

FEED THE TRUTH



**DRAINING
THE
BIG FOOD
SWAMP**

FEBRUARY 2021



FEED THE TRUTH

MAPLIGHT is a nonpartisan, 501(c)(3) nonprofit organization that reveals the influence of money in politics, informs and empowers voters, and advances reforms that promote a more responsive democracy.

FEED THE TRUTH is a 501(c)(3) nonprofit organization committed to realizing a food system that prioritizes the future of our planet, equity, and people's health over short-term corporate wealth.

ACKNOWLEDGEMENTS

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INTRODUCTION

In fairness, Donald Trump didn't create Washington's "swamp": the command and control of government by corporate lobbyists, elected officials beholden to corporations, and political appointees with deep corporate ties. He just made it much, much worse. And he began his term by lying about his intentions to drain it.¹

As President Biden's administration reckons with Trump's legacy of expanding corporatocracy, this report takes a pointed look at the political power of one particularly concerning industry and how it can continue to shape the people's government to the detriment of public health, the environment, and our very democracy. It does so in hopes that—even with many political appointments already settled, the most far-reaching government ethics guidance in place,² and a dramatic shift in executive priorities—the public is clear-eyed about the ongoing political dominance of Big Business, and what it will truly take to "drain the swamp." And the report does so by looking specifically at the world's largest corporations' primary vehicles for shaping politics: trade associations.

The industry in question here is Big Food. Why the food industry in particular? Its political interference affects every aspect of our lives. What we eat. Our relationship to food. The messages we're inundated with through every medium. How vast swaths of the public are valued (or not) for their labor. Our health. The environment we live in.

The global food industry consists of entities that range from the corporations that sell seeds to the great monocultural farms of the U.S. Midwest to the fast-food franchises where roughly one-third of people in the U.S. eat on any given day. Once a fragmented collection of small and locally-oriented

businesses, the food industry has consolidated rapidly over the last half-century into a highly concentrated \$1.1 trillion dollar industry³ with enormous amounts of political influence. Land is poisoned, skies polluted, oceans clogged with trash, and epidemics of obesity and heart disease run rampant because of political choices made in response to an influential industry.

The food industry seeks to conceal the depth of its influence by funding multiple trade associations that market misleading information under the guise of consumer empowerment while using its vast resources to shape policy. This study unmasks how a handful of the world's largest food corporations bankroll a few of the country's largest trade associations to bend our democracy to their will. It does so by analyzing the political influence wielded by 20 of the largest food industry trade organizations that have the highest spending on political campaigns and lobbying, and by highlighting the activities of three of the most powerful groups.



AMONG THE KEY FINDINGS

- There are close to 6,300 IRS-classified food industry trade associations (or groups).
- The top 100 trade groups by assets represent more than 70 percent of the total assets reported by all food industry trade groups in their last tax year, or some \$5.3 billion in total assets.
- Only 68 trade groups reported more than \$10 million in revenue in their last tax year, with only two—Dairy Management, Inc. and the National Restaurant Association—reporting more than \$100 million.
- The top 20 national food industry trade groups by aggregate political spending (campaign contributions and lobbying expenditures) gave \$33.7 million to federal politicians since 2007.
- Among the top beneficiaries: Sen. Mitch McConnell, R-Ky., (\$239,499), Rep. Kevin McCarthy, R-Calif., (\$320,750), and other members of the Senate and House agriculture committees such as the former House Chair Collin Peterson, D-Minn. (\$458,361).
- Among the top 20 food industry trade groups, just three accounted for nearly 50 percent of the total political spending: the Farm Credit Council, the National Restaurant Association (NRA), and the National Cattlemen's Beef Association.
- Since 2008, the top 20's campaign contributions have helped grease the wheels for these same trade groups to spend more than \$300 million on lobbying.
- And, again, just three trade associations accounted for the lion's share of this spending. The NRA, the American Beverage Association (ABA), and the Consumer Brands Association (CBA) accounted for almost 50 percent of these lobbying dollars.
- To make their lobbying all the more effective, these three associations alone deployed an army of lobbyists, more than 80 percent of whom could be called "revolvers" (individuals who now lobby the officials and agencies they once worked for).

Yet the food industry's political activities receive little attention relative to food's importance in the hierarchy of human needs. While brand names such as Monsanto, Coca-Cola, Tyson Foods, and McDonald's are well-known, the political clout of the industry has been wielded through the descendants of trade associations that were created more than a century ago. Even as the Progressive Era of the early 20th century resulted in landmark antitrust and consumer protections, large food corporations forged alliances through trade associations that placed their business concerns above the

public good. The Consumer Brands Association, for example, was founded as the American Specialty Manufacturers Association in 1908 by representatives of 45 food corporations in response to new federal laws sparked by outrage over food manufacturing scandals exposed in works such as Upton Sinclair's "The Jungle."⁴

While the food industry's model has changed little in the intervening century, food corporations themselves have grown bigger and more powerful. The last few decades have seen massive growth



in packaged foods and restaurants. According to one industry survey, more than half of Americans rely on restaurants for meals at least two to three times every week.⁵ When Americans do eat at home, much of the food tends to be pre-packaged, ultra-processed food—a \$3 trillion global market—and washed down with carbonated beverages, an industry segment growing at five percent annually, despite an epidemic of obesity that affects more than 40 percent of U.S. adults.^{6,7,8}

The financial might of the food industry helps fuel the political might of trade groups. The associations are generally funded by generous contributions and dues from member corporations; for example, Coca-Cola gave \$506,341 to the American Beverage Association in 2019.⁹ Procter & Gamble gave \$631,125 to the Consumer Brands Association (formerly known as the Grocery Manufacturers Association),¹⁰ and Darden gave \$150,000 to the National Restaurant Association.¹¹

The contributions and dues from member companies are used to buy influence. The 20 food industry associations analyzed in this report have contributed \$33.7 million to federal candidates since 2007. Three major associations profiled in this report—the National Restaurant Association (\$5.5 million), the Consumer Brands Association (\$1.2 million), and the American Beverage Association (\$1.2 million)—have accounted for almost 25 percent of political contributions within the group of 20 supersized trade associations. And while some of the largest food and beverage corporations, including Coca-Cola,¹² PepsiCo,¹³ and McDonald's,¹⁴ have temporarily paused their political contributions to many federal legislators following the January 6th right-wing, extremist attack on the U.S. Capitol (which was buoyed by 147 Republican members of Congress's efforts to delegitimize the presidential election), no similar statements or commitments have been made by any of the top food trade associations controlled by such corporations.

Those campaign contributions allow trade associations to walk through doors that are shut tightly to the majority of us. Since 2008, the top 20 trade associations spent \$303.2 million lobbying federal agencies and lawmakers, with the three biggest—the Consumer Brands Association, the American Beverage Association, and the National Restaurant Association—accounting for almost half of that total.

The political success enjoyed by top food industry trade associations has led to massive paydays for its top officials, with assets climbing into the tens of millions, chief executives routinely earning seven-figure salaries, and nonprofit spinoff organizations such as “educational foundations” and “legal defense funds” created with millions of dollars to further shape debate about the nation's food supply. These nonprofits have often served as the vanguard for the trade associations to ward off potentially “inconvenient” regulations (such as strict calorie labelling),¹⁵ pay for politically-useful but scientifically-dubious studies (such as disputing the links between sugary drinks and obesity),¹⁶ or ensure steady profits at the risk of public safety (such as seeking a waiver for hourly restrictions on transportation workers).¹⁷

This toxic confluence of political spending, direct lobbying, public relations, and legal maneuvering has enabled a food system that prioritizes profits over the health of workers, communities, and the planet. Industrial strength lobbying and influence-peddling have enabled the continued subsidization of agricultural monocultures that destroy the land and damage people's health,¹⁸ helped secure liability protections for conglomerates to protect them from being accountable for the health of their employees in the middle of a pandemic,¹⁹ and blocked progress on basic workers' rights protections and an increase in the 11 ½ -year-old federal minimum wage.²⁰

Access to policymakers has also led to influence gains at the highest levels of government, making the Washington “swamp” fertile ground for trade



associations. Former Georgia governor and U.S. Agriculture secretary Sonny Perdue was pilloried for allowing trade association lobbyists to set policy during the Trump administration.²¹ Tom Vilsack, a former Iowa governor who headed the USDA during the Obama presidency, and who will once again head the agency for the Biden administration,²² was the president and chief executive of the U.S. Dairy Export Council, a powerful dairy industry organization.²³

Food industry associations—which receive the bulk of their funding and leadership from huge global corporations—have also sought to portray themselves as tribunes of small businesses in their battles against consumer and worker protections, such as enforcement of the Americans with Disabilities Act; requiring “joint employer” liability for corporations and franchises that violate labor laws; and offering health insurance protection to a wider swath of industry employees.

Before taking office in 2017, former President Donald Trump’s transition team described federal regulators as “food police, which [sic] dictate how the federal government expects farmers to produce fruits and vegetables and even dictates the nutritional content of dog food. The rules govern the soil farmers use, farm and food production hygiene, food packaging, food temperatures, and even what animals may roam which fields and when. It also greatly increased inspections of food ‘facilities’, and levies new taxes to pay for this inspection overkill.”²⁴ However populist sounding, Trump’s words were as if from a script written by the food industry. For decades, the industry has sought to cast basic worker and consumer protections as invasive and costly, negatively impacting our lives and livelihoods. In reality, the food industry is the one “policing” federal policy in order to shape what food is grown, how that food is grown, by whom, and at what cost—a situation far more concerning than, for example, the under-resourced government policing of E. coli in our food supply.

Will the Biden Administration disrupt the status quo so that the government answers to people rather than powerful corporate interests and lobbying groups? Early signs are mixed. President Biden has selected a powerful trade association lobbyist to head the U.S. Department of Agriculture, but has also issued an executive order requiring former lobbyists to recuse themselves from related matters for two years.²⁵ The jury is out, but a slew of early appointments that could signal a loosening of Big Food’s hold on Washington have yet to be made. Decades of poor policy choices that have led to disastrous health and environmental consequences need not continue. A more just and sustainable food system is possible only by breaking the stranglehold the world’s largest food corporations and their surrogates have on those who are in positions to effectuate change.



BIG FOOD: SUPER-SIZED POLITICAL POWER

Many industries lobby the federal government, contributing vast sums to political campaigns in hopes that financial support will translate to favorable political support to benefit corporate bottom lines. Defense, pharmaceutical, financial, and technology industries spend lavishly to ensure their agendas are advanced and their interests are protected. But the food industry is unique in that the product it produces is essential to our survival, integral to our prosperity and security as a nation, and intimately interlinked with our natural environment. The food industry is a major part of the U.S. economy, representing \$1.1 trillion of the gross domestic product, or roughly 5.2 percent.²⁶ Yet when it comes to scrutinizing the outsized power that industry has over government, the food industry's deep and pervasive influence is often overlooked.

This report examines the top 20 food trade associations, determined by a combination of revenue and publicly-verifiable political giving. These top 20 represent a highly influential part of the food industry *and* a significant amount of its political clout. They range from the Academy of Nutrition and Dietetics to the Consumer Brands Association and have spent over a quarter of a billion dollars over the past 13 years on lobbying to persuade lawmakers or even install industry officials in positions of great influence.

Lobbying and campaign contributions are only one, small, visible part of the political power iceberg. For instance, in the 2020 election cycle alone, the agribusiness industry spent \$186.5 million on

campaign contributions, but this is only a portion of what was spent on behalf of food industry interests.²⁷ The rest? It's what you'd call "dark money"—money pooled through more opaque corporate channels such as political organizations, trade associations, shell corporations, and even super PACs. These entities effectively shield the identity of their donors from public view. Trade associations contribute to this murky picture as they are often conduits for dark money from their member corporations. They also employ tactics like passing corporate contributions through a series of affiliated non-profit organizations as a way of concealing political influence.²⁸

Additionally, the numbers we are talking about here are only reflective of Big Food's federal political footprint. Every year the industry spends a staggering amount of money in politics, particularly vis a vis trade groups, at the local, state, and international level as well.

To put in further context, the food industry's campaign spending is comparable with that of the energy and natural resources industry, which contributed approximately \$215 million during the 2020 election cycle. And in the same election cycle, the food industry contributed approximately four times more than the defense industry to political committees.²⁹



Table 1: Campaign Contributions (Since 2007) and Lobbying Expenditures (Since 2008) from Top 20 Food Industry Trade Associations

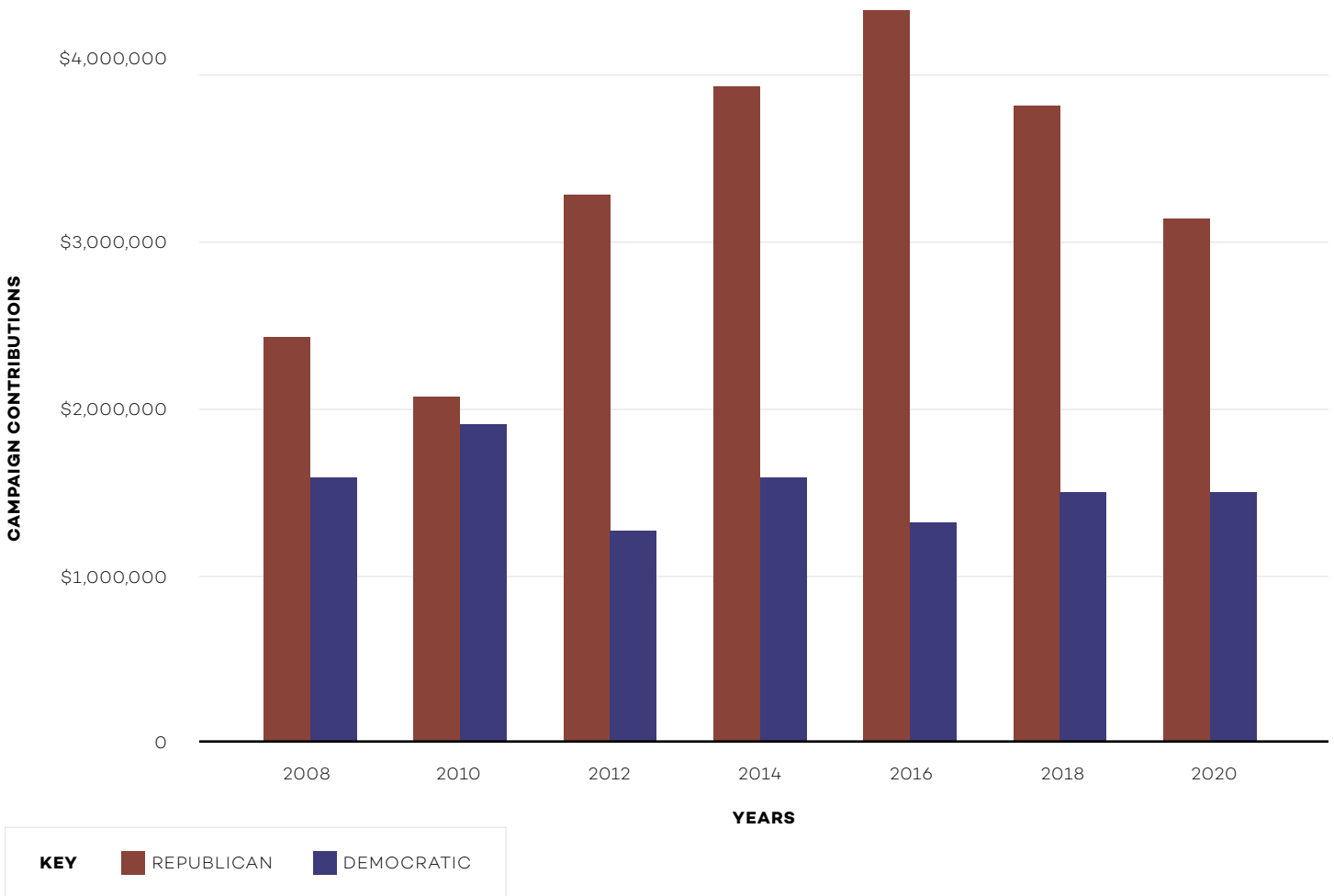
TRADE ASSOCIATION	LOBBYING EXPENDITURES	CAMPAIGN CONTRIBUTIONS
CONSUMER BRANDS ASSOCIATION	\$60,041,781	\$1,259,354
AMERICAN BEVERAGE ASSOCIATION	\$41,750,000	\$1,190,247
NATIONAL RESTAURANT ASSOCIATION	\$38,443,809	\$5,460,401
AMERICAN FARM BUREAU FEDERATION	\$36,124,314	\$13,461
CROPLIFE AMERICA	\$29,679,533	\$1,141,954
FOOD MARKETING INSTITUTE	\$19,971,360	\$1,630,326
NATIONAL PORK PRODUCERS COUNCIL	\$18,365,587	\$2,484,888
THE FERTILIZER INSTITUTE	\$16,664,996	\$706,102
WESTERN GROWERS	\$7,394,947	\$587,305
NATIONAL CORN GROWERS ASSOCIATION	\$7,097,000	\$1,444,716
NATIONAL CONFECTIONERS ASSOCIATION	\$5,214,561	\$1,200,932
USA RICE FEDERATION	\$4,804,351	\$1,520,211
FARM CREDIT COUNCIL	\$4,781,000	\$6,518,302
AMERICAN SOYBEAN ASSOCIATION	\$4,540,000	\$1,254,152
NORTH AMERICAN MEAT INSTITUTE	\$3,566,385	\$1,241,516
NATIONAL CATTLEMEN'S BEEF ASSOCIATION	\$2,910,395	\$4,234,989
LIVESTOCK MARKETING ASSOCIATION	\$961,000	\$542,575
ACADEMY OF NUTRITION AND DIETETICS	\$686,678	\$1,199,057
U.S. POULTRY & EGG ASSOCIATION	\$252,000	\$700
RIO FARMS*	\$0	\$80,950

*Rio Farms was included on the basis that a few key employees donated sizable sums to political campaigns



Federal Campaign Contributions of the Top 20 Food Trade Groups

Figure 1: Federal Campaign Contributions from Top 20 Food Industry Trade Organizations Since 2007



Looking at campaign contributions in particular is instructive because those dollars are a key mechanism for lobbyists to open doors to public officials, painting a picture of how the food industry works the “pay-to-play” system.

All told, the 20 major food industry associations have given a total of \$33.7 million to federal candidates since 2007, according to federal records.

The three major associations profiled in this report have been responsible for a whopping 25 percent of that total. The National Restaurant Association and its employees have given more than \$5.4 million, the Consumer Brands Association about \$1.2 million, and the American Beverage Association nearly \$1.2 million.

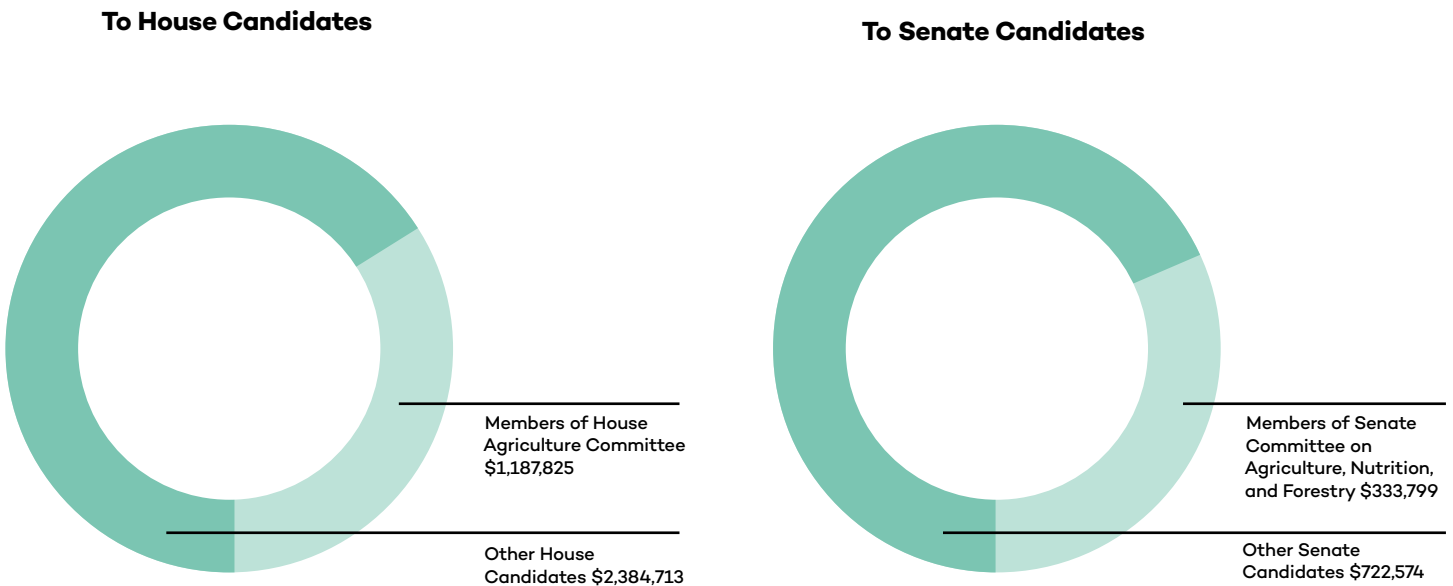


CONGRESSIONAL CAMPAIGN CONTRIBUTIONS

The food industry has chosen to focus its campaign contributions on federal congressional candidates since most key industry policies are promulgated through legislation. Our analysis finds 99.5 percent of the contributions made by the top 20 industry associations have gone to congressional campaign treasuries. More than 2/3 of the contributions went to candidates for the U.S. House of Representatives which is unsurprising given the difference in size between the House and Senate, as well as the House’s role in holding the federal purse strings.

Contributions from these influential associations have also been highly targeted to focus on House and Senate committees with regulatory power over the food industry. During the 2020 election cycle, the top trade associations directed almost a third of its political giving, \$334,000, to members of the Agriculture, Nutrition and Forestry Committee in the Senate. Members of the House Agriculture Committee received \$1.2 million, which represents about 33 percent of all industry contributions in the House.

Figure 2: Contributions from Top 20 Food Industry Trade Associations during the 2020 Election Cycle by Committee Membership





Like most interest groups, the food industry tends to reward powerful incumbents. Former Rep. Collin Peterson, a Minnesota Democrat who led the House Agriculture Committee but was defeated in his 2020 re-election bid, received \$458,000 since 2007, including \$87,750 during the 2020 cycle;³⁰

Rep. Mike Conaway, a Texas Republican and former committee chairman, took in \$322,000. The new Chair of the House Agriculture Committee, Rep. David Scott, a Georgia Democrat, received nearly \$250,000 from the Top 20 food industry trade groups since 2007.

Table 2: Top Recipients of Campaign Contributions Since 2007

CONGRESSMEMBER	AMOUNT	COMMITTEE
REP. COLLIN PETERSON (D-MN)	\$458,361	CHAIR AND FORMER RANKING MEMBER, HOUSE AGRICULTURE COMMITTEE
REP. JIM COSTA (D-CA)	\$367,198	MEMBER, HOUSE AGRICULTURE COMMITTEE
REP. FRANK LUCAS (R-OK)	\$354,125	MEMBER, HOUSE AGRICULTURE COMMITTEE
REP. MIKE CONAWAY (R-TX)	\$321,623	RANKING MEMBER AND FORMER CHAIR, HOUSE AGRICULTURE COMMITTEE
REP. KEVIN MCCARTHY (R-CA)	\$320,750	FORMER MEMBER, HOUSE AGRICULTURE COMMITTEE
REP. RODNEY DAVIS (R-IL)	\$299,924	MEMBER, HOUSE AGRICULTURE COMMITTEE
REP. ADRIAN SMITH (R-NE)	\$266,640	
REP. DAVID SCOTT (D-GA)	\$249,867	MEMBER, HOUSE AGRICULTURE COMMITTEE
SEN. PAT ROBERTS (R-KS)	\$244,739	CHAIR, SENATE COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY; MEMBER, SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS
SEN. MITCH MCCONNELL (R-KY)	\$239,499	MEMBER, SENATE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY



Table 3: Top Recipients of Campaign Contributions during 2020 Election Cycle from Top 20 Food Industry Trade Associations

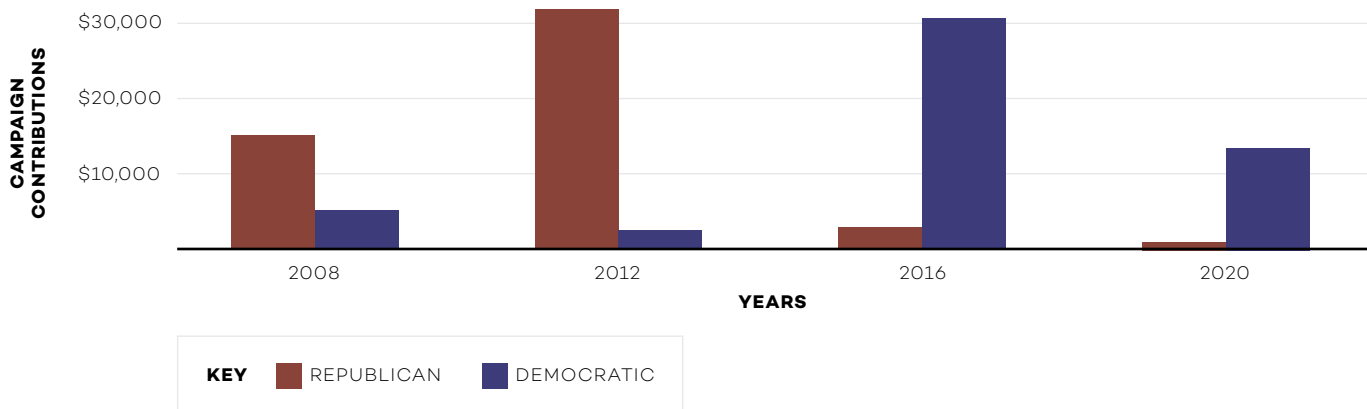
CONGRESS MEMBER	AMOUNT	COMMITTEE
REP. COLLIN PETERSON (D-MN)	\$87,750	CHAIR, HOUSE AGRICULTURE COMMITTEE
REP. RODNEY DAVIS (R-IL)	\$77,500	MEMBER, HOUSE AGRICULTURE COMMITTEE
SEN. JONI ERNST (R-IA)	\$71,499	MEMBER, SENATE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY
REP. JIM COSTA (D-CA)	\$67,000	MEMBER, HOUSE AGRICULTURE COMMITTEE
REP. JIM PANETTA (D-CA)	\$66,800	MEMBER, HOUSE AGRICULTURE COMMITTEE

PRESIDENTIAL CAMPAIGN CONTRIBUTIONS

The 20 top trade organizations have maintained a relatively discreet profile when it comes to spending money on presidential campaigns. The trade associations have donated less than \$172,000 directly to presidential candidates over the last four elections, according to federal records. More than one

third of those donations occurred in the 2016 contest, when top trade groups gave \$66,000 to presidential candidates, with Democratic nominee Hillary Clinton receiving \$30,700 and Donald Trump receiving \$5,100.

Figure 3: Campaign Contributions to Presidential Candidates from Top 20 Food Industry Trade Associations





INDIVIDUAL DONORS TO POLITICAL CAMPAIGNS

The food industry has few, enormous donors contributing millions on the scale of well-known billionaire political donors such as Charles Koch or Sheldon Adelson. Nevertheless, a review of campaign finance records shows that top officials have given tens of thousands to federal candidates since 2007, including Susan Neely,

former chief executive and president of the American Beverage Association (\$55,350), Mark Micali, political affairs director for the Consumer Brands Association (\$37,675), and Daniel Roehl, vice president for government affairs of the National Restaurant Association (\$28,300).

Table 4: Top Individual Donors from Top 20 Food Industry Trade Groups Since 2007

CONTRIBUTOR	AMOUNT	TITLE
SUSAN NEELY	\$55,350	FORMER CHIEF EXECUTIVE OFFICER AND PRESIDENT, AMERICAN BEVERAGE ASSOCIATION
THOMAS NASSIF	\$48,850	CHIEF EXECUTIVE OFFICER AND PRESIDENT, WESTERN GROWERS
DAVID GILL	\$38,650	PARTNER, RIO FARMS AND BOARD MEMBER, WESTERN GROWERS
MARK MICALI	\$37,675	DIRECTOR, POLITICAL AFFAIRS, CONSUMER BRANDS ASSOCIATION
KEVIN KEANE	\$29,350	EXECUTIVE VICE PRESIDENT, GOVERNMENT AND PUBLIC AFFAIRS, AMERICAN BEVERAGE ASSOCIATION
DANIEL ROEHL	\$28,300	VICE PRESIDENT, FEDERAL GOVERNMENT AFFAIRS, NATIONAL RESTAURANT ASSOCIATION
DAWN SWEENEY	\$26,550	FORMER CHIEF EXECUTIVE OFFICER AND PRESIDENT, NATIONAL RESTAURANT ASSOCIATION
SUSAN GILL	\$25,600	OWNER, RIO FARMS & GILLS ONIONS
RACHEL LATTIMORE	\$16,800	SENIOR VICE PRESIDENT AND GENERAL COUNSEL, CROPLIFE AMERICA
SCOTT DEFIFE	\$16,500	FORMER EXECUTIVE VICE PRESIDENT, POLICY AND GOVERNMENT AFFAIRS, NATIONAL RESTAURANT ASSOCIATION

While only a small part of the billions spent on political campaigns over the last decade, the food industry's contributions are a key form of influence on public policy. These campaign contributions—together with

multimillion lobbying budgets, advertising and public relations campaigns, and employees with previous government experience—give the food industry access to and influence over key policymakers.



Lobbying

EXPENDITURES

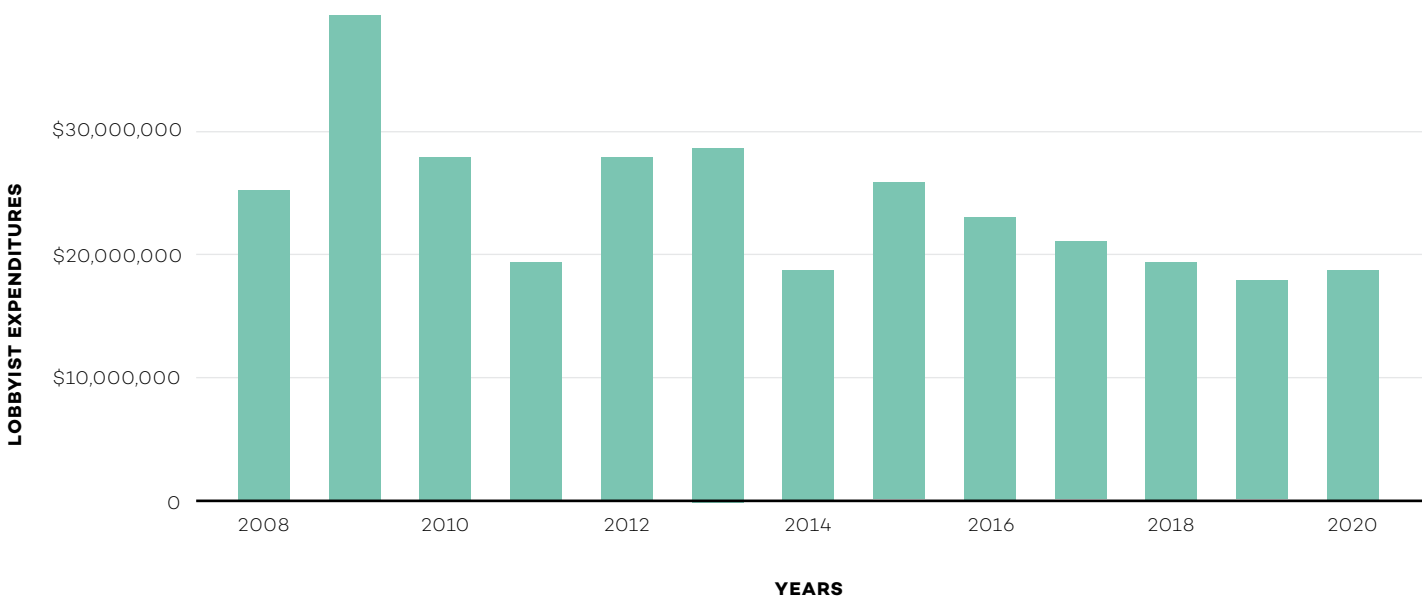
Since 2008, the top 20 food industry trade associations have spent \$303.2 million lobbying federal officials. The top three groups—the Consumer Brands Association (\$60 million), the American Beverage Association (\$41.8 million), and the National Restaurant Association (\$38.4 million)—accounted for almost half of the total.

Lobbying through the major trade associations peaked in 2009 when they collectively spent \$39.5 million. This hefty sum was likely a result of a combination of factors, including the economic crisis of 2008 that forced a massive expansion of the nation’s Supplemental Nutrition Assistance Program (SNAP), also known as food stamps, and regulations

that were being drafted in response to the 2008 Farm Bill. As a general rule, lobbying around food issues peaks every five years, when Congress considers omnibus Farm Bill legislation that directs more than \$425 billion in federal spending over a five-year period.³¹

It is important to note that the trade organizations don’t lobby in isolation. Issues that affect an individual trade organization are often the subject of intense, separate-but-related lobbying efforts by major corporate members of the same organization. For instance, while the Consumer Brands Association spent \$2.3 million on lobbying during 2020, its members PepsiCo spent almost \$3.7 million and Procter & Gamble spent \$3.3 million.

Figure 4: Lobbying Expenditures by Top 20 Food Industry Trade Associations





LOBBYISTS

More than two-thirds of the lobbying money spent by the major food industry organizations went to their own in-house lobbyists, according to federal records. The large trade associations, however, haven't shied away from using big-name DC lobbyists. Invariant, a lobbying firm created by Democratic Party operative Heather Podesta, has raked in more than \$6.4 million working for the top 20 trade associations since 2008. Likewise, the Duberstein Group, a lobbying firm formed by Kenneth Duberstein, a former Republican White House chief of staff, reported almost \$2.5 million in earnings from the top trade groups in the same period.

Additionally, the trade organizations often share lobbyists with their members. Invariant, which earned \$440,000 lobbying on behalf of the American Beverage Association in 2020, collected \$270,000 in lobbying fees from PepsiCo during the same period. An analysis by Open Secrets found 284 lobbyists engaging lawmakers and federal officials about food processing and sales issues alone; 72 percent are "revolvers," or lobbyists who have used their government experience to obtain lucrative positions in private industry that involve influencing their former employers. In many cases, lobbyists are paid bonuses by their private sector employers to return to government service, where they can exercise direct influence on policies.^{32,33}

KEY ISSUES/LEGISLATION

Our analysis of quarterly lobbying reports found that most of the lobbying done by the top food industry trade associations was related to "agriculture" and "food industry" issues. Most of the quarterly lobbying reports that cited "agriculture" or "food industry" reported work on specific issues that involved general farm-related issues such as livestock markets, crop insurance, water policy, and trade issues. Dozens, however, cited sugar or confectionary issues, nutrition, and school meal programs.

More recently, the industry has lobbied heavily on issues related to the global COVID-19 pandemic. The restaurant industry mounted a significant influence campaign to avoid being the subject of closures, despite evidence that links restaurant dining to "super-spreader" events.³⁴ Similarly, the political might of the meat industry was made visible in the near-total absence of regulatory penalties at 494 meat plants, where 42,500 workers have become ill and more than 200 have died.³⁵



BIG FOOD'S BIG 3: PROFILES OF TOP TRADE GROUPS

We profile three of the largest food industry trade associations by annual revenue, lobbying expenditures, and campaign contributions to provide a closer look at the industry groups steering federal policy and the mechanisms each uses to do so. Notably, these three groups share several of the same corporate masters, though a full account of trade associations' members and member contributions is difficult to come by. And the corporate backers that

sit on these trade associations' boards also provide a window into who is truly driving their agendas. These profiles illustrate how a set of powerful, highly-consolidated global corporations collude in various ways and exert pressure through various channels to bend U.S. federal policy to their will and prevent regulation at the expense of public health, worker fairness, innovation, market competition, and more.

Consumer Brands Association

WEBSITE

consumerbrandsassociation.org

MISSION STATEMENT

"We champion growth and innovation for the industry whose products consumers depend on every day."³⁶



HISTORICAL BACKGROUND

The Consumer Brands Association was founded as the American Specialty Manufacturers Association in June 1908, with the goal of ensuring wholesale grocers were represented in food safety issues.³⁷ In 1942, the organization changed its name to Grocery Manufacturers of America.³⁸ In 2017, the group began hemorrhaging members amid internal tumult over the direction of its policy positions, including how and when to disclose the use of genetically modified organisms (GMOs). In an effort to signal a new course, the group changed its name to Consumer Brands Association in 2020.^{39/40/41}



KEY MEMBERS

The Consumer Brands Association represents at least 71 corporations.⁴² Annual dues for active membership are not required to be disclosed; however, a handful of corporations provide information about their trade association contributions. During 2019, members that voluntarily disclosed their contributions to the Consumer Brands Association included Procter & Gamble (\$631,125),⁴³ PepsiCo (>\$500,000),⁴⁴ Keurig Dr Pepper (\$151,000–\$2,000,000),⁴⁵ Coca-Cola (\$84,560),⁴⁶ Kellogg Company (>\$50,000),⁴⁷ ConAgra Brands (\$44,743),⁴⁸ and McCormick & Company (\$15,363).⁴⁹ Mondelēz International has not reported its complete 2019 contributions, but reported giving \$65,720 to the Consumer Brands Association in 2018.⁵⁰

FINANCIALS⁵¹

Revenue: \$19,600,126

- Contributions: \$676,438
- Program revenue: \$16,557,324 (about 85% of which is membership dues)
- Investment income: \$1,725,858

Expenses: \$26,004,128

- Salaries/compensation: \$14,267,438
- Grants (major recipients): \$554,500
- Fees: \$3,607,852
- Rent/office: \$221,065
- Travel/conferences: \$1,814,676
- Other (special projects, etc.): \$ -

Net revenue: -\$6,404,002

Assets: \$49,379,495

- Savings: \$484,996
- Investments (public): \$6,049,466
- Investments (other): \$18,065,732

Liabilities: \$30,302,456

PERSONNEL⁵²

Top employees (salary)

- **Geoff Freeman**, president and chief executive officer (Aug–present),* \$981,320⁵³
 - President and chief executive officer, American Gaming Association, (2013–18)
 - Chief operating officer and senior vice president, U.S. Travel Association, (2006–13)
 - Vice president, APCO Worldwide (2004–06)
- **Pamela Bailey**, president and chief executive officer (Jan–Jul),* \$5,225,004
- **Steve McCroddan**, senior vice president and chief financial officer (Jan–Oct),* \$525,782
- **James Flannery**, senior vice president—operations (Jan–Oct),* \$721,265
- **Brian Folkerts**, executive vice president—government affairs (Jan–Sept),* \$349,615
- **Roger Lowe**, executive vice president—strategic communications (Jan–Oct),* \$465,962
- **Kann Moore**, general counsel, \$344,320

Officers of the Board of Directors⁵⁴

- **Jeff Harmening**, chairman (General Mills)
- **Carolyn Tastad**, vice chair (Procter & Gamble)
- **Billy Cyr**, treasurer (Freshpet)
- **Geoff Freeman**, president and chief executive officer (CBA)

*Individual received the salary noted during the date range in parentheses according to the trade group's 2018 990.

REVOLVING DOOR

In 2020, 16 of the 21 lobbyists hired by the Consumer Brands Association (76 percent) were “revolvers,” or lobbyists that previously worked in government.⁵⁵ In addition to official lobbyists, other key people with connections between government and the Consumer Brands Association include the following:



Denzel McGuire⁵⁶

- Program associate director, Office of Management and Budget, (2020–present)
- Executive vice president—government relations, Consumer Brands Association, (2015–18)*
- Senior policy adviser, Sen. Mitch McConnell, R-Ky., (2010–14)
- Deputy chief of staff, Sen. Jon Kyl, R-Ala., (2009–10)
- Staff director, Senate Budget Committee, (2006–09)
- Chief of staff, Sen. Judd Gregg, R-N.H., (2005–09)



Michael Gruber (current)⁵⁷

- Vice president—regulatory and governmental affairs, Consumer Brands Association, (2012–present)*
- Senior policy advisor, House Energy & Commerce Committee, (2011–12)
- Appropriations associate, Rep. Tom Latham (USDA, FDA), R-Iowa, (2008–11)
- Chief of staff, Rep. Tom Latham, R-Iowa, (2002–07)



Spencer Pederson⁵⁸

- Vice president—federal affairs, Consumer Brands Association, (2019–present)*
- Director—federal affairs, American Chemistry Council, (2018–19)
- Principal, Bockorny Group, (2017–18)
- Legislative assistant, Sen. Tim Scott, R-S.C., (2013–17)
- Press secretary, House Natural Resources Committee, (2010–13)



Bryan Zumwalt⁵⁹

- Executive vice president—public affairs, Consumer Brands Association, (2019–present)*
- Vice president—federal affairs, American Chemistry Council, (2015–19)
- Chief counsel, Senate Small Business Committee, (2015)
- Chief counsel, Senate Committee on Environment and Public Works, (2012–14)
- Counsel, Sen. David Vitter, R-La., (2009–12)
- Counsel, National Marine Manufacturers Association, (2007–08)

RELATED ORGANIZATIONS

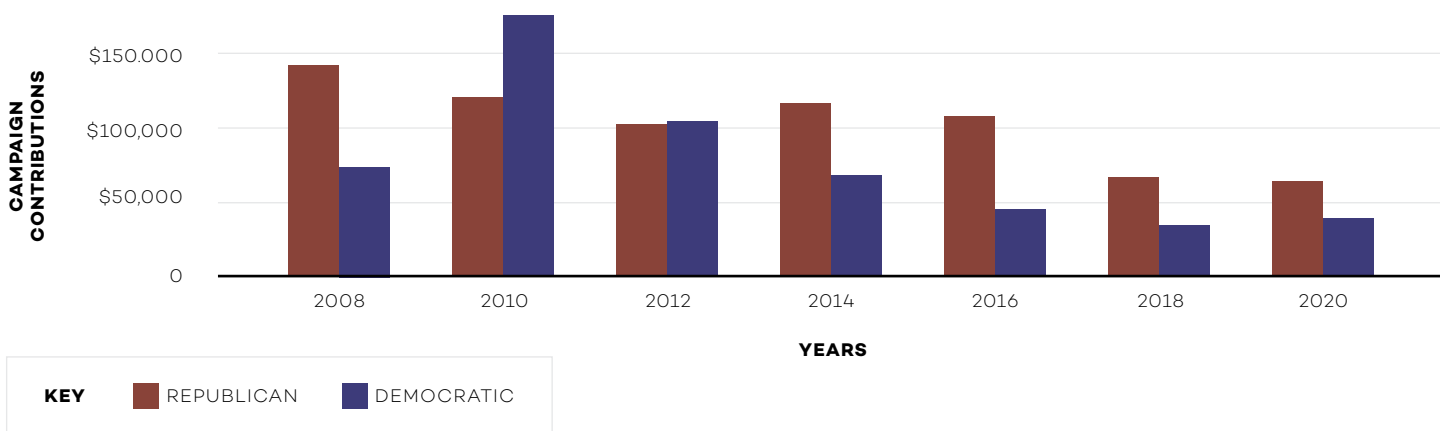
- GMA Science and Education Foundation (501(c)(3))
- GMA Political Action Committee (527)

POLITICAL CONTRIBUTIONS

The Consumer Brands Association has given more than \$1.2 million to candidates for federal office over the last 13 years. Overall, while more than half of its contributions have gone to Republican candidates, Democratic candidates still received more than \$533,000 over the same period. Between 2007 and 2012, the Association contributed an average of \$237,000 per election cycle. This sum has decreased to an average of \$117,000 per election cycle between 2015 and 2020.



Figure 5: Campaign Contributions from the Consumer Brands Association by Election Cycle



The Consumer Brands Association has given more than \$1.2 million to candidates for federal office over the last 13 years. Overall, while more than half of its contributions have gone to Republican candidates, Democratic candidates still received more than \$533,000 over the same period. Between 2007 and 2012, the Association contributed an average of \$237,000 per election cycle. This sum has decreased to an average of \$117,000 per election cycle between 2015 and 2020.

While these sums may seem inconsequential when taken at face value, these donations along with the ones the CBA and its benefactors make through other channels serve as door openers to legislators. What's more, the relatively small amount of money the CBA contributes to political campaigns is perhaps indicative that the food industry is getting much more for its money than other industries like Big Tech and the Finance industry, which face greater public scrutiny and spend more per political target.

Table 5: Top Recipients of Campaign Contributions from the Consumer Brands Association Since 2007

CONGRESSMEMBER	CONTRIBUTIONS
SEN. MITCH MCCONNELL (R-KY)	\$27,000
SEN. PAT ROBERTS (R-KS)	\$21,639
SEN. CORY GARDENER (R-CO)	\$21,100
SEN. KIRSTEN GILLBRAND (D-NY)	\$20,575
REP. DIANA DEGETTE (D-CO)	\$20,500

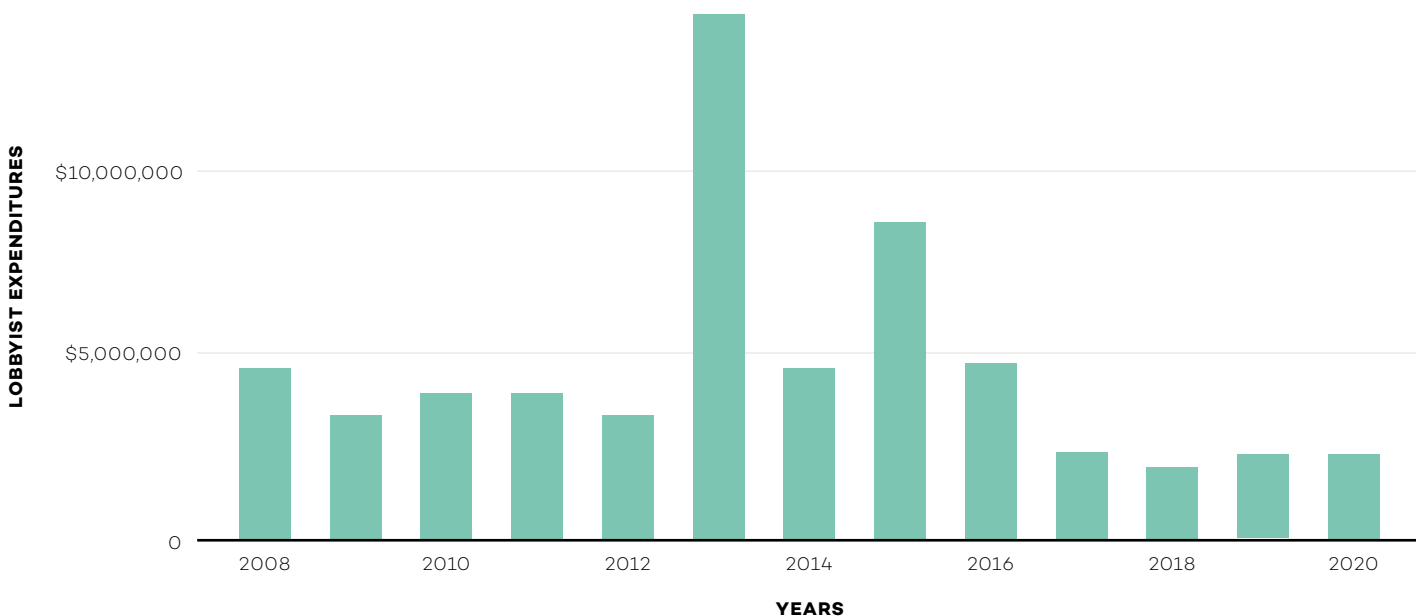
While the overwhelming majority of money from the Consumer Brands Association came from its PAC, the largest individual donor was Mark Micali, director of political affairs. He has contributed more than \$37,000 since 2010, with more than \$8,000 of his contributions going to former Sen. Cory Gardner's, R-Colo. 2014 and 2020 election campaigns.

LOBBYING EXPENDITURES

The Consumer Brands Association spent the most on lobbying compared to the other trade associations in the top 20, with expenditures totaling more than \$60 million since 2008. While the Association's annual lobbying has fluctuated between \$2 million and \$4.7 million, in 2013 its spending rose to more than \$14.3 million amid the fight over the 2012 Farm Bill, the passage of which was delayed until 2014.



Figure 6: Lobbying Expenditures by the Consumer Brands Association



One issue frequently mentioned on the Consumer Brands Association lobbying reports is the requirement for labeling food which contains genetically modified organisms, or GMOs. As bills and ballot measures requiring the labeling of GMOs have received increasing support at the state level, a movement for a national labeling system—which would preempt stronger local laws—was promoted by groups including the Consumer Brands Association. The CBA threw its support behind the Safe and Accurate Food Labeling Act of 2015, a bill that would have created a voluntary labeling program through the USDA and prohibited any state efforts to enact their own labeling requirements. The bill was dubbed the DARK Act (Deny Americans the Right to Know) by opponents who argued that making participation in the labeling program voluntary would limit compliance. Though the bill passed the House in 2015, it was never taken up in the Senate.⁶⁰

In 2016, a GMO labeling bill, also supported by the CBA, was signed into law.⁶¹ This law, unlike the previous bill, made GMO labeling mandatory, but also preempted states from implementing their own labeling requirements. The law did not specify which foods would be considered “bioengineered,” leaving

this to be decided later by the USDA. Implementation of the law began in 2020, with corporations required to comply by January 2022.⁶² More than 43 lobbying reports from the Consumer Brands Association include mention of this issue or these specific bills during this time.

SPONSORED RESEARCH

Titanium Dioxide: The Consumer Brands Association funded the Michigan State/University of Nebraska study casting doubt on efforts to ban whitener/brightener E171, food-grade titanium dioxide, a chemical used to brighten frosting, donut powder, dairy products and that increases the shelf life of food.⁶³ The International Agency for Research on Cancer lists E171 as a possible carcinogen.⁶⁴

Regulation: Consumer packaged goods executives were surveyed by the Consumer Brands Association to shed light on their biggest concerns. The most frequent was “complying with a patchwork of state regulations,” followed by “concerns over plastic and packaging issues.”⁶⁵ Diet-related illnesses such as obesity, type 2 diabetes, and cardiovascular diseases were not ranked high among concerns.



REGULATORY ACTIONS

Truck Driver Hours: Initially responding to the COVID-19 pandemic, the U.S. Department of Transportation allowed truck drivers to log extra hours as long as they were hauling essential goods. Rules were made more permanent in May 2020 with the support of the Consumer Brands Association despite the well-documented safety risks to drivers and other motorists.⁶⁶

Facts Up Front Labels: This labeling system displays key nutrition information on the front of food and beverage packages, and headed off the “traffic light” approach considered by the FDA.⁶⁷ This industry attempt to self-regulate was described by the Center for Science in the Public Interest as “a joke that should be roundly ignored by the FDA.”⁶⁸

American Beverage Association

WEBSITE

ameribev.org

MISSION STATEMENT

“We unite America’s non-alcoholic beverage companies to achieve responsible public policy and promote our industry’s commitment to customers, consumers and communities.”⁶⁹

HISTORICAL BACKGROUND

The American Beverage Association was formed in 1919 as the American Bottlers of Carbonated Beverages “to provide a more united voice before the U.S. Congress and the federal government, generally.” The group was renamed the National Soft Drink Association in 1964, and became known as the American Beverage Association in 2004.⁷⁰





KEY MEMBERS

The American Beverage Association represents hundreds of member corporations.⁷¹ Annual dues for active membership are based on sales and specific amounts and are not required to be disclosed. During 2019, members that voluntarily disclosed their contributions to the American Beverage Association included Coca-Cola (\$506,341),⁷² PepsiCo (>\$500,000),⁷³ and Keurig Dr Pepper (\$151,000–\$2,000,000).⁷⁴

FINANCIALS⁷⁵

Revenue: \$90,043,181

- Contributions: \$0
- Program revenue: \$85,898,095
- Investment income: \$3,938,083

Expenses: \$87,019,171

- Salaries/compensation: \$11,409,318
- Grants (major recipients): \$1,154,088
- Fees: \$18,092,499
- Rent/office: \$307,394
- Travel/conferences: \$1,171,355
- Other (special projects, etc.): \$51,698,196

Net revenue: \$3,024,010

Assets: \$70,382,744

- Savings: \$1,758,442
- Investments (public): \$33,508,344
- Investments (other): \$6,829,471

Liabilities: \$13,254,136

PERSONNEL⁷⁶

Top employees (salary)

- **Katherine Lugar**, president and chief executive officer, \$531,945⁷⁷
 - President and chief executive officer, American Hotel & Lodging Association, (2013–19)
 - Executive vice president, Retail Industry Leaders Association, (2007–13)
 - Vice president, Travelers, (2005–07)

- **Mark Hammond**, executive vice president and chief financial officer, \$1,265,462
- **Amy Hancock**, executive vice president and general counsel, \$573,929
 - McDermott Will & Emery, (1985–11)⁷⁸
- **Kevin Keane**, executive vice president—government and public affairs, \$796,437⁷⁹
 - Assistant secretary for public affairs, U.S. Department of Health and Human Services, (2001–05)
 - Deputy chief of staff/communications director, Gov. Tommy Thompson, (1994–01)
 - Washington Bureau, Thomson Newspapers, (1992–94)
- **Fredericka McGee**, vice president—California government affairs and operations, \$358,955⁸⁰
 - General counsel, Toni Atkins, California Assembly, (2014–16)
 - General counsel, John Perez, California Assembly, (2010–14)
 - General counsel, Karen Bass and Fabian Nunez, California Assembly, (2004–10)
 - Legal counsel to Antonio Villariagosa, (1999–04)

Officers of the Board of Directors⁸¹

- **Matthew Dent**, chairman (Buffalo Rock Co.)
- **Derek Hopkins**, vice chairman (Keurig Dr Pepper)
- **Katherine Lugar**, president (ABA)
- **Amy Hancock**, secretary (ABA)
- **Mark Hammond**, chief financial officer (ABA)
- **Ralph Crowley Jr.**, treasurer (Polar Beverages)
- **Kirk Tyler**, ex officio chair (Atlantic Coca-Cola Bottling)



REVOLVING DOOR

In 2020, 15 of the 18 lobbyists hired by the American Beverage Association (83 percent) were “revolvers,” or lobbyists that previously worked in government.⁸² In addition to official lobbyists, other key people with connections between government and the American Beverage Association include the following:



Bradley McKinney⁸³

- Former vice president, Export-Import Bank, (2020–21)
- Chief of staff, International Trade Administration, (2018–20)
- Director—government affairs, Michael Torrey Associates (client), (2016–18)



Matthew Hoffmann⁸⁴

- Vice president—government affairs, BGR Group (client), (2018–present)
- Policy director, Senate Finance Committee, (2017–18)
- Policy advisor, House Budget Committee, (2006–17)
- Health care policy advisor, Romney/Ryan, (2012)



Heather Podesta⁸⁵

- Founder and chief executive officer, Invariant (client), (2007–present)
- Partner, Blank Rome LLP, (2004–06)
- Tax and trade counsel, Robert Matsui, (2003)
- Legislative counsel for tax and trade, Earl Pomeroy, (2002–03)
- Assistant general counsel, Air Transport Association of America, (1999–02)



Michael Torrey⁸⁶

- Chief executive, Michael Torrey Associations (client), (2005–present)
- USDA deputy chief of staff, (2004–05)
- USDA deputy assistant secretary—congressional relations, (2003–04)
- Vice president—government relations, International Dairy Foods Association, (1998–03)
- Special assistant, Commodity Futures Trading Commission, (1997–98)

RELATED ORGANIZATIONS

- Americans for Food and Beverage Choice (501(c)(6))
- American Beverage Foundation for a Healthy America (501(c)(3))
- American Beverage Association Fund for Consumer Choice (527)

POLITICAL CONTRIBUTIONS

The American Beverage Association contributed nearly \$1.2 million to federal candidates between 2007 and 2020. The ABA has narrowly favored Republican candidates, with \$654,000 going to these candidates and \$535,000 going to Democrats. However, Democratic candidates received more support than their Republican counterparts in the 2010 and 2014 election cycles.

The largest recipient of American Beverage Association money was former Speaker of the House Paul Ryan, R-Wis., who received \$25,550 from the organization between 2010 and 2017. Almost half of Ryan’s contributions (\$10,800) came from former ABA President Susan Neely.



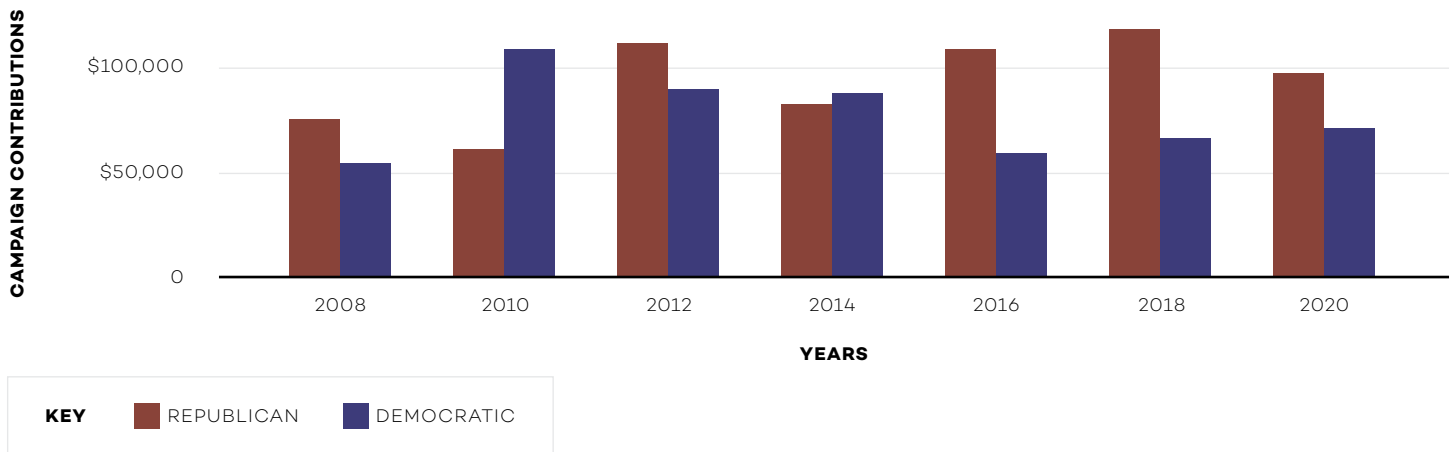
After Ryan, other Republican leaders who received the largest sums included then Senate Majority Leader Mitch McConnell of Kentucky

(\$20,500), House Minority Whip Steve Scalise of Louisiana (\$17,250), and House Minority Leader Kevin McCarthy of California (\$15,500).

Table 6: Top Recipients of Contributions from the American Beverage Association Since 2007

CONGRESSMEMBER	CONTRIBUTIONS
REP. PAUL RYAN (R-WI)	\$25,550
SEN. MITCH MCCONNELL (R-KY)	\$20,500
REP. DAVID SCOTT (D-GA)	\$18,367
REP. STEVE SCALISE (R-LA)	\$17,250
REP. STENY HOYER (D-MD)	\$17,000

Figure 7: Campaign Contributions from the American Beverage Association by Election Cycle



The Democrat who received the most financial support from the ABA over the last 13 years was Rep. David Scott of Georgia, incoming chair of the House Agriculture Committee. Other committee members were among the highest Democratic recipients of ABA money including Rep. Sean Maloney of New York, Rep. Marcia Fudge of Ohio, Sen. Kirsten Gillibrand of New York, and former Rep. Collin Peterson of Minnesota. Former Sen. Blanche Lincoln of Arkansas and Senate Majority Leader

Chuck Schumer of New York were the only two candidates to receive the maximum \$10,000 from the PAC during their elections in 2010.

During the 2020 election cycle, first-time House candidate Scott Fitzgerald, R-Wis., raised \$7,100 from the ABA, more than any other candidate. The next highest recipients were Reps. Haley Stevens, D-Mich., and Van Taylor, R-Texas. They both received \$6,500.

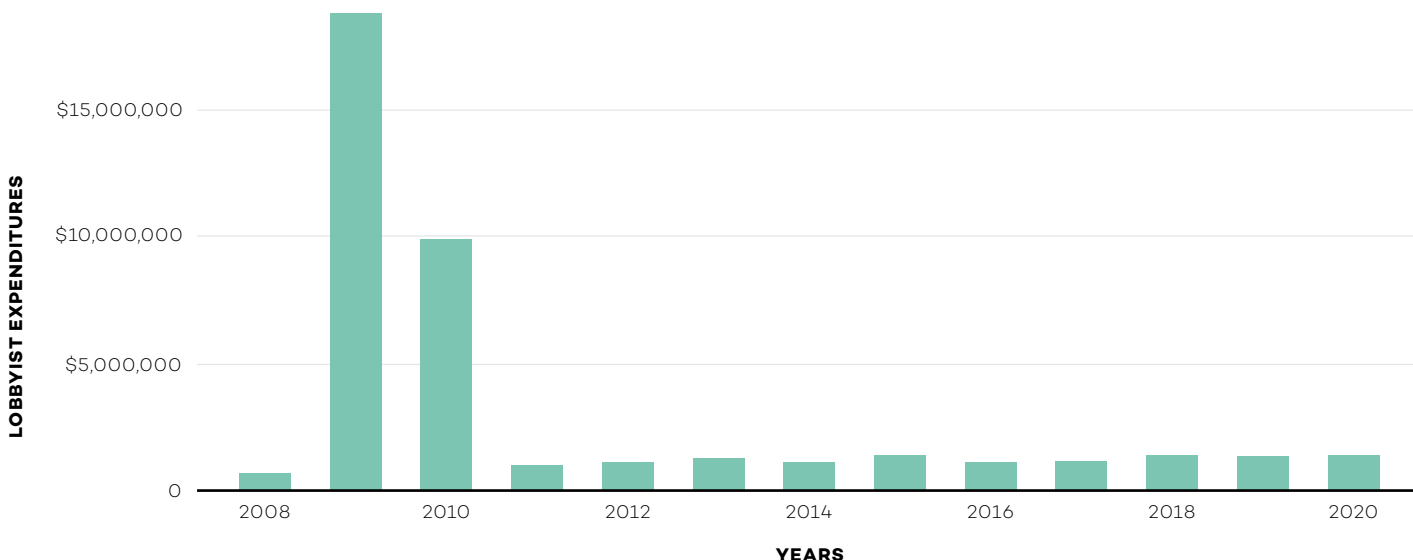


Neely, the former ABA president, has been the largest individual contributor from the Association, giving \$55,350 to federal candidates since 2007. Kevin Keane, the executive vice president for government and public affairs, was the second-largest contributor, donating \$29,350 to candidates since 2007. More than one-fourth of his donations were given during the 2020 election cycle.

LOBBYING EXPENDITURES

The American Beverage Association has spent more than \$41.8 million in federal lobbying efforts between 2008 and today. Over the last several years it averaged \$1.2 million in expenses, but further back in 2009 and 2010 there was a huge spike, in which more than \$28 million was spent in those two years alone. More than two-thirds of its lobbyist expenditures went to its own lobbyists, but Heather Podesta's Invariant LLC also received more than \$4.7 million over the last 12 years.

Figure 8: Lobbying Expenditures by the American Beverage Association



The Association has lobbied on behalf of a number of issues, not all of which are disclosed. However, one of the most frequently cited issues is the Supplemental Nutrition Assistance Program (SNAP), appearing in more than 90 filings. References primarily focused on monitoring proposed initiatives to limit “consumer choice,” including measures that would prevent people from using food stamps to buy soft drinks (H.R. 2 / S. 3042).^{87,88,89}

The ABA has flexed its lobbying muscle to oppose taxes on sugar-sweetened beverages at the state, local, and federal levels. The ABA has spent huge sums on ballot measures, advertising campaigns,

and lawsuits fighting soda taxes, including \$19 million opposing a San Francisco initiative and over \$10 million lobbying against a soda tax in Philadelphia, both in 2016.^{90,91} The Association’s federal lobbying reports specifically mention federal efforts to introduce a tax on sugary beverages including the Sugar-Sweetened Beverages Tax Act of 2015 and a portion of the Medicare for America Act of 2019, which both sought to enact a tax on sweetened drinks.^{92,93} Thus far, no federal tax on sugary beverages has made it out of committee, which begs further analysis into the sway the ABA, its members, and allies may have over federal policymakers.



SPONSORED RESEARCH

Soda and Obesity: Members of the American Beverage Association funded 26 studies, and the Association touted the findings that there was no link between sugary drinks and obesity/diabetes, contradicting an overwhelming body of scientific research stating the contrary.⁹⁴ The American Beverage Association claims its research “adheres to the highest standards of integrity for scientific inquiry.”⁹⁵

Causes of Obesity: The American Beverage Association claims that added sugar has nothing to do with the increasing prevalence of obesity over the last two decades.⁹⁶ Meanwhile, the Harvard School of Medicine notes “sugar-sweetened sodas made the single largest contribution to the caloric glut.”^{97,98}

REGULATORY ACTIONS

Your Cart, Your Choice: A partnership between the American Beverage Association and other food industry trade associations (Food Marketing Institute, Consumer Brands Association, Sugar Association, etc.) that has hired dietitians paid by Coca-Cola and other beverage corporations to fight food taxes (such as soda taxes in Cook County, IL and Santa Fe, NM).^{99,100}

Preemption Legislation: The American Beverage Association and its members have lobbied, deployed astro-turf campaigns, and used model legislation developed by the Koch-funded American Legislative Exchange Council (ALEC) to prevent municipalities from passing taxes on soda.¹⁰¹

National Restaurant Association

WEBSITE

restaurant.org

MISSION STATEMENT

“To serve our industry and impact its success, we: Strengthen operations, mitigate risk and develop talent; Advance and protect business vitality through national, state and local advocacy; and Drive knowledge and collaboration.”¹⁰²



HISTORICAL BACKGROUND

The National Restaurant Association formed in 1919 in Kansas City as a response to egg brokers' attempts to raise the price to \$0.65 per dozen. A boycott resulted in the price falling to \$0.32 per dozen and 43,000 U.S. restaurants joined the association.¹⁰³



KEY MEMBERS

Today the National Restaurant Association represents 40,000 members.¹⁰⁴ Annual dues for active membership are based on membership category and are not required to be disclosed, although some members do disclose some information about their contributions. During 2019, members that voluntarily disclosed their contributions to the National Restaurant Association included PepsiCo (\$250,000–\$500,000),¹⁰⁵ Darden Restaurants (\$150,000),¹⁰⁶ Yum Brands (\$79,528),¹⁰⁷ Starbucks (>\$50,000),¹⁰⁸ Disney (\$50,000–\$100,000),¹⁰⁹ and Marriott International (\$10,000).¹¹⁰ McDonald's has not reported 2019 contributions, but reported giving \$25,000 or more to the National Restaurant Association in 2018.¹¹¹

FINANCIALS¹¹²

Revenue: \$289,435,917

- Contributions: \$3,394,318
- Program revenue: \$38,838,674
- Investment income: \$175,128,668

Expenses: \$118,330,524

- Salaries/compensation: \$50,917,721
- Grants (major recipients): \$2,192,122
- Fees: \$10,909,745
- Rent/office: \$7,391,152
- Travel/conferences: \$14,983,390
- Other (special projects, etc.): \$ -

Net revenue: \$171,105,393

Assets: \$249,880,129

- Savings: \$ -
- Investments (public): \$25,472,736
- Investments (other): \$ -

Liabilities: \$38,981,704

PERSONNEL¹¹³

Top employees (2018)

- **Dawn Sweeney**, president and chief executive officer, (2007–2019),* \$5,731,399
 - Succeeded by Tom Bené¹¹⁴
- **Terry Erdle**, chief operating officer, \$1,271,090¹¹⁵
 - Executive vice president—business development, Knowledge Factor
 - Led certification and learning division, CompTIA
 - Other executive positions at Sun Microsystems, IHS Group, and Mattel Toys
- **Marvin Irby**, chief financial officer, (2010–present),* \$1,226,912¹¹⁶
 - Executive vice president and chief financial officer, Shawmut Design & Construction, (2007–09)
 - Vice president—finance, Walt Disney World, (1998–07)
- **Mary Pat Heftman**, executive vice president, \$1,074,197
- **Sherman Brown**, executive vice president, \$914,999
- **Cicely Simpson**, executive vice president, \$739,703

Officers of the Board of Directors¹¹⁷

- **Melvin Rodrigue**, chairman (Galatoire's Restaurants)
- **Brian Casey**, vice chairman (Oak Hill Tavern)
- **Lance Trenary**, treasurer (Golden Corral)
- **Joseph Essa**, past president (Thomas Keller Restaurant Group)
- **Tom Bené**, president and chief executive officer (NRA)¹¹⁸
 - President/Chief executive officer, Sysco, (2016–17)
 - President, PepsiCo Foodservice, (2011–13)
 - Joined PepsiCo in 1989

*Individual received the salary noted during the date range in parentheses according to the trade group's 2018 990.



REVOLVING DOOR

In 2020, 21 of the 24 lobbyists hired by the National Restaurant Association (88 percent) were “revolvers,” or lobbyists that previously worked in government.¹¹⁹ In addition to official lobbyists, other key people with connections between government and the National Restaurant Association include the following:



Anne MacMillan¹²⁰

- Lobbyist (via Invariant), (2016–present)
- Deputy chief of staff, Agriculture Secretary Tom Vilsack, (2010–13)
- Policy adviser, Speaker Nancy Pelosi, (2009–10)
- Legislative assistant, Rep. Dennis Cardoza, D-Calif., (2003–09)



Annie Palisi¹²¹

- Lobbyist (via Invariant), (2016–present)
- Director—special projects, House Education/Workforce Committee, (2015–16)
- Deputy director—member services, Speaker John Boehner, (2013–15)



Laura Abshire¹²²

- Director—food and sustainability policy, National Restaurant Association, (2012–present)*
- Deputy chief of staff, Rep. Mike Ross, D-Ark., (2007–12)
- Legislative assistant, Rep. Mike Ross, D-Ark., (2006–07)



Shannon Meade¹²³

- Vice president—public policy and legal advocacy, National Restaurant Association
- Chief of staff, Rep. Kay Granger, R-Texas
- Legislative counsel, Rep. Jon Porter, R-Nev.
- Legislative counsel, Rep. Tom Davis, R-Va.



Dan Roehl¹²⁴

- Vice president—federal government affairs, National Restaurant Association, (2009–present)*
- Staff director—congressional relations, USDA, (2007–09)
- Policy director, Rep. Mark Green, R-Tenn. (1999–07)



Matt Walker¹²⁵

- Vice president—government affairs, National Restaurant Association, (2012–present)*
- Chief counsel, Senate Small Business Committee, (2003–12)
- Attorney, Pierce Atwood LLP, (2001–03)
- Various, Sen. Olympia Snowe, R-Maine, (1996–00)

RELATED ORGANIZATIONS

- National Restaurant Association Solutions LLC
- National Registry of Food Safety Professionals Inc.
- National Restaurant Association Educational Foundation (501(c)(3))
- NRA Political Action Committee (527)
- Multicultural Foodservice and Hospitality Alliance (501(c)(3))
- Restaurant Law Center (501(c)(6))

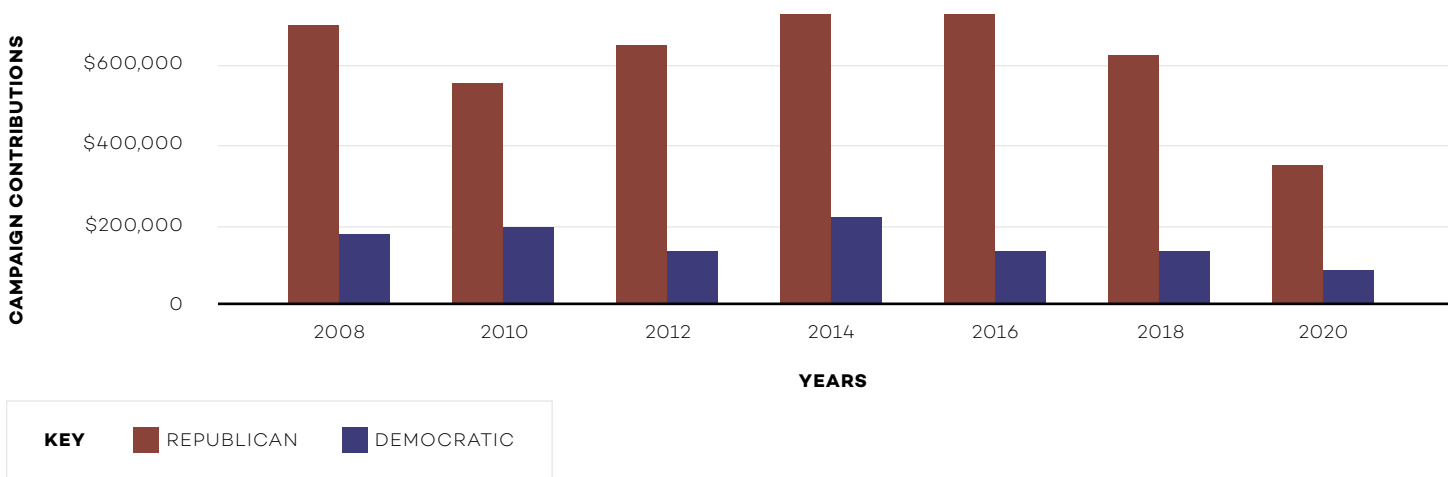


POLITICAL CONTRIBUTIONS

The National Restaurant Association is a top food industry funder of political campaigns, second only to the Farm Credit Council, contributing nearly \$5.5 million to federal candidates since 2007. Contributions have remained relatively

steady, with the Association contributing between \$755,000 and \$872,000, except during 2014 when contributions rose to \$960,000, and in 2020 when they fell to a low of just \$438,000. The National Restaurant Association has largely favored Republican candidates, giving \$4.3 million, or 79 percent, to GOP candidates.

Figure 9: Campaign Contributions from the National Restaurant Association by Election Cycle



The largest single recipient of money from the National Restaurant Association during this period was House Minority Leader Kevin McCarthy, R-Calif., who received \$56,600. He received just \$1,000 from the Association during the 2008 and 2010 election cycles, but following his selection as majority whip, he has subsequently raised \$10,000 during each election cycle from the Association, as well as another \$5,600 from Dan Roehl, the Association's vice president of federal governmental affairs, in 2019.

The Association has contributed more than \$1 million to Democratic candidates since 2007. The largest recipient of these contributions was House Majority Leader Steny Hoyer of Maryland who has taken in \$35,000 since 2009. Former Sen. Blanche Lincoln of Arkansas was the Democratic candidate who received the most money in a single election

from the National Restaurant Association. During her unsuccessful 2010 reelection bid, the former chair of the Senate Committee on Agriculture, Nutrition and Forestry received \$12,000 from the NRA PAC.

Table 7: Top Recipients of Contributions from the National Restaurant Association Since 2007

CONGRESSMEMBER	CONTRIBUTIONS
REP. KEVIN MCCARTHY (R-CA)	\$56,600
REP. KEVIN BRADY (R-TX)	\$50,200
REP. PAT TIBERI (R-OH)	\$42,500
REP. RODNEY DAVIS (R-IL)	\$42,000
REP. STEVE SCALISE (R-LA)	\$40,000



During the 2020 election cycle, a number of candidates received the maximum contribution from the PAC. Most were Senate Republicans up for re-election: Susan Collins of Maine, Steve Daines of Montana, former Sen. Martha McSally of Arizona, Lindsey Graham of South Carolina, Joni Ernst of Iowa, and former Sen. David Perdue of Georgia. Sen. Jeanne Shaheen of New Hampshire was the only Democrat to receive the maximum PAC donation. The other large recipients of National Restaurant Association funds included House Minority Leader Kevin McCarthy of California, Rep. Drew Ferguson of Georgia, Rep. Richard Hudson of North Carolina, and Rep. Rodney Davis of Illinois.

Roehl, the government affairs vice president, was the largest individual donor employed by the National Restaurant Association. He has contributed \$27,800 to federal candidates since 2011, with \$10,600 given during the 2020 election cycle.

LOBBYING EXPENDITURES

The National Restaurant Association has spent more than \$38.4 million in lobbying expenses since 2008. Its annual expenditures increased in 2015 to a high of \$4.3 million over its otherwise average annual spending of \$2.96 million during the entire period. While more than three quarters of its spending was on its own in-house lobbyists, the Association did spend approximately \$3.3 million between both Mehlman Castagnetti and Prime Policy Group over the last 12 years.

The National Restaurant Association lobbied to weaken or repeal the Affordable Care Act (ACA) which would have stripped protections and health coverage for millions of Americans. The National Restaurant Association put lobbying muscle behind an ill-fated string of legislative proposals seeking to repeal the ACA in whole or part, including the Repealing the Job-Killing Health Care Law Act in 2012,¹²⁶ the American Job Protection Act in 2013,¹²⁷

and the American Health Care Act of 2017.¹²⁸ The Association also sought to raise the definition of what constitutes “full-time” employment under the ACA from the current 30 hours per week to 40 hours—an effort that would have excluded a large swath of workers from getting health coverage under the ACA. These bills included the Forty Hours is Full Time Act of 2015,¹²⁹ the Save American Workers Act of 2017,¹³⁰ and the Employee Flexibility Act of 2019.¹³¹

SPONSORED RESEARCH

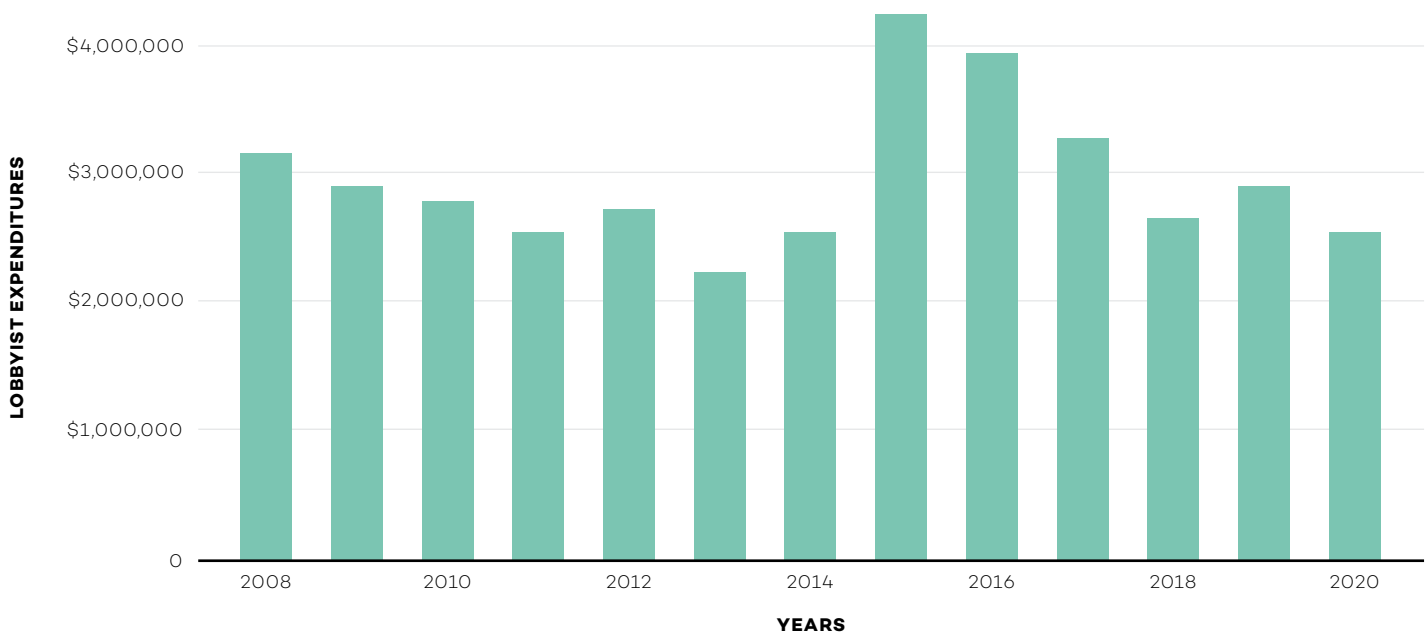
Raise the Wage Act: A survey of 529 full-service restaurant operators conducted by the National Restaurant Association found that median earnings of entry-level servers was \$19 per hour, and the upper quartile of people surveyed earned \$38 per hour (\$79,040 annually).¹³² In stark contrast, the Bureau of Labor Statistics estimated that the median pay for waiters and waitresses was \$11 per hour, or \$22,890 per year.¹³³

Center for Food Integrity: A nonprofit supported by the National Restaurant Association that sponsored a Hen Housing Study showing no major differences between conventional cage-raised eggs and cage-free eggs.^{134,135} The organization also sponsors a website called Best Food Facts, where it argues that processed foods are vital to sustainability because they reduce waste.¹³⁶

COVID Reopening and Inequities: The National Restaurant Association sought to discredit a *Nature* study showing higher COVID-19 infection rates among disadvantaged racial and socioeconomic groups as a result of more aggressive reopening efforts.¹³⁷ The National Restaurant Association argued that one could not prove that dining out was correlated with increased infection rates despite research from Johns Hopkins and Stanford indicating a direct correlation between restaurant openings and increased COVID-19 spread.^{138,139,140}



Figure 10: Lobbying Expenditures by the National Restaurant Association



REGULATORY ACTIONS

Joint Employer Status: Joint employer status allows corporations to be held responsible, along with their franchisees, for workplace safety and labor violations. The National Restaurant Association advocated for a “multifactor balancing test” to determine which employer could be liable for violations and fought to ensure that individual franchisees, rather than the larger parent corporation, would be the sole defendant in such cases.¹⁴¹ The Association’s attack on franchisees provides an ideal complement to McDonald’s stance on the issue.

Seasonal Employees: The National Restaurant Association attempted to define seasonal employees in such a way that fewer employees would be eligible for health benefits under the Affordable Care Act (ACA).¹⁴² As a general rule, restaurants with 50 or more full-time employees must offer health insurance, although seasonal workers can skew the numbers.¹⁴³

Employee Tipping: The National Restaurant Association fought a Labor Department proposal that would require restaurants to forego tip credit if employees spend more than 20 percent of their shift doing non-tippable work i.e. cleaning or prep work.¹⁴⁴

Menu Labeling: The National Restaurant Association supports the national menu labelling requirements that took effect in May 2019, arguing that it “levels the playing field” for its members and that a single national standard preempts state and local requirements that may be stricter than federal guidelines i.e. the landmark 2006 New York City menu labeling rules.^{145,146}

CONCLUSION

The process by which decisions get made at the federal level about how our food is produced, packaged, sold, and served is shaped by a small number of politically and financially powerful food corporations. Their influence and agendas are obscured by the use of nonprofit 501(c)(6) trade organizations that take advantage of federal tax laws to conceal the true sources of their funds, expenditures, and activities.

The top 20 food industry trade associations have exerted their control over policymaking through at least \$33.7 million in political donations since 2017 and \$303.2 million in lobbying since 2008, greasing the wheels for the appointment of hundreds of individuals with industry ties to serve as regulators. These dollar amounts do not include campaign contributions made through dark money groups and the millions of dollars lavished

on public relations to shape public and political opinion and create an enabling environment for the industry's political prerogatives to take hold. The anti-democratic political power wielded by the food industry affects a host of issues, ranging from whether Americans can get health insurance coverage under the Affordable Care Act to the disposition of almost \$425 billion in federal spending from the five-year Farm Bill. Putting America's food policy in the hands of the world's largest food corporations and their trade associations ensures that corporate profits are prioritized over public health and well-being.

This must change. Reform is urgently needed to curb the industry's political influence and restore control to the public whose lives and livelihoods depend on a safe, healthy food supply. These five recommendations are a starting point:

RECOMMENDATION 1

The federal government must end the “revolving door” between government and industry. Revolving between government and industry enables corporate interests to become entrenched in food policy making. Safeguards must be put in place—and enforced—to prevent those who play a major role in determining the fundamental rules that govern our food system from monetizing their time in public service.

During his last day in office, Trump rescinded an order that had banned some 1,200 Senate-confirmed federal employees from working for

foreign governments or lobbying their former agencies for five years.¹⁴⁷ On his first day, President Joe Biden issued a version of an executive order first promulgated by the Obama Administration that required former lobbyists to recuse themselves from matters involving former clients for two years, as well as mandating that former government employees wait at least two years before lobbying any executive agency.¹⁴⁸ The Biden policy would also bar incoming officials from taking “golden parachutes,” or bonuses for entering government service to help shape policies that would benefit former employers.



This sets a high standard, but enforcement is key and loopholes should not be tolerated. Obama wound up swiftly undercutting his own policy by issuing a waiver for a former Raytheon lobbyist to be a deputy defense secretary.¹⁴⁹ Already, waivers needed to be considered by the White House Office of Management and Budget (OMB).¹⁵⁰ Absent a waiver, Biden would have had to withdraw his nomination of former Obama Agriculture Secretary Tom Vilsack, who left government to become the highly paid chief executive of the U.S. Dairy Export Council, to lead USDA as Secretary once again.¹⁵¹

Biden should also consider a stronger definition of lobbying activity. Former government officials have often been able to skirt lobbying rules by describing themselves as “strategic consultants” or “advisers.”¹⁵² Again, such changes would set a high standard, but fully closing the revolving door is essential to cultivating sound, impartial decisions in an area where special interests have too often dominated.

RECOMMENDATION 2

Officials hired by the Biden administration, whether in paid or advisory positions, should not have formal or informal affiliations with trade organizations or major food companies. Public officials with ties to industry represent a massive conflict of interest—one that is eroding trust in democratic institutions, enabling the “corporate capture” of government, and creating opportunities to put private profit ahead of public good.

In addition to lobbyists and corporate officials, conflicts of interest can arise in advisory committees that inform policymaking. Although committees subject to the Federal Advisory Committee Act are required to be objective and avoid inappropriate influence by special interests, members of committees advising on food policy, such as the Dietary Guidelines Advisory

Committee, often have deep ties to industry.¹⁵³ Advisory committees should provide policymakers with objective information, without promoting a corporate agenda.

Eliminating conflicts of interest would also have the salutary effect of broadening the food policy debate. For the last half-century, U.S. food policy has encouraged consolidation, whether in the form of giant, single-commodity farms or enormous restaurant franchises. Removing “the usual suspects” from areas where decisions are made could pave the way for much-needed reforms, antitrust actions, and new and creative approaches to seemingly intractable problems such as climate change, structural racism, or child obesity.



RECOMMENDATION 3

Members of Congress should be banned from accepting campaign contributions from industries they regulate. Few people outside the U.S. House of Representatives and Senate would argue that this is not a massive conflict of interest, and even fewer would argue that the millions spent to cultivate relationships with lawmakers via campaign contributions do not represent a *quid pro quo*.

It is no accident that members of the House Agriculture Committee and Senate Agriculture, Nutrition, and Forestry Committee are the top

recipients of campaign contributions from the 20 largest food industry trade organizations. The millions in campaign contributions represent an avenue for influence and access that's not available to the average person; the concerns of everyday consumers, workers and small business owners take a back seat to the special interests of giant food corporations represented by these trade groups.

RECOMMENDATION 4

Trade associations must no longer be allowed to hide the sources of their contributions or obscure what activities they spend their money on. The shielding of such information is a relic of the civil rights era as it was used at the time to protect NAACP donors from persecution. The exemption has created a host of “dark money” organizations that use tax-exempt status to influence political debate, electoral outcomes, and government policies with a complete lack of transparency and accountability.

Transparency must be extended across all nonprofit types, including 501(c)(3) organizations (charities); 501(c)(4) nonprofits (social welfare organizations, which constitute the bulk of dark money organizations), and 501(c)(6) groups, which would include the trade organizations discussed in this document. Unless and until public scrutiny is brought to bear, a few wealthy and well-connected insiders will continue to call the shots on decisions that affect our daily lives and our daily meals.



RECOMMENDATION 5

Corporations and the trade groups they are a part of should permanently cease their political giving. Corporate political spending poses a threat to our democratic institutions and has resulted in decades of policymaking that has prioritized corporate interests over the public interest.

As a critical first step, corporations and their various proxies should immediately open their books and disclose the totality of their political giving and lobbying across every geography they do business in.

Methodology

A comprehensive list of food and beverage industry trade organizations was developed utilizing the following methodology:

All organizations that were included in this analysis filed under subsections 501(c)5 or 501(c)6 of the U.S. Tax Code per IRS documentation. Additionally, each organization either (1) is classified beneath the Agriculture, Food, and Nutrition designation by the National Center for Charitable Statistics, (2) included a farm-related Business Activity Code in their most recent Form 990 tax filing, or (3) has an organization name that includes a selected food industry keyword. Some otherwise qualifying organizations were excluded, primarily alcohol industry interests, from the data as they are not part of the food and beverage industry.

From the list of food and beverage industry trade organizations, further analysis focused on the top 50 organizations by revenue. From this subset, the 20 organizations with the highest political spending—i.e. combined federal campaign

contributions and lobbying spending—were selected as the focus of this report. Note: State-specific organizations were excluded from the top 20.

Campaign contribution figures are drawn from federal campaign finance data made available by the Federal Election Commission and include contributions from trade association political action committees (PACs) as well as trade association employees.

Lobbying expenditures data were collected from filings made available by the United States House lobbying disclosure. Lobbying expenditures included cover the period from Q1 2008 to Q4 2020. The amount spent by trade associations on in-house lobbying is calculated by subtracting the amount registrants reported receiving from the total amount the trade association reported spending on lobbying during a single quarter, with a minimum of zero spent during a quarter.



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APPENDIX

Appendix 1: Top 20 Food Industry Trade Groups By Revenue & Political Spending Inclusive of Alcohol Trade Groups

EIN	ORGANIZATION NAME
530114930	GROCERY MANUFACTURERS ASSOCIATION AKA CONSUMER BRANDS ASSOCIATION
530025510	AMERICAN BEVERAGE ASSOCIATION
361525480	NATIONAL RESTAURANT ASSOCIATION
361521005	NATIONAL BEER WHOLESALERS ASSOCIATION INC
360725160	AMERICAN FARM BUREAU FEDERATION
530190293	CROPLIFE AMERICA
430590389	WINE & SPIRITS WHOLESALERS OF AMERICA INC
362900465	FOOD MARKETING INSTITUTE
420796455	NATIONAL PORK PRODUCERS COUNCIL
530225257	FERTILIZER INSTITUTE
521275264	FARM CREDIT COUNCIL
420897662	NATIONAL CORN GROWERS ASSOCIATION
951362030	WESTERN GROWERS ASSN
840738973	NATIONAL CATTLEMENS BEEF ASSOCIATION INC
541727616	USA RICE FEDERATION
361521980	NATIONAL CONFECTIONERS ASSOCIATION
420688064	AMERICAN SOYBEAN ASSOCIATION
940987020	WINE INSTITUTE
900811732	NORTH AMERICAN MEAT INSTITUTE
840802918	BREWERS ASSOCIATION INC



Appendix 2: Top 20 Food Industry Trade Group Campaign Contributions to Election Deniers in 2020 Election Cycle

	VOTED TO OVERTURN RESULTS	NUMBER OF MEMBERS	2019 - 2020 CONTRIBUTIONS
HOUSE	YES	139	\$5,819,490
	NO	292	\$7,905,518
SENATE	YES	8	\$432,333
	NO	91	\$4,778,642
BOTH CHAMBERS	YES	147	\$6,251,823
	NO	383	\$12,684,160

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