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Lawmakers target meat substitutes and labeling

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Allegedly concerned with "confusing" the public, certain states and the federal government have proposed or enacted legislation requiring meatless food manufacturers to avoid using meat-related terms on their labels. Just as demand for plant-based foods soars, driving supermarkets to stock burgers and poultry items not derived from cows or chicken, the meat industry is crying "fowl."

Two members of Congress are apparently so convinced that shoppers will confuse a burger labeled "80% lean ground beef" with one marked "veggie burger" that they have recently introduced federal legislation to "ensure that consumers can make informed decisions."

The Real Marketing Edible Artificials Truthfully Act of 2019, or Real MEAT Act, provides that meat items not actually derived from animals "shall be deemed to be misbranded unless its label bears, in type of uniform size and prominence, the word 'imitation' immediately before or after the name of the food and a statement that clearly indicates the product is not derived from or does not contain meat."

Some might ask for actual evidence of public confusion, but that would signal a lack of trust in elected members of Congress.

Others have protested such legislation, raising diverse arguments about its anti-competitive nature and First Amendment concerns, not to mention, the confusing nature of the legislation itself.

Others point to the inherent unfairness in lobbyists for the meat industry Goliaths spending untold millions, which the upstart plant-based Davids cannot hope to "imitate."

While such arguments initially sounded sensible and well-reasoned, upon reflection, it seems these protesters must suffer from mad cow disease. The meat industry got to the butcher case first, after all, and ought not suffer the indignity of watching its customers get lured away by purveyors of healthier and more ecologically responsible meat substitutes not prominently branded as duplicitous and imitative.

In fact, the proposed Real MEAT Act could serve as a model for other badly needed reforms in the dangerous world of 21st century marketing. The premise behind this legislation could easily extend to a range of equally senseless and anti-competitive applications.

Consider how recent sales of perplexing vehicles that do not burn fossil fuels or contaminate the environment are increasing, mystifying consumers who watch these "cars" zip by without stopping to refill at gas stations.

Gasoline engines were around long before whatever powers these ridiculously quiet, clean-burning machines, and it's time the surrounding confusion ended by branding them with a Scarlet E (for enigmatic, not electric).

Legislators should immediately start drafting the Real Creating American Rides Act of 2020 or Real CAR Act to protect American consumers from mistaking a noiseless and clean-burning form of transport for a traditional gas-guzzler.

Similarly, consumers have unwittingly participated in the fraud that decaffeinated "coffee" brewers have gotten away with for decades now. The whole purpose of coffee, after all, is the caffeine, and java lovers have tolerated sales of the confusing decaf stuff for long enough.

Rather than getting away with offering "Decaffeinated Coffee" on the market, cans of the fake grounds should henceforth be labeled as "Deceptive Coffee." Instead of ordering a decaf "cup of joe," the law should require ordering a "cup of faux."

And how in the world have best-selling works of fiction and nonfiction alike been marketed as "books" when they lack physical form? Readers purchasing books reasonably expect to receive a bound volume. Books have pages, and good ones are known as page-turners.

Literary works downloaded onto some smart phone or tablet, requiring electronic swiping rather than turning actual pages, should carry disclaimers to avoid confusing bibliophiles. Kindles and similar devices must prominently warn patrons they feature "bookless books," lest the nation's remaining readers purchase their literature in the wrong medium.

Fighting public confusion through legislation should also apply to services, not just cleaning up the labeling of duplicitous products. Take "U.S. Magistrate Judges," for example. They look, sound and act like real, presidentially appointed judges, but secretly lack the same constitutional powers, thereby sowing confusion throughout the federal court system.

To address the resulting public mayhem, the robes worn by magistrate judges should be plainly branded in type of uniform size and prominence as the word "Judge," the qualifier "Non-Article III" and a statement that clearly indicates the jurist is not derived from or does not bear senatorial approval.

So too does the world of academia beguile students and observers alike by enabling, if not promoting, the misidentification of its personnel. Lecturers, adjuncts, clinical instructors and senior tenured faculty are all known as "professors," no matter how imprecise the label.

To rein in this campus chaos, states should require their universities to issue academic lab coats to all faculty denoting, in comparable font size, both their name and rank. No longer can this great nation suffer students mistaking assistant professors for associate professors.

Perhaps it was these foreseeable extensions of its actions to protect the meat industry that led Mississippi, faced with a First Amendment lawsuit, to back away from punishing with jail time the

marketing of plant-based meats as “vegan,” “meatless” or “plant-based.” In this era of doubling down on misstatements and proven falsehoods, Mississippi shamelessly capitulated rather than digging in.

In contrast, the two congressmen must soldier on with their confusion-busting campaign to label meat substitutes as “imitative,” never mind the absence of evidence that Americans are actually confused.

The future discrediting of electric cars, decaf coffee, magistrate judges and professorial ranks may well depend on their continuing, confusing efforts.
