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Editorial. Governance

Michael Bloomberg and the need for law



Law has or should have a central place in public health nutrition, as it has in all aspects of civilised society. ‘Governments have the legal authority to protect peoples’ health. I believe that they must act to transform food supplies and reduce the growing burdens of overweight, obesity, and diet-related chronic non-communicable diseases’. This is how Vivica Kraak concludes her *WN* commentary this month, on various relevant government policies and actions in Denmark, the UK, Australia and the US.

But Denmark aside, it seems that the one government that is seriously prepared to use law to protect public health is that of New York City, as led by its current mayor, multi-billionaire Michael Bloomberg, featured on the *WN* cover this month. He is reviled by the manufacturers of burgers and cola, as indicated by the pictures below. Transnational corporations want ‘the market’, which is to say themselves, to decide. Michael Bloomberg seems to be the one and only potent legislator who understands

that all significant improvements in public health involve the use of law, and that there are no exceptions to this rule (1). To quote Vivica Kraak: ‘As the elected highest official policy-maker responsible for protecting the health of his citizens, isn’t Mayor Bloomberg simply doing his job?’



Some hostile or satirical reactions to food law: Bloomberg the nanny (left), Bloomberg the tyrant (centre), and (right) Bloomberg the party-pooper

The Big Mac and Coke™ Games



The big public health nutrition news of last and this month, is the bad news that two global sponsors of the 2012 London Olympic Games are once again, McDonald’s and (above), Coca-Cola. The spend of these two transnational corporations on linking their brands with fitness and health in the whole 2012 Olympics period worldwide, is reckoned to be around \$US 500 million. Global Olympics televiewing often amounts to many hundreds of millions throughout two and a half weeks. This, plus endorsement by the UK government and enthusiastic support by the London Mayor Boris Johnson and Olympic heroes such as Lord Sebastian Coe, and the relentless association of Big Macs, fries, shakes and Coke™ with joy, achievement, well-being, fun and youth, indicates that very big bucks are generating very huge bangs.

The International Olympics Committee has already signed contracts with Coca-Cola and McDonald’s designed to bind the government of Brazil in 2016 and of the host nation for the 2020 games. Similar deals have been made for the soccer World Cup designed to bind Brazil in 2014 and also the 2018 and 2022 host nations.

Alcohol warnings?



So what are we to make of such gross commercialisation? The UK Faculty of Public Health wants government action on the issue of alcohol overuse and abuse. The Faculty is calling for mandatory warning labels on containers of alcoholic drinks, with statements such as ‘Alcohol is a drug that causes addiction’, ‘Alcohol increases risks of violence and abuse’, and ‘Alcohol increases risks of mouth, throat and other cancers’, together with graphic visuals (see above) such as those used on cigarette packets.

What chance of this, with the transnational corporation Heineken also being a sponsor of the London Olympics? Or, knowing that one of the private partners in the current UK government’s ‘Responsibility Deal’ to protect public health is Diageo, the UK-based biggest alcoholic drinks conglomerate in the world, with annual profits of around \$US 6 billion, and accelerating growth projected in the ‘emerging markets’ of the global South? Warning labels? Not likely, it would seem.

Coke™ in Africa



‘In the last few weeks I have, with a lot of disdain, heard and seen adverts from the Coca-Cola Company promoting the consumption of Coca-Cola with meals. The promotion is dubbed: “Liven up your meal time with Coca-Cola”... We should not sit aloof and watch this promotion go on’. This is not about the 2012 Olympics. It’s from a call for action proposed by the Ghanaian public health nutritionist Abdul-Razak Abizari, as recorded by Reggie Annan in his column this month.

Coca-Cola is all over Africa, as the advertisement at the time of the 2010 World Cup in South Africa (above) indicates. A recent media release from USAID (the US government’s Agency for International Development) states that: ‘USAID/Ghana and its Global Development Alliance partner Coca-Cola [has] provided a potable drinking water supply to more than 3000 people of Nsakina, a poor, under-served peri-urban community near Accra, Ghana’. The Coca-Cola boss in Ghana adds. ‘With the

capability and technical knowledge of USAID and the marketing might of the Coca-Cola Company, together...we are providing these kinds of solutions to some of the most underprivileged communities in our society.” As in the UK, public health is increasingly privatised, here in one of Africa’s many countries burdened with external debt payable in US dollars.

Nestlé’s healthy children



Or have we got it all wrong about the transnational food industry? Writing in this issue of *WN*, Boyd Swinburn regrets that Nestlé and Coca-Cola are the private sponsors and partners of the EPODE international network (EIN) initiative to prevent childhood obesity. But at the June EPODE/EIN conference in New York at which he spoke, Janet Voûte, Nestlé’s global head of public affairs, said: ‘Childhood obesity is a complex problem driven by multiple social, economic, and environmental factors. If we are to tackle this major public health issue effectively, we need a multi-sector response, and Nestlé firmly believes industry has a vital role to play in this’. The picture above illustrates a Nestlé nutrition education programme for schoolchildren.

The need for law

However, the position of professionals in the field is or should be clear. A prime duty of governments is to govern in the public interest. ‘Public health nutrition is both political and technical. [It] is a central part of the public health movement, with lead responsibility in its areas of special knowledge’. This is part of the introduction to the *Rio2012 Declaration on Public Health and Nutrition*, published in *WN* in June. It continues: ‘Governments must gain, retain or recover the capacity to supply high-quality public services, [and] to regulate all relevant actions that impact on public health’.

That should be clear enough. And now, rather suddenly, there is a special reason for believers in the wise use of law for the protection of public health nutrition, to be cheerful. Legislators are more likely to enact laws if they are sure that without statutory regulation, reliance on ‘the market’ is against the public interest. To quote Boyd Swinburn in *WN* in July: ‘In orthodox economic theory, “market failure” is an important signal for governments to intervene with policies and regulations... Governments commonly enact policies which curtail commercial activities and

individual choices in order to improve health outcomes, such as reductions in road accidents, smoking, illicit drug use, workplace injuries, and so on’.

It is just possible that a concerted legal challenge made by very determined upholders of the public interest could overturn the deals the International Olympic Committee and the Federation of Football Associations have made with transnational food and drink corporations. For the market seems to have failed in a big way. Evidence that types of ultra-processed product are strongly addictive is now backed by leaders in the field (3). Nora Volkow, director of the US National Institute on Drug Abuse, made this case in keynote presentations this year at Rockefeller University and last month at the annual meeting of the British Society for Psychopharmacology. ‘This could change the legal landscape’ says Kelly Brownell, co-editor of a comprehensive handbook on the topic published this month (4).

Where are we in all this? Are we simply spectators who regret the aggressive association of conflicted industries with the Olympic ideal? Or could we be partners in a global alliance representing the public interest, well before the next times round?

Note and reference

- 1 This is a paraphrase of the Hyderabad Statement, the conclusion of a consultation on public health law, held at the inauguration of the Public Health Foundation of India in Hyderabad, in August 2008.
- 2 USAID. USAID and Coca-Cola provide 3000 people in Nsakina community with drinking water supply. Media release. 9 March 2012
- 3 Szalavitz M. Can food really be addictive? Yes, says national drug expert. *Time Healthland*, 5 April 2012.
- 4 Brownell K, Gold M (eds). *Food and Addiction: a Comprehensive Handbook*. New York: Oxford University Press. Published 30 August 2012.

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