

We, the undersigned organizations and individuals, respectfully submit this letter in response to the Federal Trade Commission's (FTC) request for public comments on a proposal to collect information from food and beverage companies about promotional activities, nutrition information, and expenditures for categories of products marketed to children and adolescents.

We anticipate that the comments submitted in this letter will help inform the FTC's data collection process to assess the recommendations which, in the 2008 FTC report titled, "*Marketing Food To Children and Adolescents: A Review of Industry Expenditures, Activities, and Self-Regulation*" have been implemented and where additional measures are necessary to protect children.

We make four recommendations for additional data to collect from food and beverage marketers to ensure that the next marketing report reflects the evolution of the food and beverage marketing ecosystem since the last report.

*1. Request expenditure and exposure data for all marketing platforms, including new digital techniques.*

Children and adolescents are early adopters of new and interactive media. In recent years, there has been a rapid growth in the use of digital, interactive and mobile media used by children and adolescents. A Pew Research Center survey suggests that nearly three quarter (71 percent) of American adolescents own mobile phones, and a comparable proportion (77 percent) own a videogame console, both of which are heavily personalized devices for communication and accessing the Internet. Mobile advertising is tightly integrated into marketing campaigns that align with companies' overall brand strategy. Food and beverage companies are utilizing digital and interactive technologies in their advertising and marketing practices. These practices have become more individualized and targeted since the FTC last requested data from food and beverage companies. As with most media, food and beverage advertising is expanding beyond traditional broadcast and cable models to mobile and digital media platforms.

For parents and families struggling to make healthy decisions about their children's diet, media use, and advertising and marketing exposure – these portable, individualized technologies, such as mobile phones, represent a great challenge. As digital advertising is less expensive and the nature of engagement is different than traditional television advertising, companies' expenditure data alone will not accurately reflect exposures of children to food and beverage marketing. Data reflecting impressions and exposures to various advertising and marketing (e.g., adver-games, web banners, brand avatars, etc) must be collected to accurately assess children's exposure to marketing information.

Based on the growing trend of companies switching from traditional broadcast/cable advertising to reaching larger numbers through less expensive interactive marketing, a FTC report based only on expenditures would provide a vastly incomplete snapshot of the current children's food and beverage marketing environment.

We recommend that the FTC gather marketing and research expenditure data for all platforms, including television, radio, websites (including search engine expenditures), digital, mobile devices (including location-based marketing using GPS), e-mail, and viral (including social media/networking and offline efforts).

*2. Request data from children's media companies.*

While many food and beverage companies have moved beyond traditional broadcasting and cable advertising, many traditional media companies license and market children's host characters to the food and beverage companies. Consequently, any FTC report on food marketing to children and adolescents that does not include children's media company data will result in a significantly incomplete representation of the children's food and beverage marketing environment.

In addition to the expenditure and exposure data, children's media companies should be called on to disclose their policies for and revenues from licensing characters to promote foods and beverages. Similar to the food and beverage companies, the data should reflect activities in all marketing platforms, including television, radio, mobile, and digital.

*3. Ensure that marketing and research data reflect cross-platform activities.*

A particular area of concern is the use of interactive advertising to children through traditional television. New televisions now allow children to access digital content through Internet sites such as YouTube and Flickr, on-demand movies, Nano-gaming, and online multi-player video games. With children's and adolescents proclivities toward media multi-tasking, the FTC should collect data on media companies' plans to target children through interactive content for food and beverage products across all print, broadcast, and digital media platforms.

*4. Collect data on target marketing based on race, ethnicity, age, and other demographic indicators.*

It is important that the Federal Trade Commission understands food and beverage advertising and marketing and research as it applies to all children and adolescents, including African-American, Hispanic, Asian-American, and other ethnic/minority and demographic populations. As media is now created for children of all ages, data on size and demographic of the child and adolescent audience from age '0' onward should be collected.

Finally, we have noted that the FTC has requested that all public comments must be received by November 23, 2009. However, Children Now will release a significant independent research report entitled "*Is Food Marketing to Children Getting Any Healthier?*" on December 14, 2009. This report will examine the effectiveness of recent industry efforts on children's exposure to food and beverage advertising and marketing. We recommend that the FTC consider the findings and recommendations of the Children Now report even though it will not be available prior to the public comment deadline.

We appreciate the Federal Trade Commission's commitment and we look forward to working with you closely on this important issue.

Signed,

The American Academy of Pediatrics

The American Psychological Association

The African American Collaborative Obesity Research Network

The Campaign for a Commercial Free Childhood

Children Now

Common Sense Media

Morality in the Media

The National Policy and Legal Analysis Network to Prevent Childhood Obesity

The Parents Television Council

The Rudd Center on Food Policy and Obesity, Yale University

Save the Children

Ellen Wartella - Professor, University of California, Riverside.