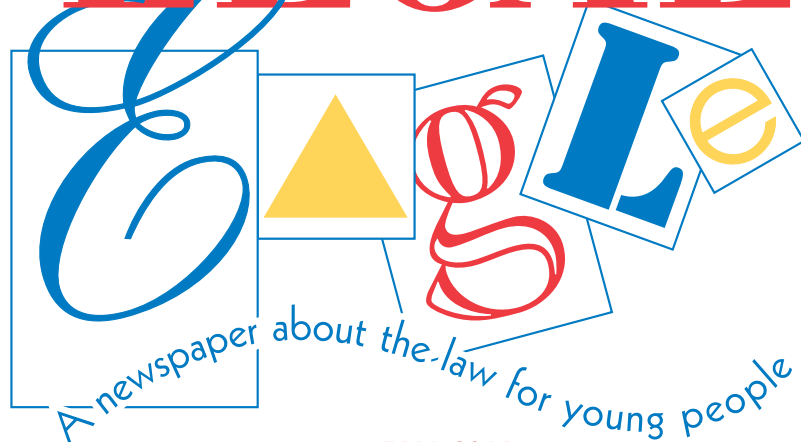


THE LEGAL



FALL 2014

If We Are What We Eat, Should It Be Labeled?

by Cheryl Baisden

Chances are, the tomatoes in your local grocery store don't taste, or even look much like the tomatoes your grandparents or parents found in the produce aisle when they were your age. Maybe you've heard them complain that today's tomatoes just don't have the same flavor, rich red color or juiciness tomatoes once did. As it turns out they aren't just glorifying the "good old days"; there's a reason for those differences, and



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E-cigarettes— To Regulate or Not to Regulate?

by Jodi L. Miller



They have a number of different names—e-cigarettes, vape pens, e-hookahs—but not a lot of information is known about the long-term effects of using them. Just like e-cigarettes today, when the regular cigarette industry was in its infancy not much was known about the long-term effects of using tobacco either.

This year marked the 50th anniversary of the Surgeon General's first report about the dangers of smoking (31 additional reports would follow over the next 50 years). Among other things, that first report concluded, "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate **remedial** action." In 1964, when the report was published, 43 percent of Americans smoked. Today, that number has decreased to 18

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Working for a Living Not a Minimum Wage

by Phyllis Raybin Emert

It used to be that minimum wage jobs, such as those in the fast food and retail industries, were held by teenagers looking to make a little extra spending money. That's no longer the case. According to the Economic Policy Institute (EPI), the average age of the minimum wage worker today is 35, with 88 percent over the age of 20. More than a third of these workers, according to EPI, are over the age of 40



and 28 percent are trying to support a family on a minimum wage salary. Imagine you are living alone and supporting yourself in a small town or city in New Jersey. You have a minimum wage job and are earning \$8.25 an hour (one dollar above the federal minimum). That comes out to \$330 for a 40-hour week or about \$17,000 per year before taxes. According to the U.S. Department of Health & Human Services, the 2014 poverty guidelines for the 48 **contiguous** states (excluding Alaska and Hawaii) list the poverty line for a one-person household at \$11,670 and \$23,850 for a family of four. That minimum wage job of yours in New Jersey places you above the poverty level if you have only yourself to support. But is it really enough to support you and meet the minimum standard of living in your area?

Minimum wage vs. living wage

The term "living wage" is not the same as minimum wage. The minimum wage is an amount fixed by law that employers are required to pay for each hour of work. Congress determines the amount of the

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This publication was made possible through funding from the IOLTA Fund of the Bar of New Jersey.

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Living Wage CONTINUED FROM PAGE 1

minimum wage. In contrast, the living wage refers to what it costs to live in a particular geographic location and be able to afford the basics—food, childcare, medical costs, housing, transportation, and other miscellaneous expenditures.

Since the 1990s, living wage organizations have formed throughout the world, with the intent of raising the minimum wage to a living wage. These organizations all have similar definitions of the term. For example, a living wage group in New Zealand defines a living wage as “the income necessary to provide workers and their families with the basic necessities of life. A living wage will enable workers to live with dignity and to participate as active citizens in society...”

A professor at the Massachusetts Institute of Technology (MIT) created what she calls the living wage calculator. Available on the university’s website, it calculates what a person needs to earn per hour in order to make a living wage in whatever geographical area he or she lives.

According to the calculator, to support yourself properly in New Jersey you need to earn \$11.13 an hour, not the minimum hourly wage of \$8.25. To support a family of four, according to MIT’s calculations, that number goes up to \$21.17 per hour. The living wage varies from place to place. It is higher in metropolitan areas like New York City and lower in rural locations. In rural Wyoming, for example, the federal minimum wage (\$7.25) is close to that area’s living wage (\$7.97). However, in New York, the minimum wage is \$8.00, but the living wage is calculated to be \$11.50.

Birth of the minimum wage

Congress passed the first minimum wage law in 1938 as part of President Franklin Roosevelt’s New Deal reforms. The Fair Labor Standards Act set the minimum wage at 25 cents an hour (previously

workers had been paid as low as one penny per hour). It also established an eight-hour workday, overtime pay and a minimum age for workers. In one of his famous fireside chats the night before signing the Act into law, President Roosevelt told the American people, “Do not let any calamity-howling executive with an income of \$1,000 a day, who has been turning his employees over to the Government relief rolls in order to preserve his company’s undistributed reserves, tell you... that a wage of \$11 a week is going to have a disastrous effect on all American industry.”

Since 1938, Congress has increased the federal minimum wage nine times. In July 2009 it was raised to the current amount of \$7.25 an hour. Some states and municipalities across the United States have passed their own minimum wage legislation. In fact, 21 states have minimum wages higher than the federal wage, with Washington State the highest at \$9.32. In June 2014, the Seattle City Council voted unanimously to raise the city’s minimum wage to \$15 an hour, the highest in the country. The ordinance gives businesses three years to implement the increase; however, a lawsuit challenging the wage increase has been filed in a U.S. district court.

Also in June 2014, President Obama issued an executive order requiring the wages of federal employees and contract workers be increased to \$10.10 an hour beginning in January 2015. The order will raise the wages of workers in all government buildings, military bases, national parks and veterans hospitals.

Recent legislation

According to a report by the President’s Council of Economic Advisors (CEA) titled, *The War on Poverty 50 Years Later: A Progress Report*, “In 2013, the federal minimum wage [\$7.25] was at the same inflation-adjusted level as it was in 1950.”

Senator Tom Harkin of Iowa and Congressman George Miller of California introduced legislation in Congress calling for the minimum wage to be increased to \$10.10 an hour. The increase would be implemented over the course of 30 months and provide automatic annual increases to keep up with inflation. Americans across the country have been overwhelmingly supportive of this wage increase. A Pew Research Poll, conducted in January 2014, found that 73 percent of all Americans favor raising the minimum wage to \$10.10 per hour.

The CEA report noted that as many as 19 million people could be affected by an increase in the minimum wage. "Full-time workers earning exactly the minimum wage would see their earnings increase by \$5,700 per year, enough to move a family of four from 17 percent below the poverty line to 6 percent above it, once tax credit assistance is included."

The Harkin-Miller bill went before Congress in April 2014, but the Senate refused to vote on it. In a press statement, the Center for Economic and Policy Research (CEPR) stated that not raising the minimum wage as the cost of living increases, "essentially amounts to a continual pay cut for millions of workers." According to the CEPR, of the 13 states that increased their minimum wages earlier this year all but one (unfortunately, it was New Jersey) saw employment gains.

Arguments for and against a minimum wage increase

One argument against raising the minimum wage is that it will increase the cost of living for all Americans. If businesses have to pay their employees more in wages, then they'll have to raise prices, passing the burden on to consumers.

Another argument against the increase is that it would cost jobs. James Dorn, who covers global economic policy issues for *Forbes*, wrote, "The minimum wage is unfair to low-skilled workers with

little experience because it prices them out of the labor market and prevents them from achieving the upward mobility that is the hallmark of a dynamic free-market economy..."

Some economists argue that small businesses would be hurt the most by a minimum wage increase, forcing some out of business. Paul Ballew, chief economist for Dun & Bradstreet, told *The New York Times*, "There remains a lot of economic pressure on small businesses. They've had a really rough go of it the past six years, and they've already squeezed out a lot of the fat." Still, a November



2013 Gallup poll of small business owners revealed that they were split on raising the minimum wage, with 47 percent in favor and 50 percent against.

The CEA's report stated "while a higher minimum wage could increase compensation costs for employers, they could also reap benefits, including lower employee turnover rates, and by extension lower costs of hiring and training new workers, as well as increased demand for their goods and services among low-wage workers."

A March 2014 study for the Center for American Progress, conducted by economists Rachel West and Michael Reich, compared the effects of minimum wages and the Supplemental Nutrition Assistance Program (SNAP), which provides food to needy families. SNAP is federally funded through the Department of Agriculture. The report concluded that a wage increase would reduce SNAP enrollment and estimated the

Harkin-Miller bill "would save taxpayers nearly \$4.6 billion per year."

A *New York Times* editorial concerning business and the minimum wage said "businesses are able to deal with higher costs by modestly increasing prices and by giving smaller increases to higher-paid employees." The editorial cited as examples successful corporations like the Gap (minimum wage \$9) and Costco (minimum wage \$11.50). The editorial asserted the idea that "a higher minimum wage would hurt business is old and tired. There is clear and compelling evidence that the economy and companies enjoy real benefits when workers are paid more."

Equality for all?

A Bloomberg National Poll revealed that by a margin of almost two to one, Americans don't believe the U.S. offers everyone an equal chance to get ahead today. According to economists, the wealthiest 10 percent of Americans earned more than half of all income in 2012, creating the largest income gap in this country since 1917.

That disparity is most evident in the fast food industry. Unlike the Gap and Costco, fast food giants like McDonald's Corp., Burger King Worldwide and Yum Brands, owner of KFC, Pizza Hut and Taco Bell, are all against a minimum wage hike. An article in *The Nation* revealed that the chief executive of Yum Brands earns \$22 million per year, 1,200 times as much as one of his minimum wage workers. The article points out "the obvious hypocrisy of companies who throw millions at their CEOs while saying they can't afford to pay their workers a living wage..."

Robert Reich, former Secretary of Labor and a leading economist, has fought hard to bring the issue of income inequality to the forefront. In his blog Reich wrote, "America is now more unequal than it's been for eighty or more

percent, yet tobacco is currently an \$80-billion-a-year industry.

According to the U.S. Centers for Disease Control and Prevention (CDC), tobacco use is the leading cause of preventable death in the United States, with approximately 480,000 deaths each year. In addition, 16 million Americans live with serious illnesses caused by smoking, costing more than \$289 billion a year. The latest Surgeon General report stated, "More than 20 million Americans have died as a result of smoking since the first Surgeon General's report on smoking and health was released in 1964. Most were adults with a history of smoking, but nearly 2.5 million were nonsmokers who died from heart disease or lung cancer caused by exposure to secondhand smoke."

The 2014 report also cited the need for more study into e-cigarettes, both for their benefits in helping smokers quit and the possibility that the fad could encourage children to start smoking regular cigarettes. The CDC revealed that the percentage of middle and high school students who use some type of e-cigarette doubled between 2011 and 2012.



What is an e-cigarette?

According to Wells Fargo Securities, the e-cigarette industry is on track to produce \$2 billion in global sales this year. While many e-cigarette sellers are small companies, big tobacco corporations such as Lorillard, makers of Newport, Kent and True cigarettes; RJ Reynolds, makers of Camel and Pall Mall; and Altria, makers of Marlboro and Virginia Slims, have all jumped on the band wagon, producing one or more brands of e-cigarettes.

The Tobacco Vapor Electronic Cigarette Association estimates that four million Americans use e-cigarettes, while the CDC estimates that 14 million U.S. adults and nearly two million teens have used them.

Whether called an e-hookah, vape pen or e-cigarette, the technology is essentially the same. The devices contain a rechargeable battery, a cartridge and an LED that lights up when you puff on the e-cigarette, simulating the act of smoking. The cartridge is filled with liquid nicotine, which heats up when you "vape" or puff on the e-cigarette, producing not smoke but vapor. Cartridges contain concentrations of nicotine from zero to 24 milligrams.

The nicotine, which is addictive, is delivered into the bloodstream via the lungs and according to the medical community is then channeled to the heart and the brain. Proponents of e-cigarettes maintain that the product is

safe because it does not deliver carcinogens (the cause of many of the health-related problems associated with smoking) like regular cigarettes.

"You remove the combustion process and you obviously have a safer product," Dr. Taylor Hays,

director of the Mayo Clinic Nicotine Dependence Center, told NBC News. "It would be impossible to assume they're safe given the industry is completely unregulated and given that people are inhaling different chemicals deep into their lungs."

Dr. Frank Leone, a pulmonary expert at the University of Pennsylvania Medical Center, told *The Huffington Post*, "Cigarettes have their risk profile. E-cigarettes might be better off compared to that profile. But that doesn't mean they don't have their own risk profile."

Trying to quit

According to the U.S. Department of Health and Human Services, there are 7,000 chemicals found in regular cigarettes. It is not clear how many chemicals e-cigarettes contain; however, studies have shown the number is far less than in traditional cigarettes. E-cigarettes do contain nicotine and many former smokers credit them for kicking the habit, giving them the nicotine they crave without the carcinogens that cause cancer.

There are studies that have shown e-cigarettes are no better at smoking cessation than nicotine patches or gum. However, recently researchers at University College London (UCL) conducted a study on the effectiveness of using e-cigarettes to quit smoking. Published in the May 2014 edition of the journal *Addiction*, the study found that of smokers trying to quit with no professional help, those who used e-cigarettes were 60 percent more successful. "By providing a vapor containing nicotine without tobacco combustion," the authors of the study wrote, "e-cigarettes appear to reduce craving and withdrawal associated with **abstinence** in smokers while **toxicity** testing suggests that they are much safer to the user than ordinary cigarettes."

While Professor Robert West, of UCL's Department of Epidemiology and Public Health and senior author of the study, touted the benefits of e-cigarettes in improving public health by allowing smokers to cease the regular cigarette habit, he does advise caution.

"It is not clear whether long-term use of e-cigarettes carries health risks, but from what is known about the contents of the vapor, these will be much less than from smoking," Professor West told *Medical News Today*.

Derek Yach, former head of tobacco control for the World Health Organization, also recommends using caution with e-cigarettes. "Low-tar and low-nicotine cigarettes were billed as a healthier alternative to cigarettes, just like e-cigarettes," Yach told *US News*. "But people who used them ended up having very high rates of lung cancer. We don't want to get caught in recommending something that ends up being dangerous again."

Regulations proposed

Before e-cigarettes were imported to the United States, the U.S. Food and Drug Administration (FDA) attempted to classify them as drug delivery devices, subject to regulation under the Food, Drug and Cosmetic Act. The classification was challenged in court and in 2010 a federal district court judge ruled, “The devices should be regulated as tobacco products rather than drug or medical devices.” The FDA appealed the decision to the U.S. Court of Appeals for the District of Columbia, which agreed with the lower court, ruling against them in a unanimous decision.

In April 2014, the FDA announced it would regulate e-cigarettes under the 2009 Family Smoking Prevention and Tobacco Control Act. Proposed regulations would include, among others, banning sales to minors, disclosure of ingredients in the products, prohibiting the sale of products through vending machines unless in a facility where youth are not permitted, and companies can only make claims of reduced risk if the FDA confirms scientific evidence to support those claims. In other words, e-cigarette companies would not be allowed to claim that their product is safer than regular cigarettes. In addition, the FDA would require manufacturers to put health warnings on the products about the danger of becoming addicted to nicotine. The FDA allowed 75 days for public comment on the proposed regulations, which ended August 8, 2014. The agency will review those comments before issuing final regulations but at press time there was no timetable for when that would happen.

“FDA’s proposed rule would cripple the fast-growing, U.S.-based e-cigarette industry with complicated, expensive and unnecessary regulation,” Gregory Conley, president of the American Vaping Association, said in a press statement. “E-cigarettes shouldn’t be treated as tobacco products because they are, in fact, anti-tobacco products; they advance FDA’s goal of reducing smoking-related deaths and diseases. E-cigarettes are the most effective method of helping smokers quit and should not be subject to regulations that are so expensive to adhere to that hundreds or even thousands of e-cigarette companies would be put out of business.”

The FDA is also spending \$270 million to fund nearly 50 research projects into many aspects of the e-cigarette debate. Among the questions the FDA is attempting to resolve is whether e-cigarettes target youth, creating new customers, or whether ex-smokers and those trying to quit could benefit from them.

More flavors than Baskin Robbins

The 2014 Surgeon General’s report stated, “If smoking persists at the current rate among young adults in this country, 5.6 million of today’s Americans younger than 18 years of age are projected to die prematurely from a smoking-related illness.”

While e-cigarettes may have some value to smokers who are trying to quit, a big concern is how the industry is advertising its product and the attraction it has for kids. Critics worry that with hundreds of flavors available ranging

from cherry crush to butterscotch, coupled with the colorful vape pens that are available, e-cigarettes could be an attractive option for kids. Another concern is that vaping so closely resembles smoking regular cigarettes, with the hand-to-mouth motion, that it could possibly provide a gateway to smoking regular cigarettes in the future, not just for kids but for anyone.

“The shops and the e-cigarette companies want to have it both ways,” Thomas Fairely, a former New York City health commissioner told NBC News. “They say they’re out there trying to help smokers quit, but they also want to get new users.”

Members of the Senate Commerce, Science and Transportation Committee held a hearing in June 2014 where senators grilled the CEOs of two leading e-cigarette companies—Jason Healy of blu e-cigs and Craig Weiss of NJOY. During the hearing Weiss stated, “To be clear, no minor should be using a nicotine-containing product of any kind.” However, when asked

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Where New Jersey Stands on E-cigs

Many states are not waiting for final regulations to come down from the U.S. Food and Drug Administration (FDA). The majority of states, including New Jersey, already ban the sale of e-cigarettes to minors. New Jersey was also the first state to ban the use of e-cigarettes in most public places. Today, major cities such as Boston, Chicago, Philadelphia, Los Angeles and New York all ban using e-cigarettes in public, treating them just like regular cigarettes.

In May 2014, the New Jersey Senate passed a bill that would tax e-cigarettes at 75 percent, the same as regular cigarettes, which amounts to approximately an extra \$2.70 per pack. Gov. Christie’s office claims this would generate \$35 million in revenue for the state.

Doing business in New Jersey

On the other side of the coin, small businesses claim the new tax would be a hardship for them.

“The e-cigarette business is something my members have begun to rely on in the past two years to replace the revenue lost from tobacco products,” Sal Risalvato, of the New Jersey Gasoline, Convenience Store and Automotive Association, told *The Star-Ledger*.

In a commentary written for *The Courier Post*, Gregory Conley, president of the American Vaping Association, wrote, “Existing retailers believe this tax will effectively put them out of business and halt any further expansion in the New Jersey market. The ease to operate in the Pennsylvania, Delaware and New York markets is too great to continue to lose revenue in New Jersey.”

It is not clear whether the bill will pass in the New Jersey Assembly, as its Budget Committee is opposed to it.

—Jodi L. Miller

for changes in many other foods today too. In many cases, some of the genetic components that make up those foods have been altered in a process called genetic modification.

Genetic modification (GM) changes the DNA of an organism to introduce new traits that can make growing easier or quicker, protect plants from insects and diseases, increase nutritional content, and improve the ability of foods to stay fresh longer. The first commercially available genetically modified food—the Flavr Savr tomato—was approved by the U.S. Food and Drug Administration (FDA) in 1994, and was developed to delay ripening so the produce would last longer during shipping. Since that time, development of GM foods has rapidly increased.

Today, nearly all of the corn, soybeans and cotton (used to make cottonseed oil) produced in the U.S. are genetically modified, as well as more than 30 other foods. As a result, these products are found in the vast majority of the nation’s processed foods, and the grains used to feed much of the livestock that supplies meat and dairy products to the country. Although not approved for distribution at this point, work is even underway to genetically modify beef, fish and apples.

While GM foods are a large part of Americans’ diets—a 2012 Environmental Working Group study estimates the average American eats more than his or her weight in GM foods every year—you won’t find mention of genetic modification on U.S. food labels. Although more than 60 countries presently require labeling of GM foods, some as far back as 1997, the U.S. is locked in a heated debate over GM labeling on both the state and national level.

“Basically, the debate is that one side says there is nothing wrong with genetically modified foods and that labeling would be an unnecessary burden, and the other side says that whether there is a health concern or not, people have a right to know what’s in their food,” says John Kearney, a Cherry Hill attorney who practices environmental and product liability law. “What is going on with genetically modified foods is very similar to what happened in the 1950s and 1960s with cigarette labeling. In that instance it turned out research confirmed that cigarettes were bad for you, but it took 50 years to find out. What studies will show in the end about genetically modified foods is unclear, but the debate remains centered on the public’s right to know.”

The pros and cons

Generally, the battle lines over GM labeling have been drawn between scientists and the large biotechnology companies that employ them; large food manufacturers and farmers that produce products containing genetically modified organisms (GMOs), and federal regulators, who say they are safe, on one side and concerned health and food organizations and individuals and certified organic food



purveyors, who are prohibited by law from including GMOs in their products, on the other side.

The debate is not a simple one: Genetic modification helps feed more people by making crops easier to grow in inhospitable locations; reduces the amount of pesticides needed to fight off insects

and disease; allows foods to remain fresher longer; and can increase the nutrients in some foods. On the other hand, GMOs can mutate and potentially cause problems as a result; may over time produce products that are resistant to certain insects and diseases; and, detractors say, have not been studied long enough to determine if they may cause health problems in the future.

“I believe we must rely on the FDA’s science-based examination before we make conclusions about food ingredients derived from genetically modified foods,” said Senator Debbie Stabenow of Michigan, chair of the Senate Agriculture Committee at a hearing in May 2013. “They currently do not require special labeling because they’ve determined that food content of these ingredients does not materially differ from their conventional counterparts.”

On the other side of the debate, Senator Bernie Sanders of Vermont, who sponsored federal GMO labeling legislation that was defeated in the U.S. Senate, argued at that same Senate hearing: “All over the world, in the European Union, in many other countries around the world, dozens and dozens of countries, people are able to look at the food that they are buying and determine through labeling whether or not that product contains genetically modified organisms.”

As it stands now, over 3,000 ingredients are required to be labeled on foods in the U.S., but GMOs are not on the list.

“We get to know what the salt content of our food is and the nutritional content, and producers have to state whether there are preservatives in it,” Arran Stephens, president of Nature’s Path, an organic food producer, told *The New York Times*. “But in the case of genetically modified organisms and whether they are in a product or not, we don’t know.”

Christine Bushway, executive director of the Organic Trade Association, told *The New York Times*, “Our question has always been, if companies don’t feel that GMOs are in any way an issue for consumers, what is the concern about putting them on the label?”

In a *New York Times* editorial, well-known food author Michael Pollan wrote, “Americans have been eating genetically engineered food for 18 years, and as supporters of the technology are quick to point out, we don’t seem to be dropping like flies. But they miss the point. The fight over labeling GM food is not foremost about food safety or environmental harm, legitimate though these questions are. The fight is about the power of Big Food.”

Battle lines are drawn

The public debate over GM labeling began in California, when voters were asked to cast ballots on Proposition 37, a measure that would have required labeling of most genetically modified foods and restricted food manufacturers from using the word “natural” on products containing GMOs. The referendum was defeated in November 2012, fueled by a \$40 million “No on 37” campaign financed by about 20 major food and distribution companies like PepsiCo; Kellogg; ConAgra; and Wal-Mart, the nation’s largest retail grocery; as well as some large organic companies like Kashi, which is owned by Kellogg.

The No on 37 campaign released a study that estimated labeling would add \$1.2 billion in costs to California farmers and food producers, resulting in a \$350-\$400 increase in the average family’s annual food bill. The group also said labeling would raise unwarranted concerns about food safety.

As it turned out, the campaign itself raised concerns of another kind.

“Consumers aren’t always aware that their favorite organic brands are in fact owned by big multinationals, and now they’re finding out that the premium they’ve paid to buy these organic products is being spent to fight against something they believe in passionately,” Mark Kastel, co-founder of the Cornucopia Institute, an organic industry and farm policy group, told *The New York Times*. “They feel like they’ve been had.”

Charles Benbrook, a research professor at Washington State University, noted in *The New York Times*, “They spent a lot of money, got a lot of bad press that propelled the issue into the national debate and alienated some of their customer base, as well as raising issues with some trading partners.”

In fact, Proposition 37’s defeat actually sparked labeling initiatives in at least 26 other states during the 2013 legislative session. Only two—Connecticut and Maine—have passed bills, and neither will take effect until several other states approve similar legislation. A 2013 ballot initiative in Washington State had a similar fate as the one in California. Opponents such as General Mills, Nestle and other corporations spent \$22 million on a successful campaign to defeat the initiative.

In May 2014, Vermont became the first state to require labeling of genetically modified foods. The law is set to go into effect on July 1, 2016. In the meantime the Grocery Manufacturers Association and other groups are challenging it in court. In addition, Oregon has put the GMO labeling issue on its November ballot.

Where New Jersey stands

In 2013, New Jersey moved to address the issue of GM labeling through legislation requiring labeling of all foods sold in the state containing “more than one percent of genetically modified material.” While the bill has not been passed by lawmakers, if approved it would impose fines of up to \$1,000 for repeat offenses.

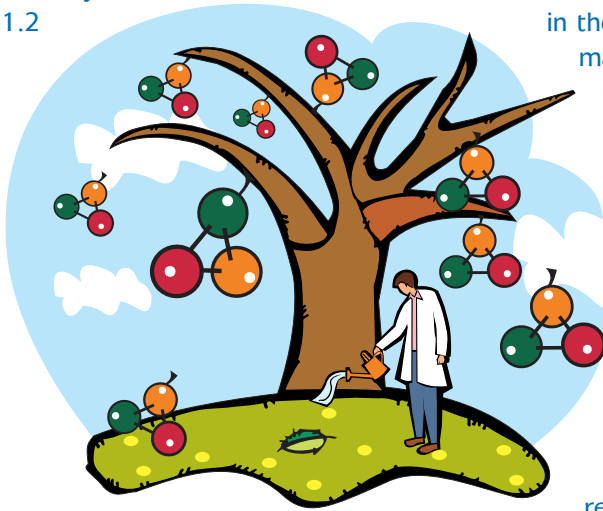
In a press statement, Jeff Tittel, director of the New Jersey Sierra Club, said, “New Jersey has been a leader in informing its residents on what’s in the environment, whether air, water or food we eat. This legislation is not about genetically engineered foods, this is about consumers having a right to know what is in the food that they eat. Some people may have concerns about these foods, others may like them. This is about consumers having the knowledge to make a choice.”

But Kearney points out that the state’s proposed law could have unexpected consequences.

“The state’s proposed law is so broadly worded that restaurants are worried they will be included in the requirement,” says Kearney.

“How will they possibly determine what’s in every ingredient in a recipe? And every time they add a special to the menu that they never

served before they would have to research every ingredient. It would be a full-time job just to keep up with everything.”



The national debate

Both sides of the debate agree that if GMO labeling is going to be regulated, legislation needs to be passed on a federal level.

“Ultimately, there would have to be a federal law regarding genetically modified foods,” says Kearney. “It’s the only way to maintain consistency. Otherwise food manufacturers could have to produce different labeling for every state with a law.”

So far, however, efforts to pass federal legislation either way have failed. A proposed bill that would ban GMO food labeling at the state level and another bill that would created a nationwide label for GMOs have both stalled in Congress.

“There are a lot of special interest groups involved,” says Kearney. “And there is another factor that is not spoken about often—the fact that once GMO labeling is the law, consumers will have an easier time suing under the Consumer Fraud Act if any health issues arise related to genetic modification. Someone could easily file a claim that GMOs should have been listed on products all along, in order to protect people from whatever health problem developed. It will be interesting to see how the whole thing plays out in the end.”

E-Cigarettes CONTINUED FROM PAGE 5

about the flavors his company plans to introduce, he made a misstep, saying, “For adults, we have single malt scotch.” Senator Barbara Boxer, of California, pounced on that answer, saying, “Adult flavors? As opposed to those for children.”

Senator Boxer went on to say, “Mr. Healy and Mr. Weiss, you can con yourself. But we don’t know if this product gets people off cigarettes yet, so don’t think you are doing some great mission. Don’t say you care about kids.”

Opponents of e-cigarettes criticized the FDA’s proposed regulations, claiming the agency didn’t go far enough. They wanted to see a ban on producing flavored liquid nicotine, as well as a ban on television advertising. The FDA banned traditional cigarettes from being advertised on television in 1971 because of a concern that children would see the ads and be encouraged to smoke.

Effects of nicotine on the body

In a Q&A piece for *The New York Times*, Dr. Robert Millman, an addiction expert at New York-Presbyterian Hospital/Weill Cornell Medical Center, was asked how nicotine without tobacco affects the body. “It raises the heart rate, increases blood pressure, increases cardiac output and constricts blood vessels,” Dr. Millman wrote. “All those things lead to long-term hypertension and heart diseases like congestive heart failure and arrhythmias.”

Nicotine does not have to be inhaled to be harmful. It can be ingested or absorbed through the skin. Lee Cantrell, director of the San Diego division of the California Poison Control System and a professor of pharmacy at the University of California, told *The New York Times* that for the higher concentrations of liquid nicotine used in e-cigarettes a potentially lethal dose could consist of “less than a tablespoon.”

“Yes, nicotine is addictive, like caffeine and sugar. We’re not in the non-addictive business,” Ray Story, CEO of the Tobacco Vapor Electronic Cigarette Association, told ABC News. “We cater to someone who is already a smoker. Starbucks sells coffee; Coca-Cola sells cola. Both have caffeine. But e-cigarettes deliver nicotine in the cleanest way.”

Dr. Neal L. Benowitz, a professor at the University of California specializing in nicotine research, pointed out to *The New York Times*, “There’s no risk to a barista no matter how much caffeine they spill on themselves. Nicotine is different.”

The jury is still out on the benefits or dangers of e-cigarettes being that the industry is still growing. After all, it took decades for the full story of regular cigarettes to be told. On the surface it seems e-cigarettes are a better option than traditional cigarettes. A better option, however, does not always translate to the safest option. 🪄

Living Wage CONTINUED FROM PAGE 3

years.” He asks, “How can the economy get back on track when 95 percent of the economic gains since the recovery began in 2009 have gone to the richest one percent?” 1

David Brooks, a columnist for *The New York Times*, disagrees. In his column, Brooks wrote, “The ‘growing affluence of the rich’ isn’t causing the problems of the poor. Those problems are the result of globalization’s impact on ‘low-skill jobs,’ and even more importantly, of social and cultural factors. America’s underclass lives in a world of broken homes, crime-filled communities, dysfunctional schools, and personal chaos. That’s what is keeping people stuck at the bottom, not the growing wealth of the top one percent.”

Reich doesn’t think raising the minimum wage to \$10.10 per hour is enough and believes \$15 an

hour is what would be fair. On his website, he outlines seven reasons for this assertion, among them, “a \$10.10 minimum would still require the rest of us to pay Medicaid, food stamps, and other programs necessary to get poor families out of poverty—thereby indirectly subsidizing employers who refuse to pay more. *Bloomberg View* describes McDonalds and Walmart as ‘America’s biggest welfare queens’ because their employees receive so much public assistance.” Reich also claims, “A \$15/hour minimum won’t result in major job losses because it would put money in the pockets of millions of low-wage workers who will spend it—thereby giving working families and the overall economy a boost, and creating jobs.” 1

President Lyndon B. Johnson first declared the War on Poverty in 1964. With “nearly 50 million

Americans still living in poverty, including 13.4 million children,” according the CEA’s progress report, there are still more battles to be fought. 🪄



abstinence — the act of voluntarily restraining from something (i.e., smoking, alcohol, etc.).

contiguous — neighboring or adjoining.

remedial — corrective.

toxicity — poisonousness or harmfulness.