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April 5, 2002

Jeffrey S. Tenenbaum  
Venable Attorneys at Law  
1201 New York Avenue, NW, Suite 1000  
Washington, DC 20005-3917

Dear Mr. Tenenbaum,

I was surprised to receive your letter of March 27, 2002 stating that I have made "numerous false, misleading, disparaging, and defamatory statements about sugar." Your statement is incorrect and appears to be based on both a misunderstanding of carbohydrate science and a mischaracterization of my views and opinions.

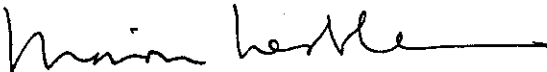
1. Your letter notes, correctly, that soft drinks do not contain *sucrose* (a disaccharide sugar composed of one molecule each of the monosaccharide sugars, *glucose* and *fructose*). Soft drinks are for the most part sweetened with corn syrup, a mixture of *glucose* (a monosaccharide sugar), *fructose* (a monosaccharide sugar), *maltose* (a disaccharide sugar), and other small saccharides – in other words, *sugars*. From a biochemical and physiological standpoint, these sugars are similar to sucrose, as all are convertible to *glucose* (blood sugar) in the body. To argue that soft drinks "do not contain sugar" because they are not sweetened with sucrose is misleading and not in the interest of public education about diet and health.
2. Your letter refers to my statement that the U.S. Department of Agriculture (USDA) changed its 2000 dietary guideline on sugar based on political pressure from sugar lobby organizations. As you well know, that statement is true as the USDA did change the sugar guideline as a result of efforts by sugar lobbying organizations. As to your suggestion that the change was motivated by the fact that the preponderance of scientific evidence does not support the recommendation to "limit" sugar intake, I think it is fair to say that the scientific evidence that relates sugar to health is incomplete and, therefore, subject to interpretation and a matter of reasoned opinion as much as it is of scientific "fact." Experts do not necessarily agree with the change in the dietary guideline, or the purported rationale for the change, nor do they have to on the basis of existing science (see #5 below).
3. Your letter contends that I have made an "inferred claim that sugar is physiologically addictive." You are misinformed about my views on the subject and incorrect about the claim you attribute to me, as I do not apply the word "addictive" to *any* food. Instead, I state that the *taste* for sugar is innate. Taste is not the same as addiction and I make every effort to make that distinction clear.

4. Your letter contends that I “clearly connote” that “sugar has been scientifically proven to be a prime contributor to heart disease, obesity and other diseases besides dental caries.” You have not cited a single source or reference for the “connotation” you attribute to me. Your statement mischaracterizes the strength of my opinion about the role of sugars in elevating risk factors for chronic disease, but again I must point out that interpretation of research on sugar and health is a matter of reasoned opinion and experts do not always agree on such interpretation (see #5).

5. Your letter contends that “SAI [Sugar Association, Inc] has provided me with truthful and non-misleading facts concerning these issues.” Again I must point out that some experts disagree with the Sugar Association’s opinion on these matters. For example, a paper in the March 2002 *Journal of the American Dietetic Association* (Vol. 102, pages 351-353) states that “whether sweetness comes from sucrose or HFCS [high fructose corn syrup], both are essentially disaccharides composed of one glucose and one fructose molecule,” and that “Growing evidence is linking excessive intakes of added sugars with undesirable health risks of obesity leading to increased incidence of type 2 diabetes mellitus and its complications, especially cardiovascular disease.” Thus, opinions may differ among experts even when based on the same set of scientific “facts.”

In sum, I have never disseminated “distorted and damaging statements” about sugar. The First Amendment guarantees us both the right to air our opinions in public so as to stimulate debate in matters of public interest. The sense of fairness and academic integrity to which you appeal would seem to me to work both ways. Therefore, I ask that you immediately stop attributing unsupported false and misleading statements to me and cease threatening me with legal action -- threats clearly designed to intimidate me into silence.

Yours sincerely,



Marion Nestle, PhD, MPH  
Professor and Chair

cc: Richard Keelor, PhD