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## Taste-Testing Nutraloaf

The prison food that just might be unconstitutionally bad.

By [Arin Greenwood](#) | Posted Tuesday, June 24, 2008, at 8:07 AM ET



Illinois Nutraloaf

Nobody thinks prison food is haute cuisine, but could it be so bad it's unconstitutional? The question comes up more often than you might think, and there's one dish in particular that so offends the palates of America's prisoners that it's repeatedly been the subject of lawsuits: Nutraloaf.

Nutraloaf (sometimes called Nutri-loaf, sometimes just "the loaf") is served in state prisons around the country. It's not part of the regular menu but is prescribed for inmates who have misbehaved in various ways—usually by proving untrustworthy with their utensils. The loaf

provides a full day's nutrients, and it's finger food—no fork necessary.

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Prisoners sue over Nutraloaf with some regularity, usually arguing either that their due process rights have been violated (because they are served the punitive loaves without a hearing) or that the dish is so disgusting as to make it cruel and unusual and thus a violation of the Eighth Amendment. Typical of these suits is the 1992 case *LeMaire v. Maass*. Samuel LeMaire slit a man's throat before going to state prison and attacked his prison guards and fellow prisoners with sharpened poles, feces, and a homemade knife once inside. LeMaire was then put in a Nutraloaf-serving disciplinary unit. Among other complaints

about the accommodations there, LeMaire argued that Nutraloaf was cruel and unusual and thus violated his 8<sup>th</sup> Amendment rights.

A lower court agreed with LeMaire and ordered the prison to serve him something more delicious. The 9<sup>th</sup> Circuit, however, overturned the lower court's decision, holding that while Nutraloaf may be unappetizing, "The Eighth Amendment requires only that prisoners receive food that is adequate to maintain health; it need not be tasty or aesthetically pleasing."

Prisoners in [Illinois](#), [Maryland](#), [Nebraska](#), [New York](#), [Pennsylvania](#), [Washington](#), and [West Virginia](#), among other states, have sued over Nutraloaf or its equivalent. The latest court to hear a Nutraloaf case is the Vermont Supreme Court, where prisoners argued that Vermont's use of the loaf violated their due process rights. (In Vermont, the punishment is one loaf, served at normal meal times, for up to a week.) [Oral arguments](#) (MP3) were heard in March, and a decision is expected to come down by the end of the year. But it doesn't look good for the prisoners. The lawyer representing the prisoners noted that "Nutraloaf has been found to be uniformly unappetizing to everyone who has been served it." To which one justice replied: "Counsel, I've eaten Nutraloaf. And it isn't tasty. But many things I've eaten aren't tasty."

Even unsympathetic courts seem willing to concede that Nutraloaf is pretty disgusting, but after reading through the court filings in these cases, I couldn't shake a nagging question—just how bad is it? Nutraloaf is made differently in different prisons. Vermont's penal cookbook calls for a combination of vegetables, beans, bread, cheese, and raisins. I recently spent \$15 on a nearly identical dish at a vegan cafe in New York—and it didn't even have raisins. In a



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spirit of legal and culinary adventurousness, I decided to make some Nutraloaf of my own.

I chose three test recipes that seemed representative of the various loaves served in prisons across the land: a vegan Nutraloaf from Illinois that is heavy on processed ingredients (and has been the subject of lawsuits); a meat recipe from California that favors fresh, natural ingredients (which has not been challenged in court); and the Nutraloaf from Vermont, the one most recently at issue before a court.

I started with Illinois. I mixed canned spinach in with baked beans, tomato paste, margarine, applesauce, bread crumbs, and garlic powder. Together the ingredients became a thick, odorous, brown paste, which I spread into a loaf pan and put in the oven. After 40 minutes, I took the loaf out of the oven and sliced some off. It was dense and dry and tasted like falafel gone wrong. But instead of it making me feel pleasantly sated like falafel does, even the small test slice I sampled gave me a stomachache.

1

12  
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