Dr. Wiley and the Pure Food Law

By ACSH Staff — July 17, 2003

A century ago, the government's chief chemist, Harvey Washington Wiley, was well-known for his efforts to pass a law regulating the nation's food processors. When pending legislation finally passed in 1906, it was promptly nicknamed "the Wiley Law." Ironically, Dr. Wiley's own scientific extremism and inflexibility had long stood as a principal barrier to the food law's success.

Much to his everlasting regret, Wiley was never allowed to act on his own to enforce the new law. Every request to seize products that were considered dangerous to the nation's health required the approval of his boss, Secretary of Agriculture James Wilson, who usually turned to an oversight board of academic scientists to scrutinize the basis for Wiley's action. Wilson didn't think he could trust his crusading chemist, but he couldn't risk firing him either. Wiley enjoyed overwhelming support from Congress and from the public at large.

Today, historians often attribute passage of the nation's first pure food and drug law to the 1906 publication of Upton Sinclair's instantly popular novel, *The Jungle*, a lurid tale of dereliction and abject filth in the meatpacking industry. But there was more to it than that. The major food processors like H. J. Heinz wanted tighter standards enforced so that their smaller competitors could be squeezed out of the marketplace. The largest meatpackers, such as Armour and Swift, added their support to the legislation. Women's organizations throughout the nation welcomed Wiley as their hero and vigorously promoted the proposed food laws.

The food purity issue had also captured the interest of President Theodore Roosevelt, who recalled vividly the "embalmed" beef scandal immediately following the Spanish-American War. Roosevelt had been skeptical about the gray meat when it was served in cans to his Rough Riders. Most of them had refused to eat it. Later, the President later grew suspicious of Dr. Wiley, who had decided to give a pass to the product when Congress urged an investigation. No chemical preservatives were found by the Bureau's laboratory, and Wiley was distracted by his campaign against sodium benzoate and other chemical additives then popular with the food processors. TR never forgave him.

Food bills had languished in both the House of Representatives and the Senate over a span of nearly two decades without meaningful progress. Surely, the 1906 publication of *The Jungle* did manage to galvanize the attention of the public, Congress, and the President. In one memorable passage, the author related the plight of a hapless laborer who loses balance and tumbles into a steaming vat of rendered fat. That image was said to have discouraged the public from purchasing lard for weeks and months to come.

Roosevelt, who had always disdained the need for bodyguards, was more than willing to dispatch his Secret Service detail to investigate distant problems. Returning from Chicago, the Secret Service reported that Upton Sinclair's observations were closer to the truth than the President had
wanted to believe. By that time, Congress had also felt the pressure of public opinion, and the current food bill suddenly received the support needed for passage in both houses. Wiley sat beaming in the Senate gallery on the day of the final vote. Roosevelt signed the Pure Food and Drugs Act on the very next day, June 30, 1906.

Wiley wasted no time before launching his attack against the food industry, especially those processors who were seeking to prolong shelf life by adding chemical preservatives. Never mind that he still had no valid data proving harmful effects to consumers. He took his stand based on principles taught by his mother when he was growing up in Indiana: *Nothing unnatural must ever be added to canned foods*.

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*Editor's note: Attacks on soda are nothing new. Coming next: Wiley's war on Coke.*