Dr. Elizabeth Whelan, president of ACSH, debates a junk food "fat tax" on the TODAY show

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HEADLINE: New York Assemblyman Felix Ortiz and Dr. Elizabeth Whelan discuss a proposed tax on junk food as a way to control the obesity crisis

ANCHORS: LESTER HOLT

LESTER HOLT, co-host:

Felix Ortiz is the New York state lawmaker who will introduce the fat tax tomorrow. Dr. Elizabeth Whelan is president of the American Council on Science and Health.

Dr. Whelan, Assemblyman Ortiz, good morning to both of you. Thanks for joining us.

Mr. FELIX ORTIZ (New York Assemblyman): Good morning.

Dr. ELIZABETH WHELAN (President, American Council on Science and Health): Good morning. Thank you.

HOLT: Assemblyman Ortiz, let me begin with you. Is it a fair comparison, fatty foods and cigarettes?

Mr. ORTIZ: Well, I don't say this is a fair comparison, I think it's already been said that it's unfortunately that we haven't been paying attention to the childhood obesity in our country, especially in our state. And when you look to the debt of the debt cost for obesity on the annually basis is is 300,000 people that die consequences of obesity every year and you have 400,000 people dying of consequences of tobacco. So this is showing that we are in a alarming crisis throughout the the nation about addressing a crisis that has been already identified by the secretary of health and human services.

HOLT: But is is this a measure that is designed to raise a revenue, or do you really think you could make a dent in obesity by adding this this tax?

Mr. ORTIZ: Well, let me just say to you that we what we're talking about in this tax proposal is to increase a 1 percent tax into video games, into television advertisements, as well as to a snack or fatty food thing that we are talking about. But it's very critical but important to say that this money will be used for a comprehensive program legislation that we have in place in the New York state assembly to address education, to bring awareness, awareness through media, through the television, through what have you, through the radios, through the newspaper to ensure that the
viewers and the people in the state of New York will bring will have awareness and more and more education about what is the consequences of obesity and what that happen.

HOLT: Let me ask Dr. Whelan, when we look at cigarettes and obesity, are we looking at at these as both self-inflicted, that the ailments related to smoking and obesity?

Dr. WHELAN: Well, any kind of comparison of cigarettes and food is absolutely outrageous. Cigarettes are hazardous to health, when used as intended. Food supports life. The only way you can run into a problem with food is if you overuse it, if you overeat. Second, I think this idea of of taxing specific foods is absolutely unscientifically grounded. There is no basis to argue that this would actually help the obesity problem, which by the way, is a very serious problem in the United States.

HOLT: But you say overeating. I mean, potato chips are certainly not a necessary food group.

Dr. WHELAN: No. Really, actually no foods are necessary. You know, the idea is a balanced, varied diet. When when I asked the question: How would you ever decide what what foods to tax? Food that are high in sugar? Well, orange juice is high in sugar. Foods that are high in fat? Well, avocados are high in fat.

HOLT: Well, let's ask, Assemblyman Ortiz, what what kind of foods how would you identify what would have to be taxed under this initiative?

Mr. ORTIZ: Well, we are working on what will be taxed. We we just concluded in Albany two days ago a public hearing throughout across the state of New York, and this public hearing was composed of people who really have expertise on the field, on the field of childhood obesity. We had doctors, cardiologists who came over, nutritionists, dieticians, teachers, parents, who had the opportunity to come over and testify. And and it was very clear, very clear. And let me tell you, I'm not I'm not a big fan of taxes. I don't want to be sitting here and say, 'Well, this is a guy who wants to do taxes all over the country.' Well, that's not true. I think I think what we're looking into here is to trying to put the pressure to to develop what could be physical and doable for our kids and for for our state, by by forcing either whether it's the state or the corporate America to be part of the solution, to be part of the project, and to have businesses to be part of what we have proposed for childhood obesity.

Dr. WHELAN: This this proposal has a premise that there is somehow some good foods and bad foods, and if we could only tax the bad foods, then we wouldn't have an obesity problem. It doesn't work that way. We face an obesity problem in the United States because we consume too many calories for our needs and we don't exercise enough. It comes down to that. And, you know, there is room in life for potato chips and Twinkies and all these other maligned foods if you don't eat huge amounts of them. There is no good or bad food, there are only good and bad diets. And I know that's more complex than putting a tax on on food. And, by the way, this would be just another tax. It's just another way of trying to get revenue out of us.

HOLT: Well, let me ask Assemblyman Ortiz. In your district, you represent low-income neighborhoods...
Mr. ORTIZ: Mm-hmm.

HOLT: ...and in many cases people resort to junk food because it's cheaper, it's easy and it's cheap. Are you unfairly punishing some of your own constituents?

Mr. ORTIZ: I don't believe we're punishing anyone. I think it's very important to understand that we talk about 300,000 dead annually and when the Health and Human Services secretary has indicated that obesity is a crisis. And let me tell you, we haven't done anything for our children. And these children will be the work force of the future in the and we are going to have a very unhealthy future work force where we'll cost business more health this this health...

Dr. WHELAN: Obesity is obesity is a crisis in public health in America, but we need to have science-based attempts to solve it, not not schemes of this sort of taxation.

Mr. ORTIZ: But that...

HOLT: We'll have to end the conversation right there, unfortunately. But I appreciate both of you coming in. New York Assemblyman Felix Ortiz and Dr. Elizabeth Whelan, good to have you both.

Mr. ORTIZ: Thank you.

Dr. WHELAN: Thank you very much.

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