

ORIGINAL



June 9, 2011

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex W)
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Interagency Working Group on Food Marketed to Children: FTC Project No. P094513

To Whom It May Concern:

Casanova Pendrill is a Hispanic marketing firm with offices in California and New York that proudly supports businesses in the food industry by providing advertising and marketing services. We have been in business for over 20 years. We are very concerned about the actions being taken by several agencies of the federal government to effectively ban the marketing of many food products to children and teens and the consequences of such an attack on food manufacturers and the resulting adverse impact on the businesses like Casanova Pendrill that support them.

The intended objective of the ban on advertising of foods products, to fight childhood obesity, cannot be achieved in this manner. There is no scientific support for the conclusion that advertising food products causes obesity. In fact, according to the Bureau of Economics the rate of childhood obesity has increased over the last several decades while the level of food advertising to children has fallen over the same period.

In addition, many of the food products that would be banned from marketing to children are recommended as part of a healthy diet by the US Department of Agriculture, one of the very agencies that authored the proposed ban as well as by the US Department of Health and Human Services. One of the foods that could not be advertised under the ban is cereal even though a significant body of evidence has demonstrated that children who eat cereal for breakfast are more likely to have healthier body weights than children that do not eat cereal. Banning the marketing of these food products would appear to result in increased childhood obesity since it would prevent advertising of foods that have been shown to contribute to public health.

Furthermore, we are alarmed about the types of activities that are considered "marketing to kids" in the proposed regulations. Advertising of food products on television programs that have a seventy or eighty percent adult audience would be restricted. Food companies would be prevented from sponsoring athletic teams that have members who are under the age of 18, such as the US Olympic team, and charities that benefit children. The definition of "marketing to kids" is incredibly broad and goes far beyond restricting the promotion of foods to children and will suppress speech directed to, and reached by, adults.

The proposed regulations are unsupported and counter-productive and will have a detrimental economic effect on food manufacturers as well as the companies that support them.

Thank you very much for your consideration to this important matter. I look forward to working together in finding a solution.

Sincerely,

Ingrid Smart
President & CEO

