

SICKENINGLY SWEET: ANALYSIS AND SOLUTIONS FOR THE ADVERSE  
DIETARY CONSEQUENCES OF EUROPEAN AGRICULTURAL LAW

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#### ABSTRACT

*Sixty-nine percent of adults in the United States, sixty-four percent in the United Kingdom, and over one-third worldwide are overweight or obese. These staggering figures continue to grow, with accompanying emotional, physical, and economic consequences, both for individuals and society as a whole. The role law plays in facilitating this global trend is significant, and yet puzzlingly, little recognized or understood. The current food system is profoundly structurally flawed: it establishes unhealthy dietary behaviors as the default option for consumers. This Article is the first to examine how agricultural law has facilitated these unhealthier diets for the past fifty years, analyzing these issues through the lens of the European Union's Common Agricultural Policy (CAP). The Article is particularly timely, examining how the most recent 2013 sugar reforms may worsen diet and health over the next decade in Europe and globally, especially in developing and emerging economies.*

*Recognizing the centrality of the law in fostering poor diet and obesity; the inadequacy of individually targeted anti-obesity interventions to date; and the significance of obesity to public health, this Article calls for a new paradigm for addressing diet, obesity, and health. This paradigm combines legal and public health analysis. It shifts away from downstream interventions targeting "individual choice," which have thus far proven unsuccessful and inefficient, and shifts focus upstream to structural changes in agricultural law, which can help recalibrate production and improve the food supply. The Article then offers policy solutions to the problems agricultural law poses for health, including re-conceptualizing agricultural law to integrate dietary public health objectives and most importantly, explicitly financially incentivizing healthier production through subsidies, special program funds, and improved agricultural research. Pairing such structural interventions with a legal-public health paradigm will address these issues in a novel way with a potentially much more successful and efficient impact on diet and health.*