

María L (Lulú) De Panbehchi  
MATX 603  
Dr. Fine  
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### **Puréeing Vegetables: Not That There is Anything Wrong With That**

Cookbook authors Missy Chase Lapine (The Sneaky Chef) and Jessica Seinfeld (Deceptively Delicious) published their books in 2006 with anecdotal stories and recipes on how to hide puréed vegetables in foods that kids want to eat. In January of 2008, Lapine brought up a lawsuit against Jessica and her husband Jerry Seinfeld accusing them of infringement of copyright (similarity of anecdotes and recipes) and trademark (similar cover design), injury to business (loss of profit), and slander. Lapine claims that there are several similarities between both books, and that Jerry has portrayed her as a wacko, opportunistic woman who is accusing Jessica of “vegetable plagiarism.” According to the New York Times and the lawsuit documents, the first claims of plagiarism came from the Internet not Lapine. Apparently, if Jerry had not spoken against Lapine, she would have not sued them. It seems that the trademark infringement and slander claims may survive in court, but the copyright issue may be more difficult to prove. What matters here is not the legal case in general, but rather the copyright allegations.

I believe that Lapine has no right to sue Jessica Seinfeld for puréeing vegetables and using them as ingredients in kids’ food recipes.

First, almost every parent I know has tried to convince or deceive their children into eating more nutritious foods, in particular fruits and vegetables. Most parents and even kids know what vegetables everybody should eat, zucchini, spinach, broccoli, cauliflower, and carrots to name the usual unpopular ones. Most kids also have

experience eating puréed or mashed baby food, either commercial or homemade. Therefore, nobody should claim that puréeing vegetables is an innovative method of cooking for kids. It would be the equivalent of copyrighting the idea of feeding chicken soup to individuals who have a cold.

Second, making kids eat vegetables represents a very serious Western problem and its solution would benefit everybody—less obesity and its side effects, for example. The recipes that really work should not be copyrighted; they ought to become part of free web sites, pamphlets and posters instead. There should even be a prize for books that teach inexperienced parents how to prepare appealing vegetables dishes for kids. The health department in the US and its counterparts in almost other Western country spend several millions of dollars every year on print and television campaigns to promote the ingestion of more greens and fruits.

Third, if a cooking method or a recipe do not become popular, or if they are not based on a popular dishes, then they are forgotten because nobody cares about something completely unknown. Puréed food for kids is similar to a literary genre, for example children's fantasy fiction or manga. Lapine and Seinfeld were not the only cooks who published books in this genre and they will not be the only ones. Unfortunately for Lapine, Seinfeld is a more recognizable last name, which resulted on greater sales for Deceptively Delicious than The Sneaky Chef. But thanks to their controversy more parents learned a trick or two after watching Oprah and other television shows. However, on the plus side for Lapine is that The Sneaky Chef has a paperback edition, probably because of the same situation.

Fourth, Jessica Seinfeld is not the first one to allegedly steal recipes. All cooks and chefs steal from each other. Rachel Ray and Paula Dean have larger audiences because of their personalities. Both steal from other cooks, but they add more virgin olive oil and butter respectively, and that's it. That is how they make their own version of any dish. The kids' menu in this country is not that diverse and long, which means that almost all the subsequent books of this genre will be similar. In theory, there will be more copyright infringements because most chefs and cooks will make a similar promise too, healthy, quick, easy and kid friendly, and they will focus on the 15 to 20 dishes that kids like.

Lastly, it is possible that most of the recipes were inspired by the old special brownies recipe—that instead of too much oil it calls for mashed zucchini or marijuana. If this is the case, Lapine cannot claim that her work is completely original. Echoing James Boyle, I propose that these books should be treated as folkloric knowledge that everybody can use. These 8 or 10 almost identical recipes that appear in Lapine and Seinfeld's cookbooks are not medical discoveries, neither contain scientific data that proves that they will prevent illnesses. They will most likely not cure anything immediately and the kids will still hate vegetables. For some parents, these books may fix a problem for weeks or even months, while for others it will not be such a long solution. Either way, parents will have to look for new ingredients or methods to prepare the same recipe. What will they do? They will probably use the purée method first, at which point the cookbooks in this controversy may not matter that much, not that there is anything wrong with that.

Any new and hypothetically effective way to make kids and adults eat more

vegetables should be disseminated faster than gossip or the documents of a lawsuit. Jerry Seinfeld probably did something legally wrong when he implied that Missy Chase Lapine was a future assassin for having three names, but he was right when he said that accusing his wife of vegetable plagiarism was ridiculous. Sneaky vegetables? There is nothing wrong with that.

Links:

Lawsuit papers:

[http://graphics8.nytimes.com/packages/pdf/nyregion/city\\_room/20080108\\_SEINFELD\\_COMPLAINT.PDF](http://graphics8.nytimes.com/packages/pdf/nyregion/city_room/20080108_SEINFELD_COMPLAINT.PDF)

Jerry Seinfeld visits David Letterman

<http://cityroom.blogs.nytimes.com/2007/10/31/seinfeld-attacks-wifes-cookbook-rival/>

City Room, A New York Times Blog

<http://cityroom.blogs.nytimes.com/2008/01/08/a-closer-look-at-the-seinfeld-food-fight/?scp=1&sq=seinfeld%20lawsuit&st=cse>