Pure Food: Securing the Federal Food and Drugs Act of 1906

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Where the Sun Never Shines is carefully researched, well written, useful, and insightful. Nevertheless, the book is not the comprehensive study of America’s coal industry that it claims to be. With the focus on Pennsylvania and Colorado, Long ignores mining in the rest of the country. Residents of most other coal-mining states—including Iowa, Kansas, and Missouri—will search in vain for any reference to events and developments in their states. Ending the story of coal mining in 1920 with the rise of John L. Lewis to the United Mine Workers’ highest office excludes a seventy-year period that is just as dramatic and significant in American history as the period up to 1920. A comprehensive study of coal mining in America remains to be written. Where the Sun Never Shines is not that comprehensive history, but it is still an impressive and useful synthesis of many of the aspects of coal mining. It significantly enhances our understanding of coal mining in America.


REVIEWED BY MARY YEAGER, UNIVERSITY OF CALIFORNIA, LOS ANGELES

Beware. Food, drugs, and meat may be hazardous to your health. They can be ingested and digested in many forms and different amounts; they can be adulterated with different substances in various ways with ambiguous effects on consumer health and well-being. Distinguishing which substances in what amounts will have which particular effects is a very risky business, which is probably why many societies, at some point or another, have transferred the risk and the costs associated with their detection to the government. In the United States, the federal government first assumed broad responsibilities for regulating the food and drug supply in 1906, some fifty-eight years after passing the first law against imported adulterated drugs, and long after England and Europe had done so.

In Pure Food, historian James Harvey Young sets out to explain why the United States took so long to safeguard the public’s food and drug supply. Having already exposed The Toadstool Millionaires and Medical Messiahs in two previous eponymously titled books, Young is well poised to synthesize the vast literature on the 1906 law and to impose his own vision on the crusade for pure food. That vision, fine-tuned by years of meticulous research in congressional documents and hearings and a short stint on former President Carter’s National Food and Drug Advisory Council, derives from Young’s conceptuali-
zation of the regulation problem as one of confronting and dealing with deceptions and adulterations in the food and drug supply. Given that foods and drugs are subject to similar adulterations, he considers it "natural" that governments in Europe first attempted to link the two products and attack the problem of adulteration "all at once." However, he also suggests that by following their lead, American legislators may have made "inevitable" the "long and tortuous legislative process" that resulted as affected interest groups fought to exempt themselves from the legislation.

For Young the Food and Drug Law of 1906 was shaped by a series of nineteenth-century legislative skirmishes, which in turn structure his book. The first battle began in 1848, with a law against the "murderous traffic" in adulterated drug imports. That law also legitimized the use of the United States Pharmacopeia as a standard-setting tool. In the 1860s and 1870s Congress considered but did not enact laws to ensure the purity of chocolate, flour, and milk. The "greasy counterfeit" oleo came under congressional scrutiny and was taxed, first in the 1880s and much more heavily in 1902. Congress moved to ban adulterated tea imports in the 1880s, and by the 1890s had passed laws ensuring the quality of meat exports. At least nine states had passed laws protecting some part of the food or drug supply by the early 1900s.

These legislative battles were themselves provoked by more fundamental changes. New scientific knowledge and innovations in medical and biological research sharpened and enhanced analytical capabilities. The increasing complexity of the production processes made available a greater variety of products and increased the possibilities of adulteration as well as the costs of detection. The intensification of competition between older "natural" products and new imitative substitutes built conflicting pressures to act. Finally, a key group of vocal reformers, including scientists, journalists, and other professionals inside and outside the government spearheaded the pure food cause and kept the issues before the public.

From a vantage point inside the legislative halls, Young views each law as inching the country toward a broader-based federal bill. Each battle produced a victory of sorts: congressmen learned more effective legislative and enforcement strategies. Constitutional or jurisdictional issues were settled. New tools for outlawing fraud were discovered in the taxing power. New ideas about what constituted adulteration were incorporated into law. Opponents were cut down. Ultimately, the concept of risk was broadened and democratized while the cost of risk was shifted from the individual to society at large. Together, the laws helped to educate and broaden public inter-
est in the issues. They also confused and confounded, making choices difficult and legislative outcomes uncertain, even on the eve of the big battle in 1906.

Young has no illusions about the rationality of the process, admitting that had not “fate intervened,” “death by inaction” would have been the result. However, by framing the regulation problem in the way that he has, and by focusing on the legislative process, he overlooks the role that culture plays in shaping our perceptions of risk and even our determination to act. After all, as Young and others have pointed out, not until Upton Sinclair published The Jungle in 1906 did broad-based legislation succeed. Sinclair accomplished what no chemist, doctor, legislator, lawyer, businessman, or reformer had managed: he reduced the complex problems of regulating the quality of the food and drug and meat supply to a few big bad packers in cahoots with a handful of corrupt inspectors. Sinclair spoke from outside the legislative halls, using the language and symbols embedded in the culture of American society. Those were the words and symbols that all Americans had come to recognize as appropriate and legitimate expressions of their concerns about hazards in the food supply. If the legislative process refracted that culture, it also saddled Americans with laws so general and vague as to make enforcement endlessly problematic.

Young may have set out to explain the long and tortuous legislative process behind the Federal Food and Drug Law, but he has ended by unwittingly indicting the political process itself. American lawmaking, for all its openness and responsiveness, may be hazardous to the public’s health.


REVIEWED BY RICHARD LOWITT, UNIVERSITY OF OKLAHOMA

The years from the onset of the First World War to the beginning of the Second were filled with ethnic and religious tensions as well as innovative changes in technology and science that accelerated the forces of modernization throughout the upper Midwest and perhaps most dramatically in Wisconsin. Paul Glad, in this exceptionally well-written and carefully researched volume, examines the interrelationship of state and national developments, engages in comparative analysis, and uses a plethora of demographic data that correlates to a