McDonald's Fries: Not Done Yet
Category : October/November/December 2003
Published by Anonymous on Oct. 02, 2003

FOOD

McDonald's Fries: Not Done Yet

$10 million settlement-including $250,000 for Hinduism Today-appealed

It was started by a Seattle lawyer, Harish Bharti, a vegetarian Hindu who makes a habit out of identifying the ingredients in purportedly vegetarian foods. He examined McDonald's french fries. Back in 1990, news reports appeared that stated, for example, "McDonald's, Wendy's and Burger King are switching to all-vegetable oil to cook their fries." The reason was to reduce the saturated fat content (bad for the heart), which, in McDonald's case, went from 42 grams to 23 grams for a two-ounce serving of fries. Previously, the fries were cooked with beef tallow. Our on-line dictionary appetizingly defines tallow as, "Hard fat obtained from parts of the bodies of cattle, sheep or horses, and used in foodstuffs or to make candles, leather dressing, soap and lubricants." Yum.

The problem for McDonald's was that the veggie-oil cooked fries didn't taste like their popular tallow-cooked fries, which they solved by including a beef flavoring at the time of preprocessing for distribution (not while being cooked in the restaurant). Under the US government's food guidelines, they were allowed to label this beef flavoring as "natural flavor," which it is. But because of the hype over the switch to vegetable oil for frying, vegetarians assumed--and McDonald's did not try to dissuade--that the fries were now vegetarian.

Bharti sued McDonald's in 2001, and that grew into a class-action law suit involving a number of lawyers and organizations. Ultimately, Hindus, Sikhs, Jews, Muslims, vegetarians and vegans joined the fray--the Jews because the beef flavoring was not kosher and the Muslims because it wasn't halal.

In March, 2002, the lawsuit was close to being settled. McDonald's agreed to issue a formal apology, better disclosure of ingredients, creation of an advisory board and payment of us$10,000,000 to organizations which promote vegetarianism and issues related to the fries.

The apology reads, in part, "McDonald's sincerely apologizes to Hindus, vegetarians and others for failing to provide the kind of information they needed to make informed dietary decisions at our U.S. restaurants. We acknowledge that, upon our switch to vegetable oil in the early 1990s for the purpose of reducing cholesterol, mistakes were made in communicating to the public and customers about the ingredients in our french fries and hash browns. Those mistakes included instances in which french fries and hash browns sold at U.S. restaurants were improperly identified as 'vegetarian.'" It is part of the settlement that the full apology be printed in Veggie Life, India Tribune and Hinduism Today.

Bharti wrote at the time, "I am proud of obtaining the apology (with admission of wrongdoing), the enhanced disclosure from McDonald's and the advisory board. This means a lot to my clients and me, because this is very valuable for the consumer interest in the long run. In the last 100 years this is the first giant corporation to apologize, admit wrongdoing and also pay millions of dollars."

McDonald's is indeed giant, and serves as a kind of magnet for all criticism of big business (see http://www.mcspotlight.org). For the year 2002, McDonald's worldwide income was $15.4 billion, which yielded a net profit of $893 million. More than 30,000 local McDonald's restaurants serve 46 million customers each day in more than 100 countries.

Organizations were invited to submit specific proposals to Bharti and the other lawyers for a share in the settlement. The money was to go, according to McDonald's, "to Hindu, vegetarian and other groups whose charitable and educational activities are closely linked to the concerns of these consumers [having dietary restrictions]." The Hindu Heritage Endowment, founded by Hinduism Today's creator, Satguru Sivaya Subramuniyaswami, was invited to submit a request. HHE proposed to put any settlement share in its Hinduism Today Distribution Fund to increase the magazine's free distribution in the US, on the basis that the magazine has consistently promoted vegetarianism among Hindus.

In May, 2003, the Illinois court where the class-action suit was litigated, announced the 24 organizations awarded money under the settlement, one of which was the Hinduism Today endowment. The groups and the amount of settlement is: Vegetarian Resource Group, $1,400,000; ADAF Vegetarian Nutrition Dietetic Practice Group, $600,000; Preventive Medicine Research Institute, $550,000; North American Vegetarian Society, $1,000,000; Vegetarian Vision, Inc., $250,000; American Vegan Society, $500,000; Loma Linda University, $300,000; Tufts University, $850,000; Muslim Consumer Group for Food Products, $100,000; Islamic Food and Nutrition Council of America, $450,000; International/American Gita Society, $50,000; Hinduism Today Endowment, $250,000; Supporting Excellence in Education, $900,000; Council of Hindu Temples of North America $200,000; SSV Temple, $50,000; Guru Harkrishan Institute of Sikh Studies, $50,000; Hindu Students Council, $500,000; Jewish Community Centers Association, $200,000; Orthodox Union, $150,000; Star-K/Torah.Org, $300,000; CLAL, $50,000; The Foundation for Jewish Campus Life (Hillel), $300,000; Produce for Better Health Foundation, $500,000; and Division of Nutrition and Physical Activity at the Centers for Disease Control and Prevention ("CDC"), $500,000.

On Hinduism Today's part, $250,000 in the endowment would fund outright 1,000 subscriptions a year forever, or subsidize a larger number. But our meritorious plan and those of everyone else came to a screeching halt as the distribution proposal was appealed by a consortium of vegetarian groups not part of the settlement (except the American Vegan Society, which is to receive $500,000) and, separately, by a Muslim group. We don't know the basis for the Muslim appeal, as only the notice of appeal has been filed and not the actual appeals. The appeals will take at least two years for the courts to rule. Lawyers for the vegetarian groups making the appeal said, "The $6,000,000 distribution subverts the spirit and letter of the settlement agreement by improperly directing funds to nonvegetarian groups, hostile to vegetarianism and groups in limited size and geographical reach."

Complaints about who would get the money began as soon as the list was being formulated. In January, 2003, T. Colin Campbell, said, "It will set back vegetarianism as a class for ten to twenty years" because the groups McDonald's favors are hostile to the values the settlement was intended to honor. Campbell is a Cornell University professor whose research showed a close correlation between meat consumption and cancer and heart disease.

The specifics are contained in a long article at www.vegsource.com, search for "McDonald's." Author Jeff Nelson writes, "All major vegetarian groups and leaders

are opposed to the settlement as currently formulated. ... Lawyers falsely claiming to represent vegetarians joined hands with McDonald's to produce a list clearly intended to minimize benefit to the national vegetarian community." For example, he says, Tufts University "has shown repeated hostility toward vegetarianism ... and has a clear bias when it comes to promoting the unhealthy, largely nonvegetarian foods of its funders--Kraft foods."

Nelson is livid when it comes to the North American Vegetarian Society ($1,000,000) and the Vegetarian Resource Group ($1,400,000) each of whom he excoriates in an article called "Sleeping with the Enemy" on the same web site. NAVS, he says, doesn't have the expertise to carry out their proposed project with the funds. VRG should not get the money because they don't oppose the distribution of funds to undeserving organizations.

Hindus might wonder what kind of atonement or penance could be done for inadvertantly eating beef-laced fries. The question has come up before, in relation to a beef burrito at a Taco Bell. We consulted Swami Paramananda Bharati of Bangalore, our 1990 "Hindu of the Year." Swami, who is attached to Sringeri Mutt. He replied that because the offense was unintentional, the prayaschitta, penance, could be relatively simple--the chanting of mantras for about half an hour a day for eleven days.