

# FDA Fires Warning Shot at California over Coffee-Cancer Controversy



By Alex Berezow, PhD — August 30, 2018



Credit: Storyblocks [1]

Like a broken clock that accidentally gets the time right, the State of California has finally stumbled upon the correct approach to coffee. Sort of. After widespread mockery and condemnation, the Golden State has had an epiphany: Maybe coffee doesn't cause cancer.

California's Office of Environmental Health Hazard Assessment (OEHHA), which is responsible for enforcing the abomination known as Proposition 65, proposed that coffee be exempt from bearing a cancer warning label. The OEHHA made this recommendation following a truly mind-blowing decision by Los Angeles Superior Court Judge Elihu Berle, declaring that coffee must be served with a side of cancer fearmongering.

Likely due to embarrassment, the OEHHA sprang to action, proposing that coffee isn't so bad. They released a [statement](#) [2] justifying their position based on "extensive scientific evidence that drinking coffee has not been shown to increase the risk of cancer and may reduce the risk of some types of cancer." That part is good.

The next part is bad: "[T]he World Health Organization's International Agency for Research on Cancer (IARC) concluded that there is 'inadequate evidence' that drinking coffee causes cancer." Why is that bad? Because OEHHA shouldn't be relying on IARC for anything at all. IARC is a fringe group that has declared [bacon and alcohol to be as dangerous to human health as plutonium](#) [3]. IARC is also rife with financial conflicts of interest and is [suspected of having committed scientific fraud](#) [4]. [Congress just pulled IARC's funding](#) [5] because it is an illegitimate agency that should be ignored.

In other words, California arrived at the correct answer for the wrong reasons.

## The FDA Weighs in on the Coffee-Cancer Controversy

This issue is back in the news because the FDA weighed in. The FDA was not a fan of California slapping cancer warning labels on coffee because there is no scientific evidence to support the claim. In the words of the [FDA](#) [6], "[I]f a state law purports to require food labeling to include a false or misleading statement, the FDA may decide to step in." The agency went on to say that it "strongly supports" OEHHA's proposed exemption.

The State of California should not consider this to be an "attaboy" from the FDA. No, this is a warning shot, disguised as a compliment.

## Anti-GMO Activists Should Be Scared

The FDA statement goes on to say something that should terrify the anti-GMO movement:

*Misleading labeling on food violates the Federal Food, Drug, and Cosmetic Act. No state law can require food to bear a warning that violates federal law.*

By their very nature, "GMO-Free" labels are misleading. As Dr. Henry Miller explains in the [Wall Street Journal](#) [7], absence claims (i.e., a claim that food does not contain a particular ingredient) are inherently misleading if alternative versions of the food also do not contain that ingredient. For instance, if orange juice came with the label "GMO-Free," that is a lie because the implicit claim is that other types of orange juice do contain GMOs. But they don't. There are [no GMO oranges](#) [8] on the market. So all orange juice is naturally GMO-free.

The organic industry has been getting away with this type of deception for years. This statement by the FDA gives hope that perhaps the agency will finally crack down on all forms of deceptive advertising.

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[1] <https://www.storyblocks.com/stock-image/coffee-cups-bqhmcpqdbj6gtmgn7>

[2] <https://oehha.ca.gov/proposition-65/press-release/press-release-proposition-65/proposed-oehha-regulation-clarifies-cancer>

[3] <https://www.usatoday.com/story/opinion/2016/08/10/hot-beverages-world-health-cancer-coffee-column/88511276/>

[4] <https://www.acsh.org/news/2017/10/24/glyphosate-gate-iarcs-scientific-fraud-12014>

[5] <https://geneticliteracyproject.org/2018/08/06/congressional-committee-cuts-funding-to-iarc-over-who-agencys-controversial-glyphosate-cancer-finding/>

[6] <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm618883.htm>

[7] <https://www.wsj.com/articles/the-organic-industry-is-lying-to-you-1533496699>

[8] <https://geneticliteracyproject.org/2017/04/21/no-gm-oranges-tropicana-deceiving-consumers-non-gmo-label/>