Safety Regulations and Customer Choice Ethical Analysis

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Ethical Debate Over Banning Allergenic Foods

The American president, Barack Obama, planned to stop the manufacturing of peanut butter and jelly. Although it can be understood why the President would want to stop the manufacturing, as many children are allergic to the products, it is unethical to ban them. The president might consider the children who are allergic to the products and the concerns of the parents whose children are more likely to suffer from the disease. Nevertheless, it does not provide any right to the government to ban the product as many parents choose it for their children, and they must have the freedom to choose what their children can eat and what they cannot. If the government chooses for the children, it means the government is becoming an authoritarian government that chooses for the citizens against their wishes and needs. Therefore, stopping the manufacturing is not a viable option as it violates the rights and choices of the parents. There are already certain laws that protect the consumers, and the companies are bound to put labels on the products, warning the consumers about the allergic reactions that the product might cause. It is important to have certain safety regulations to ensure the safety and security of consumers without violating their right to choose. The government must properly label the products or ask the companies to put labels on the products instead of taking them off the market and limiting the options for the consumers (U.S. Food and Drug Administration, n.d.).

Deontological Duties of Government

The deontological theory suggests that the government must stick to their duties and obligations towards the people while making decisions. The deontologists do not consider the consequences of their decisions while making choices. Therefore, applying deontological theory to the issue, the government has certain obligations to serve the people and bring wellness to its citizens. The government must not force people to choose certain products and reject others without any substantial evidence that the product is harmful. The children are not protected by the law, as the bill of rights does not provide protection for food-related safety. Hence, children can be harmed by the products that are dangerous for them. Nevertheless, the parents have the authority to choose for their children as they are under eighteen. The parents of allergic children have the authority to reject the products and check the label before they give them to the children. Similarly, parents of the children who are not allergic have the right to give the products to the children. The government

cannot violate the right of the parents as they have the duty to protect the choices and freedom of the people. The government has the obligation of ensuring the liberty of the people and making sure that no person is harmed. If the product is not harmful to all the people, the government cannot take it away from everybody, but warn the people about the potential dangers through the labelling process. Therefore, according to the deontological theory, the decision of the government cannot be ethical as it takes away the choice and freedom of the customers who pay for the products as well as the companies that sell them (Byars & Stanberry, 2018).

Rights Theory and Consumer Freedom

The Rights theory, on the other hand, emphasizes the rights of individuals and groups. The decision is ethically correct as long as it follows human rights and preserves the dignity of the people. It, like deontological theory, suggests that the people have the right to choose for themselves, and they must have the option of buying the peanut butter and jelly or rejecting it as an allergic substance. As long as the people's decisions do not harm other human beings, they have the right to choose. Therefore, parents choosing the jelly and peanut butter for their children does not harm anybody else, and they must have the option to choose it if they want. Similarly, if they want to make sure that their children are safe from the product, they must not purchase it. The right to life states that a person cannot be killed by another person, and people have their choices as long as they do not violate another person's right to life. The decision of the parents to give the children peanut butter does not harm any other person. Therefore, the parent has the right to choose for their children. If the product is banned, it violates the right of companies to manufacture the product and the right of consumers to choose and buy the products as long as the product is within the safety regulations. The government is not permitted to take away any decision from the citizens by banning any product that is not inherently harmful. The rights theory condemns the banning of the products, as the government must ensure that every person has the right to choose.

Safety Standards and Manufacturer Obligations

The safety standards and rights theories, according to De George, suggest that companies and manufacturers must ensure the safety of their consumers. It suggests that the manufacturers and governments have the obligation to provide safe products to the consumers and they have the right to know what they are consuming. For example, if a product contains any allergen, the consumer must be informed through proper labelling. If the labelling is present, the consumer can make an informed decision. In this case, the president should not ban the product, but make sure that the companies label the products with information about peanuts and possible allergic reactions. The labels should be visible and easy to understand. Schools and public institutions can also create policies that protect allergic children without banning the product for everyone. For example, some schools may create peanut-free zones or require separate tables. These policies respond to specific risks while preserving consumer choice.

Utilitarian Evaluation of a Product Ban

Utilitarianism examines the consequences of a decision and seeks the greatest good for the greatest number. If banning peanut butter and jelly would prevent serious illness and death for many children, a utilitarian might support the ban. However, the benefits and harms must be measured realistically. Most children are not allergic, and peanut butter is an affordable source of nutrition. A complete ban would affect manufacturers, workers, consumers, and families. Less restrictive alternatives, such as labelling, education, and allergen controls, may protect allergic children while avoiding unnecessary harm to others.

Severity of Allergic Reactions

The potential severity of allergic reactions is important. Exposure to peanuts can cause anaphylaxis, which can be fatal without immediate treatment. The government therefore has a legitimate role in regulating food safety, requiring accurate labels, supporting emergency treatment, and preventing cross-contamination. However, the seriousness of the risk does not automatically justify the most restrictive policy. Regulation should be proportional to the danger and should consider whether a less restrictive method can achieve the same protection.

Autonomy and Informed Consumer Choice

The principle of autonomy supports the right of informed individuals to make decisions. Parents should be able to choose foods for their children, but autonomy depends on accurate information. If companies conceal ingredients or use misleading labels, consumers cannot exercise genuine choice. The government should enforce transparency and punish fraudulent or negligent conduct.

Nonmaleficence and Prevention of Harm

The principle of nonmaleficence requires avoiding harm. Manufacturers should design production processes that reduce contamination and should clearly identify allergens. Schools and caregivers should develop emergency plans and ensure that epinephrine is available where permitted. Parents also have a responsibility to inform schools and caregivers about a child’s allergy.

Justice and Accommodation for Allergic Children

Justice requires fair treatment of allergic children. They should not be excluded from education or social activities because of a medical condition. Reasonable accommodations may be necessary. At the same time, fairness does not require eliminating every product that creates risk for a minority

when the risk can be managed through targeted measures.

Corporate Responsibility in Food Safety

Corporate responsibility includes more than minimum legal compliance. Food companies should test products, maintain clean facilities, train employees, and respond quickly to contamination. They should communicate recalls and cooperate with regulators. Marketing should not target children in ways that minimize safety information.

Government Regulation and Risk Assessment

Government responsibility includes setting evidence-based standards. Policies should be developed through scientific risk assessment and public consultation. A decision based only on political popularity may produce unintended effects. The government should distinguish between products that are inherently dangerous and products that are safe for most people but dangerous to individuals with specific allergies.

Commercial Speech and Safety Disclosures

The First Amendment and commercial speech may also be relevant to labelling and advertising. The government can require factual safety disclosures and restrict deceptive advertising. However, policies should not prevent companies from communicating truthful information about legal products.

Economic Consequences of Prohibition

The economic effects of a ban should be considered but should not override safety. Manufacturers and workers could lose income, while substitute products might become more expensive. Public policy should weigh these consequences alongside health risks.

A Balanced Regulatory Policy

A balanced policy would require clear allergen labels, control cross-contamination, provide public education, support schools in developing allergy policies, and improve access to emergency medication. It would also collect data on allergic reactions and update standards as scientific evidence changes.

Comparative Ethical Evaluation

The ethical analysis indicates that a complete ban is not justified when less restrictive alternatives can protect affected children. Deontological and rights theories emphasize government duties and individual freedom. Utilitarianism requires comparing overall harms and benefits. Principles of autonomy, nonmaleficence, and justice support informed choice, safety regulation, and reasonable accommodation.

Conclusion on Regulation and Consumer Choice

In conclusion, the government should not ban the manufacture of peanut butter and jelly simply because some children are allergic. It should regulate the products carefully and ensure that consumers receive accurate information. Parents, schools, manufacturers, healthcare providers, and regulators share responsibility for protecting allergic children. Ethical policy should preserve choice while reducing preventable harm (U.S. Department of Agriculture Food Safety and Inspection Service, n.d.).

References

U.S. Food and Drug Administration. (n.d.). Food allergies. https://www.fda.gov/food/food-labeling-nutrition/food-allergies

U.S. Department of Agriculture Food Safety and Inspection Service. (n.d.). Allergies and food safety. https://www.fsis.usda.gov/food-safety/safe-food-handling-and-preparation/food-safety-basics/allergies-and-food-safety

Byars, S. M., & Stanberry, K. (2018). *Business ethics*. OpenStax. https://openstax.org/books/business-ethics/pages/1-introduction