

THOMAS, J., concurring

SUPREME COURT OF THE UNITED STATES

No. 00–276

UNITED STATES AND DEPARTMENT OF
AGRICULTURE, PETITIONERS *v.*
UNITED FOODS, INC.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE SIXTH CIRCUIT

[June 25, 2001]

JUSTICE THOMAS, concurring.

I agree with the Court that *Glickman v. Wileman Brothers & Elliott, Inc.*, 521 U. S. 457 (1997), is not controlling. I write separately, however, to reiterate my views that “paying money for the purposes of advertising involves speech,” and that “compelling speech raises a First Amendment issue just as much as restricting speech.” *Id.*, at 504 (THOMAS, J., dissenting). Any regulation that compels the funding of advertising must be subjected to the most stringent First Amendment scrutiny.