

February 2, 2009

Governor Edward G. Rendell 225 Main Capitol Building Harrisburg, Pennsylvania 17120

Dear Governor Rendell:

I am writing to encourage you to <u>disregard</u> the recommendations included in the recent report by the Pennsylvania Trans Fat Task Force, which included disproportionate representation of the food industry.

The report opposed legislation because of the fear that the "constraints" of a legislative deadline might force companies to switch to unhealthy alternative oils. First, even if that assertion were true, replacing trans fat with an equal amount of saturated fat would still be a net health plus for the public, albeit a small one. In fact, though, the overwhelming majority of foods (especially fried foods) that have been reformulated without partially hydrogenated oil have simultaneously become lower in saturated fat. The same is true for restaurant foods in New York City and other jurisdictions that have limited artificial trans fat. The health benefits have been significant, the costs to industry minor.

The report also states that if a law to phase out trans fat passed, educational materials needed to explain that action to food manufacturers and restaurants could be costly. However, the report mentioned the Center for Food Innovation's offer to provide educational materials to for the public and industry. Such materials could be easily modified to educate the food industry if a trans fat proposal passed (and Pennsylvania could take advantage of the materials that New York City produced).

Over the last several years, we've seen a great deal of movement on the trans fat issue. In 2007, New York City and Philadelphia passed laws largely eliminating trans fat from restaurants. Montgomery County and Baltimore, Maryland; Boston, Brookline, and Cambridge, Massachusetts; King County (Seattle), Washington; and Nassau and Albany Counties, New York passed similar laws, as did the state of California.

Many jurisdictions, including New York City and Philadelphia, have implemented their laws without any glitches or outcry from restaurants or consumers. New York, even with its plethora of small ethnic restaurants, is reporting close to a 100% compliance rate. In addition, according to the New York City Department of Health and Mental Hygiene, the cost to enforce their regulation is minimal. Restaurant inspectors simply check whether ingredients contain trans fat when they conduct their regular food safety inspections.

I encourage you to support legislation to phase out artificial trans fat in restaurants throughout the Commonwealth. Alternatively, and perhaps more efficiently, the Pennsylvania Department of Health could protect the health of Pennsylvanians by adopting a regulation phasing out this deadly and unnecessary ingredient.

The restaurant industry typically advocates voluntary programs instead of legislation/regulations. Unfortunately a voluntary program probably wouldn't work nearly as well as legislation/regulation. New York City tried a voluntary approach for a whole year, but concluded that few restaurants switched to healthier cooking oils.

I urge you to and fulfill your responsibility to protect the public's health by supporting legislation or regulation that would rid the Commonwealth of trans fat.

By way of background, the Center for Science in the Public Interest is a nonprofit organization that has focused on food safety and nutrition and publishes Nutrition Action Healthletter, the world's largest-circulation nutrition newsletter. We have about 40,000 members/subscribers in Pennsylvania. Our 1994 petition led the U.S. Food and Drug Administration to require trans fat to be listed on food labels and contributed to many companies dropping trans fat from their products.

Sincerely,

Michael F. Jacobson, Ph.D.

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Executive Director