

The Center For
Consumer Freedom

WHEN SWEET GOES SOUR
CONFIDENTIAL DOCUMENTS
DETAIL SUGAR INDUSTRY'S
CAMPAIGN AGAINST HIGH
FRUCTOSE CORN SYRUP



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CONFIDENTIAL DOCUMENTS DETAIL SUGAR INDUSTRY'S CAMPAIGN AGAINST HIGH FRUCTOSE CORN SYRUP

Confidential documents obtained by the Center for Consumer Freedom indicate that the Sugar Association, Inc. (SAI) has secretly funded a campaign to demonize high fructose corn syrup in America's war on obesity, while at the same time attempting to exonerate sugar (sucrose). This is despite the fact that the two sweeteners have nearly identical compositions and the American Medical Association says they are nutritionally equivalent.

The Sugar Association's official line is that "the sugar industry does not now sponsor, nor has it ever engaged in such a campaign," but documents tell a different story. SAI has pursued a strategy of "science-based management" for the sugar industry's problems, chief of which was sugar's declining market share against high fructose corn syrup.

These documents demonstrate that:

- SAI quietly established an External Scientific Advisory Committee, which worked on a report SAI described as "critical to the sugar industry's position on [high fructose corn syrup]." According to the Committee, "fructose is the most critical nutrition issue facing the sugar industry."
- SAI's goal was to use science-based research "in such a way that sugar is separated from the other caloric sweeteners when the obesity issues is considered by the [Dietary Guidelines Advisory Committee]."
- At the time, SAI developed confidentiality agreements for the ESAC members and SAI never made the Committee's existence public. More importantly, some of the Committee's members did not disclosed their affiliation with the Sugar Association in filings with their respective universities.
- SAI used a company called The Academic Network to obscure its funding of a major review article on fructose in the journal Nutrition Reviews. The Academic Network indicates that the Sugar Association its services as a pass through and that the author of the report knew who was funding the project.
- Although SAI's scientific research ultimately failed to scientifically differentiate high fructose corn syrup from sugar (sucrose), it did produce results regarding public opinion. SAI recently explained that when it comes to consumer's perception of high fructose corn syrup, the Sugar Association has "come a long way in a relatively short period of time."

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REORGANIZATION: A NEW MISSION AND FOCUS

Faced with declining market share and increased competition from high fructose corn syrup and artificial sweeteners, the Sugar Association's (SAI) Board of Directors reorganized the organization. In addition to major staffing changes, the Board Chief among the Board's concerns was the need to differentiate sugar from high fructose corn syrup.

SAI'S EXTERNAL SCIENTIFIC ADVISORY COMMITTEE

The Sugar Association hired a company called The Academic Network to organize an External Scientific Advisory Committee (ESAC) to aid in SAI's scientific endeavors, including differentiating fructose from sugar. The Academic Network's president explained that he could provide "access" to researchers that "influence health care policy and consumer opinion."

NON-DISCLOSURE

The Sugar Association has never publicly discussed its concerted scientific efforts, nor have the members of the External Scientific Advisory Committee. In fact, the Sugar Association developed a non-disclosure agreement for the ESAC members. Equally important, some of ESAC's member did not disclose their relationship with SAI.

SEPARATING FACT FROM FRUCTOSE

With the discussion about obesity and sugar increasing, SAI plans to generate science to differentiate sugar from high fructose corn syrup.

SCIENCE DOESN'T EVOLVE ON ITS OWN

SAI's Executive Vice President and Chief Science Officer Charles Baker drafted a memo recommending that SAI fund a study of fructose, saying that "irrefutable data are needed before the sugar industry can say explicitly that sugar and HFCS are metabolically different."

FAILURE TO DISCLOSE: DR. PETER HAVEL

SAI recognized that a review of fructose research would bolster their position. It worked with The Academic Network to provide grant money to Dr. Peter Havel to write a review article. In the text of that, Dr. Havel wrote that it was supported by a grant from The Academic Network, but The Academic Network, meanwhile, indicates that it passed the grant money from the Sugar Association to Havel.

INDUSTRY OUTREACH

Personnel from SAI met high fructose corn syrup users to discuss the "health issues" associated with fructose and how media reports had fueled a negative environment regarding high fructose corn syrup.

SUCCESS OF PUBLIC EDUCATION CAMPAIGN

Although SAI's scientific endeavors largely failed to differentiate high fructose corn syrup from sugar, many of the studies have been cited by the media as evidence that a diet "high in fructose"—which is very different from high fructose corn syrup—are unhealthy.

PUBLIC AND PRIVATE DENIALS

Despite funding a multi-year campaign against high fructose corn syrup, SAI denies the existence of its campaign.

Since 2003, the Sugar Association, Inc. (SAI) has secretly pursued a campaign aimed at differentiating sucrose (sugar) from high fructose corn syrup, despite the fact that the two ingredients are nearly identical in composition. Unlike other industry groups that legitimately fund research to better understand their products, in 2003 SAI began paying scientists to generate research linking high fructose corn syrup to obesity, while exonerating sucrose.

The following never-before-seen documents—many of which are SAI internal communications—were obtained through detailed research and freedom of information requests. The documents speak for themselves.

Unless otherwise noted, all documents were produced by the Sugar Association.

A NEW MISSION AND FOCUS

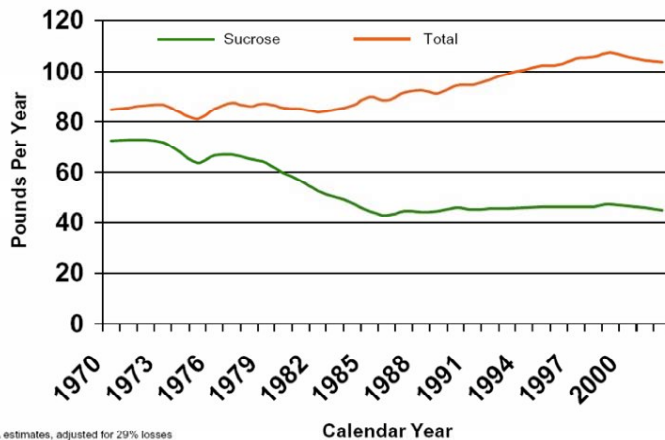
In April 2003, the Sugar Association, Inc. reorganized and appointed Andrew Briscoe as CEO. Before joining the Sugar Association, Briscoe worked for the Salt Institute and Mothers Against Drunk Driving.

SAI FACED THE FOLLOWING ISSUES:

- Although total sweetener consumption was increasing, sucrose's market share was declining dramatically (chart below). The Sugar Association exclusively represents producers of sucrose, the type of sugar made from sugar beets or sugar cane.
- At the same time, Briscoe declared on the day of his appointment: "In the obesity epidemic that our country—and the world—is experiencing, sugar (sucrose) has been unfairly targeted."
- The sugar industry was in what SAI later referred to as a "twenty year battle" with high fructose corn syrup.

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Figure 1. US Per Capita Sucrose and Total Caloric Sweeteners Calendar Year Deliveries¹ for Domestic Food and Beverage Use, 1970 – 2002



¹Per USDA estimates, adjusted for 29% losses

Source: USDA, Economic Research Service, Briefing Room. *Sugar and Sweetener Yearbook Tables: Excel (.xls) Spreadsheets*, Tables 50 and 51. <http://www.ers.usda.gov/briefing/sugar/Data/Data.htm>. Table 50 – Last ERS Update: September 3, 2003. Table 51 – Last ERS Update: June 2, 2003.

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March 2004

Much of sugar's market share was taken by high fructose corn syrup, a caloric sweetener made from corn. Starting in the 1980s and throughout the 1990s, high fructose corn syrup slowly replaced sugar in soda and many other products due to its price, versatility, and a number of other factors.

Faced with these problems, SAI rewrote its mission statement to better "focus its efforts"

From:

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WHO WE ARE

Our Mission

The Sugar Association believes that pleasant tasting, nutritious foods are important in maintaining a healthful diet and a high quality of life. We seek to create and maintain an understanding that the benefits of sugar contribute to the flavor and quality of wholesome foods. The Association also seeks to increase appreciation of the non-food value of sugar. In pursuit of our mission, The Sugar Association is committed to integrity and sound scientific principles in all its programs.

The Sugar Association educates both consumer and professional audiences about pure, natural sugar. Reliance on sound science has positioned the Association as a leader in communicating accurate information about the nutritional and functional uses of sugar to consumers, professionals and the media.

To:

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Mr. Briscoe stated that as part of this overall review, the Association mission statement was examined and the overall position of sugar. Board members provided a number of suggestions in light of these circumstances, including the market place and where the Association should focus its efforts and resources.

Finally, on motion duly made and seconded, the Board of Directors unanimously approved the following Mission Statement: **THE MISSION OF THE SUGAR ASSOCIATION IS TO PROMOTE THE CONSUMPTION OF SUGAR AS PART OF A HEALTHY DIET AND LIFESTYLE, THROUGH THE USE OF SOUND SCIENCE AND RESEARCH.**

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The new mission statement focused the Sugar Association Board on three areas: public relations, public policy, and science.

To promote the consumption of sugar, the Association will target its resources and energies to three core programs: Science and Research, Public Policy and Public/Media Relations. To that end, it was necessary to realign staff with the new strategies in order to get things done on time and within budget. Briscoe identified six key positions, including Vice President for Scientific Affairs, Director of Public Relations, Director of Education and Advocacy, Accounting Coordinator, Information Technology Manager and President and CEO as critical to programmatic success. The new strategy required the elimination of five positions.

In addition to changing its mission statement, SAI's board reworked its committees, eliminated five staff members, reduced its office space, and set aside \$200,000 for "special projects" (from June 12 and July 11 SAI Board Meeting Minutes):

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Next, the Board considered a continuing resolution authorizing implementation of the 2003-2004 Fiscal Year Budget pending a further Board meeting to be held on July 11, 2003. After discussion on motion duly made and seconded, the Board unanimously approved the following resolution.

RESOLVED, that the Budget for the 2003-2004 fiscal year and approved by the Board of Directors on April 11, 2003, at \$2,120,000 (including a \$200,000 reserve for special projects) is authorized on a continuing basis, pending a further Board meeting at which time it will consider and act upon specific budget revisions within these parameters.

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streamlining and permitting members and staff to operate more efficiently. The Audit Committee's functions would be performed by an Audit Liaison appointed by the Board Chair. Since the Board already reviews the Budget in detail, the Budget Committee seems to be redundant. Board members noted that almost all the activities of the Executive Committee were ultimately reviewed and approved by the Board of Directors. In view of reduced staff resources and Board Member requirements, it was the sense of the meeting that the Executive Committee be eliminated and that consequently the function of the Nominating Committee also be assumed by the Board. After further discussion, the Board of Directors, in order to streamline the organization in view of reduced staff resources and member requirements, on motion duly made and seconded, unanimously resolved to:

1. Charge the name of the PEAC to the Public Relations Advisory Committee (PRAC).
2. Change the name of the TAC to the Scientific Advisory Committee (SAC).

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SAI President Andrew Briscoe briefed the Board on reorganization actions and key issues. Staff changes have provided substantial savings, with administrative cost reductions allowing for the increase funding for key programmatic areas. Key issues presently being addressed by SAI staff includes: 1) getting the present WHO guideline of 10% caloric intake of free (added) sugars withdrawn from official WHO policy; 2) working with other food industry groups striving to get a good balance of doctors nominated to the 2005 Dietary Guidelines Advisory Committee; 3) staff completion of the scientific review of fructose/HFCS; and 4) working to expand our scientific base with the creation of an External Scientific Advisory Council consisting of four doctors to review the science on sugar, propose any new areas for research, and provide outside input and support on an ongoing as-needed basis.

In a newsletter produced for its member companies, SAI outlined the “key issues” facing the organization. Among them was a “review of fructose/HFCS.”

“SCIENCE-BASED MANAGEMENT OF INDUSTRY-SPECIFIC ISSUES” CREATING AN EXTERNAL SCIENTIFIC ADVISORY COMMITTEE

As part of its reorganization, SAI considered establishing an External Scientific Advisory Committee (ESAC). On June 6, 2003, SAI's Technical Advisory Committee (TAC) held a teleconference to discuss the ESAC with Dr. David McCarron, president of The Academic Network. In addition to being an Adjunct Professor at UC-Davis, McCarron had already spent nine years working with the Salt Institute (Briscoe's former employer) on hypertension issues.

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The TAC then turned to a discussion of a proposed external Scientific Advisory Council and its function, structure, purpose, and funding. Andrew Briscoe introduced Dr. David McCarron, who had worked with him as an advisor to the Salt Institute on the science and research of the sodium and blood pressure issue. Dr. McCarron, President of the Academic Network, a healthcare telecommunications service bureau and consulting firm, briefly outlined his background including his current visiting professor affiliation with the University of California at Davis. Dr. McCarron used the deficiencies and underlying fallacies of the Dietary Guidelines and the related Food Guide Pyramid as examples of implemented policies that lack scientific validation. He stated that any policies impacting entire populations must be based on scientific fact before it is put into practice. Dr. McCarron emphasized this point by citing generalized hormone replacement therapy for women as a prime example of how government policy that precedes scientific validation is not only incorrect but often unsafe. An external scientific advisory Council would provide a critical analysis of the total body of science and thus would act as an early warning system for public health matters affecting sugar. The Association would be aligned with scientists, who are both independent and expert.

During the meeting, Briscoe indicated that the ESAC would aid in “dealing with issues like ... fructose versus sucrose issues”:

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Mr. Briscoe pointed out how valuable such a Council would be in dealing with issues like the WHO Report 916, the 2005 Dietary Guidelines, and the fructose versus sucrose issues. The Council would consist of four members, including Dr. McCarron as Chairman. The Council would meet in person once (or twice if needed) a year with the TAC, and would be available for conference calls, media interviews, document review, and scientific analyses as outlined in the proposal circulated to the TAC prior to this telephonic meeting. At the request of Mr. Briscoe, Dr. McCarron briefly outlined previous consultations with the Salt Industry, the Dairy Council, and a number of private companies. During TAC discussion, the proposed Council was viewed as a value not only within the U.S. but throughout the world.

McCarron proposed a budget of \$35,100 to set up the Council, and an additional \$94,000 in yearly operating costs. After discussion, the TAC unanimously voted to approve Dr. McCarron's proposal and sent it to the SAI Board of Directors for consideration.

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Dr. Baker then turned to budget proposed for the Council previously furnished to the TAC. The budget of \$129,100, including \$35,100 in set-up costs, was discussed. \$94,000 would be part of the proposed annual operating budget to be considered by the Board of Directors at the July 11 meeting and \$35,100 (the set-up costs) would be expensed against the \$200,000 contingency fund as a one-time expense, also to be considered by the Board at the July 11 meeting.

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External Scientific Advisory Council

A telephonic meeting of the Technical Advisory Committee (TAC) was convened on June 6, 2003, with the concept of an External Scientific Advisory Council being the main topic of discussion. Dr. David McCarron [Academic Network, Portland OR] presented an overview of Academic Network and its advisory boards/councils which are utilized by various food industry groups as one of the tools for the science-based management of

Writing in its newsletter, SAI noted that McCarron explained that the Academic Network is a tool for food industry groups to influence scientific and public opinion:

industry-specific issues. Council members are third-party experts, and are selected on the basis of their established research, policy and communication skills, and their unwavering commitment to base all positions on scientific evidence. The TAC voted unanimously to recommend establishment of an External Scientific Advisory Council. A detailed recommendation will be presented to the Board for its consideration during the July 11, 2003 meeting.

During SAI's July 11, 2003 Board meeting, members discussed the TAC's recommendations and discussed the issue with Dr. David McCarron. McCarron said that The Academic Network provided "access" to health organizations that "influence healthcare policy and consumer opinion."

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Michael Gould introduced Dr. David McCarron, president of Academic Network, who would aid in establishing the ESAC and would serve as its Chairman. Dr. McCarron briefly outlined his background, including service at the University of Oregon and the University of California at Davis. He explained that Academic Network provides access between industry leaders and health organizations that influence healthcare policy and consumer opinion. Academic Network is a federation of professionals who are experienced in medical research, clinical trials, and/or health education. These individuals would work as a team to address the Association's needs and help the Association broaden its reach as a scientific resource. Background information about Academic Network was supplied in the Meeting Book.

McCarron also explained that the industry's problems, detailed above, will "ultimately be settled by the science."

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the so-called "food addiction." Dr. McCarron stated that so often public policy is established before the science is known. Because the government funds so many scientists, they then tend to keep quiet about controversial issues rather than challenge the official view. Dr. McCarron opined that the issues facing the sugar industry will ultimately be settled by the science, not by public relations or politics. Dr. McCarron then reviewed the makeup, management, roles, and responsibilities of the ESAC in terms of meetings, consultations, public appearances, and the like.

With the understanding that science was a cornerstone of their strategy, SAI's Board approved the establishment of the External Scientific Advisory Committee. In a subsequent newsletter article, SAI notes that the ESAC members were asked to sign a non-disclosure agreement and that fructose issues occupied the majority of the call:

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External Scientific Advisory Council Becomes Cornerstone of SAI Scientific Foundation

A telephonic meeting of the External Scientific Advisory Council (ESAC) was convened on September 29. In addition to the four ESAC members, participants included Dr. Mike Gould (Scientific Advisory Committee [SAC] Chair) and SAI senior staff. Business matters resolved during the conference call include 1) development of a statement of purpose for ESAC and SAI adoption; 2) development of a non-disclosure agreement for ESAC and SAI adoption; 3) scheduling the inaugural meeting of the ESAC and SAC for February 4 and 5, 2004; and 4) convening a second conference call in mid-November.

A list of sugar industry scientific priorities and potential research studies were introduced for ESAC consideration. Scientific issues directly and indirectly impacting fructose occupied the majority of the 90-minute discussion. It was most revealing that the fructose discussion opened with ESAC acknowledgement that fructose corn syrups and sucrose are not equivalent. Before any SAI commentary was provided, each doctor on the ESAC stated explicitly that sucrose and high-fructose corn syrups are different from one another.

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The members included:

Establishment of an external scientific advisory council (ESAC) received Board approval on July 11. The ESAC roster has now been finalized, and includes Drs. David McCarron, Judith Stern, Dennis Bier and Susan Barr. Each ESAC member has extensive experience in the development of evidence-based policy (Dr. McCarron) and such science-based consensus reports as the Institute of Medicine Macronutrients Report (Dr. Barr) and Dietary Guidelines Advisory Committees (Dr. Stern in 1990 and Dr. Bier in 1995).

SAI's motivation in hiring these scientists was plainly stated in the organization's subsequent newsletter:

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Key Point: ESAC members have not only established internationally acclaimed research programs, but also possess the strategic policy and communication skills that will help solidify SAI programs and amplify SAI science-based messages. Such 3rd-party support will advance the stature of SAI with consumer, media and policymaking audiences.

NON-DISCLOSURE

Despite filing conflict-of-interest statements in the course of their academic research, none of the ESAC's original members appear to have disclosed their work for SAI. For instance, Judith Stern appeared on behalf of SAI at a number of events to discuss the role of high fructose corn syrup in human metabolism.

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11:00– 12:30	Growers' relationship with the sugar factories continued
▪ Discussion	
2. Growers relationship with consumers	
▪ Sugar, diet, nutrition and non-communicable diseases	
▪ Richard Cotterell, Executive Director, WSRO	
▪ The effects of High Fructose Corn Syrup on Human Metabolism	
▪ Judith Stern, Professor of Nutrition and Internal Medicine, University of California–Davis	
▪ Sugar Promotion:	
▪ Andy Briscoe, CEO The Sugar Association, Inc., USA	
▪ Claude Risac, Director General CEDUS, France	

SAI Coordinates Panel on Sugar Consumption Demand and Promotion at American Sugarbeet Growers Association Conference

During their annual meeting February 1-3, the American Sugarbeet Growers Association members heard an agenda full of trade issues, but one panel moderated by SAI President Andrew Briscoe focused on consumption issues and addressed "Product Demand and Promotion." Other panelists included Nick Pyle, President of the Independent Bakers Association, presenting the users perspective and Judith Stern, Sc.D., Professor of Nutrition and Internal Medicine at UC-Davis, discussing the nutritional aspects of today's sugar consumption debate. Briscoe concluded the panel with a review of the Sugar Association, regulatory policies, and key objectives that influence sugar consumption now and potentially in the years ahead.

Stern also did not to disclose her membership in the ESAC on her Conflict of Commitment and Outside Activities of Faculty Members report to the University of California at Davis (the scribbled-out "commodity group" seems to read "The Salt Institute," which she subsequently disclosed consulting with).

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GENERAL UNIVERSITY POLICY REGARDING ACADEMIC APPOINTEES Conflict of Commitment and Outside Activities of Faculty Members

APM - 025
APPENDIX C

REPORT OF CATEGORY I and II COMPENSATED OUTSIDE PROFESSIONAL ACTIVITIES AND ADDITIONAL TEACHING ACTIVITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2004 (APM - 025)

Instructions: in accord with APM - 025, this form must be filed each year by all faculty. Complete all parts of it for the time your academic- or fiscal-year appointment was effective during the identified fiscal year. See explanations for further guidance. If you engaged in no Category I and II compensated outside professional activities during the identified fiscal year and did not perform additional teaching as defined in APM - 662 (i.e., teaching in UNEX courses or programs, other continuing education programs run by the University, or self-supporting UC degree programs), write "NONE" across the grid below. The report for each fiscal year is due by November 1 of the following fiscal year.

Name Judith S. Stern
Appointment (circle one): Academic-year or Fiscal-year

Academic Title Distinguished Professor
Department Nutrition

Terms of leave, if any NA

College/School A&ES

Category	# Days	Description of Activity	Nature of Relationship	General Description of Business/Agency/ Organization/Group/Person
II	5	NUTRITION ADVISORY BOARD	CONSULTING	KA-BRANDS FOOD COMPANY
II	2	MEDICAL ADVISORY BOARD	"	COMMUNITY COMMUNITY GROUP
II	2	MEDICAL ADVISORY BOARD	"	WEIGHT WEIGHT CONTROL
II	4	EXPERT WRITTEN TESTIMONY	"	FTC (TEXAS, LA)
II	1	ADVISORY ADVISORY PANEL	"	HEALTH CARE HEALTH CARE CO.
	0.5	EDITORIAL CONSULTANT	EDITORIAL	MAGAZINE

Faculty Member Signature Judith S. Stern Date 11-29-04
Department Chair's Signature [Signature] Date 11-29-04

Chancellor or Chancellor's Designee [Signature] Date 12/8/04

SAI also nominated two of its proposed ESAC members to sit on the USDA's 2005 Dietary Guidelines Advisory Committee without disclosing SAI's relationship with the researchers.

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Ms. Carole A. Davis, MS, RD
Co-Executive Secretary, 2005 Dietary
Guidelines Advisory Committee
Center for Nutrition Policy and Promotion
United States Department of Agriculture
3101 Park Center Drive, Room 1034
Alexandria VA 22302-1594

Dear Ms. McMurry and Ms. Davis:

In response to the Notice published in the May 15, 2003 edition of the *Federal Register*, we are pleased to nominate the following seven experts for your consideration as prospective members of the 2005 Dietary Guidelines Advisory Committee (DGAC). An electronic file of each nominee Curriculum Vitae accompanies this letter of submittal.

Importantly, there has been no public acknowledgement of the ESAC's existence. Using Google, Bing, Yahoo, and other internet search tools, the only indication of its existence is found in internal documents from SAI.

SEPARATING FACT FROM FRUCTOSE

With rhetoric regarding sugar's role in obesity increasing, SAI recognized the threat posed by anti-obesity activists. Discussing noted legal activist John Banzhaf's attempts to sue the food industry, SAI wrote in its newsletter:

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Key Points: Positive outcome of the "and/or" labeling resolution will eliminate HFCS's ability to masquerade as sugar in beverages and foods.

If Banzhaf is successful in going after manufacturers using HFCS, it is likely he will turn to those using sugar unless the distinction between sugar and HFCS is scientifically documented.

The External Scientific Advisory Council's review of the science is critical to the sugar industry's position on HFCS.

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A white paper defining the current scientific knowledge and identifying research gaps on fructose and appetite control (since fructose has a direct influence on food intake) is slated for submittal to a peer-reviewed journal during the first week of May. This backgrounder will become the document on which future SAI fructose-related strategies and programs are based. ESAC members emphasized that fructose is the most critical nutritional issue facing the US sugar industry, and recommended support of targeted research based on research gaps identified in the white paper.

Based on an SAI analysis of changes in the fructose content of US sweetener deliveries since 1970, ESAC members also recommended preparation of targeted comments for the Dietary Guidelines 2005 Advisory Committee (DGAC). In essence, these comments will be structured in such a way that sugar is separated from the other caloric sweeteners when the obesity issue is considered by the DGAC.

During a subsequent meeting of the ESAC and SAI, the Association reported that fructose research was the "most critical nutritional issues facing the US sugar industry," and that their research on fructose was designed to separate sucrose from high fructose corn syrup in the 2005 Dietary Guidelines:

THE THEORY: FREE FRUCTOSE IS MAKING US FAT

In order to exonerate sucrose, SAI needed proof that something about high fructose corn syrup made it uniquely fattening. The theory they seized on was that the “free fructose” in high fructose corn syrup had some negative properties.

Briscoe concluded the June 6, 2003 Technical Advisory Committee teleconference by noting “that a decision should be made soon to determine whether or how to explore the free fructose issue.”

The Sugar Association sought scientific proof that “free fructose” (which is fructose not bound to glucose in a sucrose molecule) presents specific metabolic problems. That would give the Association its desired proof that sucrose and high fructose corn syrup were nutritionally different.

In a letter to CNN quibbling with the network’s use of the word “sugar” to describe all caloric sweeteners, Briscoe wrote:

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Fructose is also a naturally occurring sugar. However, the fructose in HFCS is not separated from fruit but created by the isomerization of dextrose hydrolyzed from cornstarch. While sucrose is balanced where one glucose molecule is naturally bonded with one fructose molecule, HFCS consists of portions of free glucose and free fructose determined by the manufacturer. HFCS-55 is a mixture of 55% fructose, 42% glucose and 3% higher saccharides, which results in a formulated product containing approximately 10% more fructose than sucrose.

The amount of fructose in any sugar/sucrose product never exceeds its corresponding amount of glucose, and an enzyme is required to break the natural bond inside the human body. The fructose and glucose in sugar are balanced. Sucrose contributes no “free” fructose like HFCS-55 does.

The evolving science on carbohydrates is examining the negative health implications of the ever increasing amount of free fructose in the American diet.

Briscoe letter does not cite any scientific evidence of a difference between sucrose and high fructose corn syrup with respect to free fructose. This lack of proof was a perennial problem for SAI’s campaign to differentiate sucrose from high fructose corn syrup.

In a March 25, 2004 letter to Kathryn McMurry, then Co-Executive Secretary of the 2005 Dietary Guidelines Advisory Committee, Baker highlighted an editorial that appeared in the American Journal of Clinical Nutrition (AJCN) hypothesizing that perhaps high fructose corn syrup was contributing to increasing levels of obesity:

As highlighted in our March 18 comments, disparate metabolic and physiologic outcomes are recognized for the different dietary sugars.^{1,2,3,4} A just-published article⁵ further emphasizes that the balance between dietary glucose and dietary fructose is a plausible mechanism controlling metabolite partitioning. When this balance is absent, post-prandial lipogenesis² and appetite regulation⁴ are negatively impacted.

The Association respectfully points out that the authors' assertion⁴ that the epidemic of obesity is partly due to "... the increased intake of fructose from HFCS and sucrose." is flawed. Association analysis shows that fructose attributable to sucrose declined from 5.7165 million tons in 1970 to 4.5595 million tons in 2002, a net loss of 1.1570 million tons.⁶

One of the authors of the AJCN article, Dr. Barry Popkin, told WebMD in December 2008, "The obesity question has been answered. High-fructose corn syrup is no worse and no better than any other sugar (for weight gain). But other questions remain." (<http://www.webmd.com/food-recipes/news/20081211/high-fructose-corn-syrups-bad-rap-unfair>)

This isn't the only time SAI noted Popkin's theory. Under the headline "Fructose — Research Growing Interest," SAI explained in its newsletter that Popkin's "assessment paralleled the fructose summary presented at the SAI April Board and Committee meetings." Following that, SAI bluntly stated:

Key points: High fructose corn syrup and fructose have the attention of the science community. This provides an opportunity for the sugar industry to have influence on the scientific testing of the fructose – obesity link.

SCIENCE DOESN'T EVOLVE ON ITS OWN

Apparently as part of the “evolving science,” Charles Baker, SAI’s Executive Vice President and Chief Science Officer, drafted a memo on October 10, 2003 recommending that SAI make a grant to Dr. Elizabeth Parks. The purpose of the grant was to generate data allowing the sugar industry to say “explicitly that sugar and HFCS are metabolically different.”:

Recommendation – Presently, the problem of fully understanding triglyceride metabolism is compounded by the fact there are no data deciphering the impact that sugar (sucrose) and various combinations of free glucose and free fructose exert on triglyceride levels. The following research proposal will begin to provide the needed data. It is recommended that the Sugar Association fund this seminal project.

After detailing a research design that was oddly close to mimicking high fructose corn syrup (right), Baker bluntly explained the grant’s relevance:

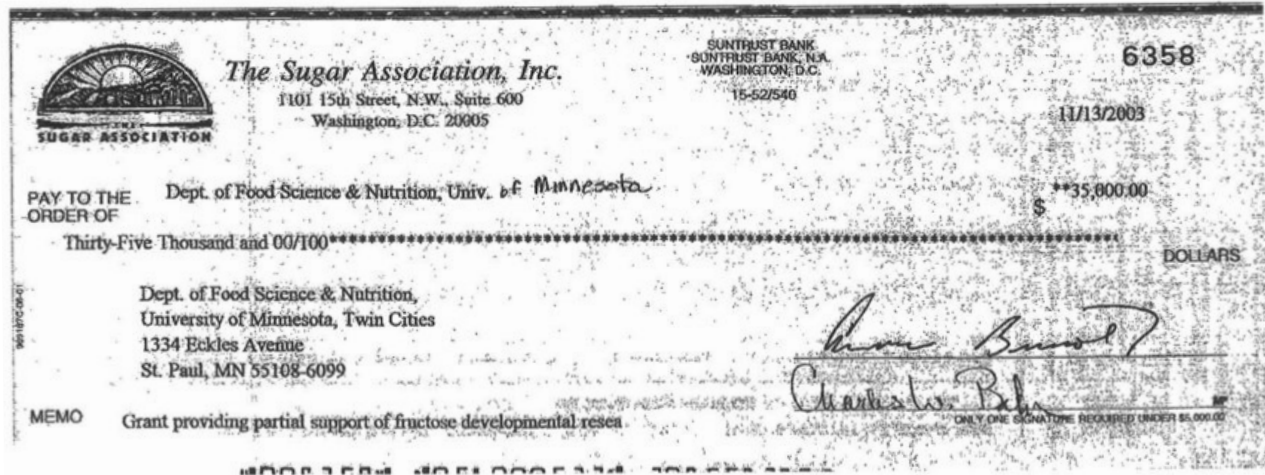
Test 1	Sucrose
Test 2	50:50 Fructose – Glucose
Test 3	40:60 Fructose – Glucose
Test 4	55:45 Fructose – Glucose

Project Relevance

Irrefutable data are needed before the sugar industry can say explicitly that sugar and HFCS are metabolically different. Only Dr. Parks has the ability to generate the data that will prove whether the excess fructose in a formulated sweetener like HFCS-55 leads to greater fat synthesis than sucrose.

The proposal was approved, and on November 13, 2003 SAI wrote Dr. Parks' first check (obtained through a Freedom of Information Act request):

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Project Budget

A budget of \$55,520 was developed for this 18-month project. It is proposed that \$35,000 be paid on November 1, 2003. The remaining \$20,520 would be provided on July 1, 2004. Thus, the cost of the recommended project would be expensed in the 2003/2004 and 2004/2005 fiscal years.

Subject Honorarium	\$ 2,400
Research Assistant	\$ 28,000
Pharmacy Expenses	\$ 3,000
Research Supplies	\$ 20,570
Office Supplies	\$ 1,550
Total	\$ 55,520

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November 13, 2003

Elizabeth J. Parks, PhD
Department of Food Science and Nutrition
University of Minnesota, Twin Cities
1334 Eckles Avenue
St. Paul MN 55108-6099

Dear Elizabeth:

It is with great pleasure that we enclose our check in the amount of \$35,000. The enclosed amount is an unrestricted gift donated by The Sugar Association, Inc. to support your ongoing research program. If any documents are required to satisfy Department of Food Science and Nutrition accounting protocols, please forward these materials to my attention. The completed forms will then be returned to you.

We look forward to continued support of your cutting-edge research and collaboration with you and the Department of Food Science and Nutrition at the University of Minnesota.

Respectfully,

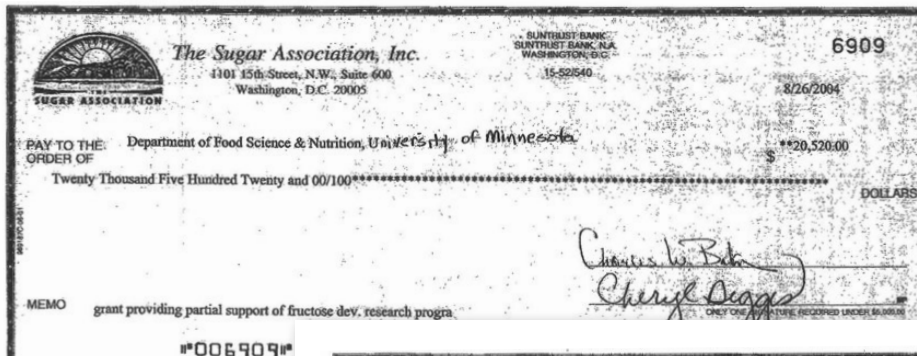
Charles W. Baker

Charles W. Baker, PhD
Vice President Scientific Affairs

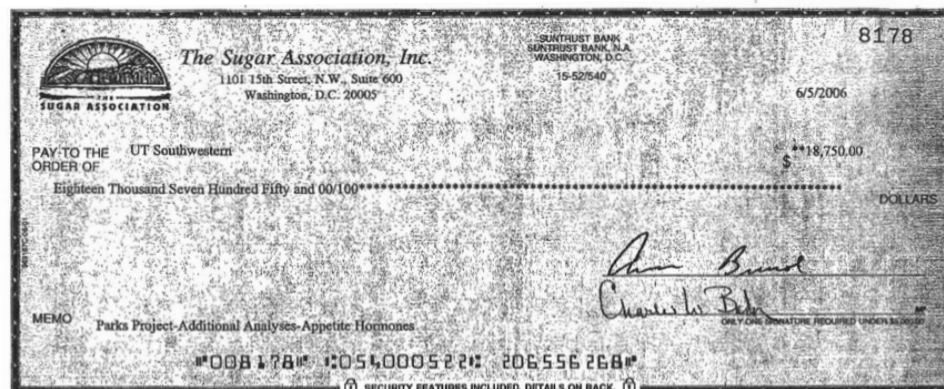
Telephone: 202.785.1122 x-12
E-Mail: cbaker@sugar.org

Dr. Parks also received two subsequent contributions from SAI.

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In 2008 Dr. Parks published research very similar to the project outlined in Baker's proposal. The relative quantities of fructose and glucose did not match Dr. Baker's recommendation of a 55-45 mix of fructose to glucose, which would mimic the proportions found in high fructose corn syrup.

Dr. Parks has told news outlets that she does not believe there is a nutritional difference between sucrose and high fructose corn syrup, although WebMD reported recently, "But Park [sic.] says that doesn't necessarily mean that there are no differences in the way the body metabolizes high-fructose corn syrup and other sugars."

FAILURE OF DISCLOSURE: DR. PETER HAVEL

Dr. Parks is not the only researcher interested in fructose issues. In a lead review article in *Nutrition Reviews*, Dr. Peter Havel linked dietary fructose consumption—but not high fructose corn syrup—to numerous metabolic issues.

Lead Review Article

May 2005: 133–157

Dietary Fructose: Implications for Dysregulation of Energy Homeostasis and Lipid/Carbohydrate Metabolism

Peter J. Havel, DVM, PhD

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At the end of the study, Havel also disclosed:

Dr. Havel is with Department of Nutrition, University of California, Davis.

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GENERAL UNIVERSITY POLICY REGARDING ACADEMIC APPOINTEES
Conflict of Commitment and Outside Activities of Faculty MembersAPM
APPEREPORT OF CATEGORY I and II COMPENSATED OUTSIDE PROFESSIONAL ACTIVITIES AND ADDITIONAL TEACHING
ACTIVITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2005 (APM - 025)

Instructions: in accord with APM - 025, this form must be filed each year by all faculty. Complete all parts of it for the time your academic- or fiscal-year appointment was effective the identified fiscal year. See explanations for further guidance. If you engaged in no Category I and II compensated outside professional activities during the identified fiscal year, not perform additional teaching as defined in APM - 662 (i.e., teaching in UNEX courses or programs, other continuing education programs run by the University, or self-supplied degree programs), write "NONE" across the grid below. The report for each fiscal year is due by November 1 of the following fiscal year.

Name Peter J. Havel, D.V.M., Ph.D. Academic Title Associate Researcher
 Appointment (circle one): Academic-year or Fiscal-year Department Nutrition
 Terms of leave: Annual Leave when Appropriate College/School CA&ES

Category	# Days	Description of Activity	Nature of Relationship	General Description of Business/Agency/ Organization/Group/Person
1	12	Leptogen, Inc. Davis, CA Chair: Scientific Advisory Board	Founder and Stockholder	Biopharmaceutical Discovery
2	1	McNeil Inc., New Brunswick, NJ	Speaker/Consultant	Manufacturer
2	1	International Food Information Council	Speaker	Non-profit Food Information Organization
2	1	Tocatta Therapeutics, Menlo Park, CA	Consultant	Biopharmaceutical Discovery
2	5	Academic Network, Portland, OR	Writing Project	Healthcare Communications and Consulting
2	1	Metabolex, Inc. Hayward, CA	Seminar Speaker	Biopharmaceutical Company
2	2	National Institutes of Health, Integrated Physiology of Obesity and Diabetes Study Section	Grant Reviewer	Government

In his disclosure papers filed with UC-Davis, Havel only discloses working for The Academic Network on a "writing project."

BEYOND FREE FRUCTOSE

Free fructose wasn't SAI's only avenue for examining the difference between sucrose and high fructose corn syrup. In response to a study about fructose intolerance, SAI wrote:

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SAI has begun follow-up with the senior University of Iowa scientist to find out the details of this research focus.

Key Point These results confirm SAI's working hypothesis that health problems attributable to free fructose are aggravated when the amount of fructose exceeds the amount of glucose in the diet. In sucrose products, the fructose and glucose are always balanced – one can never exceed the other.

Collaboration with the medical research community exploring bowel health provides another science-based strategy to provide further evidence that natural sugar is completely consistent with healthy diets and lifestyles.

INDUSTRY OUTREACH

Armed with their research, SAI also met with major sweetener users to convince them that fructose was a liability.

Sugar Association Meets with Pepsi ... Reviews Fructose Concerns and Proposes Using All Natural Sugar in Existing Products or Newly Developed Products

For the last eight months, the Association has cultivated a stronger relationship with the beverage industry, including Pepsi Cola and Coca-Cola. Efforts have been made to highlight the benefits of all natural sugar versus high fructose corn syrup, to show the changing consumer demand of Generation X and Y, and to provide updated science on concerns relating to fructose consumption. One of the few bright spots in sugar deliveries is that sugar sales in the beverage category have increased over the past two years reinforcing that all natural beverages using sugar are trending upward. In 2002, the sugar deliveries grew 19.6 percent, and for the first nine months of 2003, the growth was 14.2 percent.

SUCCESS OF PUBLIC EDUCATION CAMPAIGN

In an article on Imperial Sugar's website, Briscoe discusses the current role of the Sugar Association. Here is how he describes SAI's campaign to promote sugar:

We like to think of ourselves as a watchdog as it relates to sugar and primarily sugar consumption. And we like to be pro-active in our food and nutrition initiatives.

Q: In the watchdog role, how do you compete against other sweeteners, like high fructose corn syrup (HFCS) that has become ubiquitous in America's foods and beverages over the last two decades?



A: We are into a consumer education effort. In 2004, we did a Gallup survey and asked people just to tell us what sweeteners they were aware of, and in the top six sweeteners, HFCS was not mentioned.

We have worked hard on educating consumers that the major soft drinks do not have sugar in them and four years later, in 2008, we asked consumers the same question about sweeteners and up to 88 percent are now aware of HFCS.

The next question is: If it has HFCS, what percentage of consumers is going to purchase the product now? Consumers have responded and roughly 63 percent of consumers said that if they were aware it had HFCS in it, they would probably not purchase the product. So, we have come a long way in a relatively short period of time.

PUBLIC AND PRIVATE DENIALS

SAI has repeatedly denied engaging in any activity to differentiate sugar from high fructose corn syrup. Responding to the allegation that the sugar industry has been behind persistent public misinformation about high fructose corn syrup, SAI told PR Week in a statement:

The Sugar Association flatly denies any allegations that it is part of a campaign to smear high-fructose corn syrup.

“The sugar industry does not now sponsor, nor has it ever engaged in such a campaign.”

The Center For
Consumer Freedom®

