

July 12, 2011

Mr. Jon Leibowitz
Chairman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, D.C. 20580

Dear Mr. Chairman:

On behalf of Sargento Foods Inc., I am writing to express my concern about proposed guidelines for food marketing and advertising to children and teens published on April 29, 2011, by an Interagency Working Group (IWG) comprised of the your agency, the U.S. Department of Agriculture, the Food and Drug Administration and the Centers for Disease Control. Although these guidelines seek to promote a worthy goal in which we wholeheartedly share, they do so in a manner that is misguided and that will be counterproductive.

The guidelines represent an alarming regulatory overreach on the part of the IWG. The 2009 Omnibus Appropriations Act directed the IWG to complete a study and provide recommendations to Congress. Instead, the IWG has proposed marketing restrictions of many healthy foods, including most soups, cereals, breads and cheese. Worse still, the IWG's standards are more restrictive than the standards for foods sold under the school lunch program, the Women, Infant, Children (WIC) program and even contradict the administration's own food recommendations to Americans.

The guidelines will also substantially limit communications intended for adults. In fact, if as little as 20% of the audience for a communication is composed of persons ages 12-17, the communication will be considered "marketing to children" and must therefore satisfy the guidelines' draconian standards. As a result, many communications plainly intended for adults will no longer be permissible.

Finally, because the proposed definition of advertising and marketing is so broad and the guidelines are so restrictive, it is anticipated that many food company sponsorships of many popular school and youth athletic programs will end, which undermines their stated purpose of combating childhood obesity.

Taking into account all of these factors, I respectfully request that the Federal Trade Commission withdraw these guidelines.

Thank you for your consideration.

Sincerely,

Louis P. Gentine

CC: Wisconsin Congressional Delegation
The Honorable Tim Johnson
The Honorable John Thune
The Honorable Kristi Noem
The Honorable Patty Murray
The Honorable Maria Cantwell
The Honorable Rick Larsen