone was used. He said there was too much controversy about the labeling issue and that legislators needed more time to study it.

"This is obviously a national discussion that needs to be dealt with," he said.

He said farmers were at an unfair advantage when asked by processors to sign affidavits saying they did not use the hormone.

"They're being asked to not use or back away from technology that for 15 years has been deemed safe and a legal product by the FDA. They're being told they can't use that product, their production is going to fall and they don't get any more financial award for what they're doing," he said.

Under FDA guidelines, companies are allowed to claim that their milk comes from cows that were not treated with rBGH, as long as the labels do not "mislead consumers" to believe the milk is safer or better.

Ben & Jerry's packaging says "the FDA has said no significant difference has been shown and no test can now distinguish between milk from rBGH treated and untreated cows."

In August, federal regulators rejected a request from Monsanto Co. to take action against dairy companies that advertise milk as free of synthetic hormones.

Campbell says he fears rBST-free milk could lead to crackdowns on the use of technology on the farm.

"We need to stand up for our technology or we're going to lose it," he said.

Ben & Jerry's, which first stamped its ice cream as rBGH-free more than a decade ago, has mounted a campaign aimed at marshaling its consumers to get involved. On its Web site, the company, which was bought by the Dutch conglomerate Unilever in 2000, uses illustrations of dairy cows with signs hung around their necks saying "rBGH Free, that's me!"

It urges consumers to contact dairy companies and ask them for rBGH labeling.

"From the outset, when rBGH was approved, we wanted to make sure that we were able to tell that message on our packing that the family farmers that provide our dairy have pledged to not use rBGH," Michalak said. "We thought it was a very important message." ■