



What Won't They Label

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After seventeen years of consulting, investigating, engaging, and drafting, the Food and Drug Administration (FDA) is about to enact labelling regulation on the humble breath mint.

How on earth did it take that long, you ask?

Well firstly because, as the proposal states, the FDA wants 'to redesignate § 101.9(b)(2)(i)(F) as § 101.9(b)(2)(i)(E), redesignate §101.9(b)(2)(i)(G) as § 101.9(b)(2)(i) (F), redesignate § 101.9(b)(2)(i)(H) as § 101.9(b)(2)(i)(G), and redesignate § 101.9(b)(2)(i)(I) as § 101.9(b)(2)(i) (H), because the proposed rule would remove current § 101.9(b)(2)(i)(E).'

Of course.



But apart from ... that ... the sticking point was that breath mints have different Reference Amount Customarily Consumed, RACCs for short. Or 'serving sizes' for people who speak English.

This created a raft of headaches for the FDA. Should nutritional information be listed on a 'per gram' or 'per mint' basis? Should both be included? Would people be able to tell the difference?

To answer these questions, the FDA called upon a great army of coercion. It included the FDA's own Obesity Working Group, the Centers for Disease Control and Prevention, the Department of Agriculture's Food Guide Pyramid, the Federal Trade Commission, the Center for Science in the Public Interest, and various individual researchers and previous studies.

After seventeen years, half-a-dozen government bodies, countless employees, and who-knows-how-much money, the FDA is finally on the verge of introducing breath mint labelling legislation. Clearly, the complexity and diversity of breath mints necessitated such an expenditure of time, effort and money.

Given that breath mints aren't half as complicated and diverse as human beings, one might assume this means government will give up trying to regulate people's behaviour.

I wouldn't hold your breath.