



Richard A. Stamm
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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:
Proposed Nutrition Principles: FTC Project No. P094513

Dear Chairman Leibowitz,

On behalf of Ocean Spray Cranberries, Inc. ("Ocean Spray"), and our family of Ocean Spray grower-owners, I am writing to express my opposition to the Preliminary Proposed Nutrition Principles to Food Marketed to Children by the Interagency Working Group (IWG), and strongly urge the withdrawal of these marketing restrictions.

Ocean Spray is an agricultural cooperative consisting of over 600 cranberry and grapefruit growers. Formed in 1930, Ocean Spray's primary focus is to develop markets for our cranberry and grapefruit products, including cranberry sauce, cranberry and grapefruit juices and juice drinks, fresh fruit and dried cranberries.

These marketing restrictions represent an alarming regulatory overreach on the part of the IWG. The 2009 Omnibus Appropriations Act directed the FTC, USDA, FDA, and CDC to complete a study and provide recommendations to Congress.

Ocean Spray is particularly concerned regarding the recommendations for added sugar. Cranberries, unlike most fruits or vegetables, are not consumed in their fresh state due to their high acid content and tart taste. Unlike grapes, apples and oranges, cranberries are naturally low in sugar and require sweetening to be palatable. Cranberries are most often sweetened with other fruit juices, sugar, or non-nutritive sweeteners to make consumer preferred products such as cranberry juice cocktail, dried cranberries and cranberry sauce. Even after adding sugar to sweeten this very tart fruit, cranberry juice cocktail has a similar amount of total sugar and calories as apple juice or orange juice and sweetened dried cranberries has a similar amount of total sugar and calories as raisins. In addition, despite the addition of sweeteners, cranberry products offer substantial and proven health benefits, particularly in

the area of urinary tract health. In fact, the anti-adhesion properties of proanthocyanidins (PACs) found in cranberries that can prevent the adhesion of certain bacteria, including *E. coli*, associated with urinary tract infections, are not known to be found in significant quantities in any other fruit or vegetable commonly consumed by children or adults.

Therefore, Ocean Spray does not believe that the “Added Sugars” criterion is reasonable or warranted. Making dietary recommendations based on added sugars is impractical, not based on science, and inconsistent with other authoritative and scientific guidance as illustrated by the points below.

- **Calories, not sugars, lead to obesity.** As was recently explained in the Dietary Guidelines for Americans: “Foods containing solid fats and added sugars are no more likely to contribute to weight gain than any other source of calories in an eating pattern that is within calorie limits”¹. Cranberry Juice Cocktail and dried cranberries have similar sugar content to 100% juice products and other dried fruits.
- **There is no definition of “added sugar.”** Science is similarly absent from the “added sugar” limitation. There is no well-understood definition of what is meant by “added sugar” that can be applied across all scenarios, nor does the IWG proposal point to one. “Added sugar” is an arbitrary concept that cannot be scientifically determined.
- **The human body treats added sugar the same as naturally occurring sugar.** In addition, the human body processes all sugar, whether “naturally occurring” or “added,” in precisely the same manner. The body does not see the arbitrary distinctions that may be drawn between “added sugar” and other sugar, nor is there a calorie difference between any sugar and other carbohydrates. The 2010 DGA state that “[T]he body’s response to sugars does not depend on whether they are naturally present in food or added to foods...Both naturally occurring sugars and added sugars increase the risk of dental caries”².

While Ocean Spray is supportive of efforts to reduce obesity, the IWG has proposed marketing restrictions that would severely impact the ability of many companies, including Ocean Spray, from marketing healthy foods. Worse still, the IWG’s standards are more restrictive than the standards for foods sold under the school lunch program, the WIC program, and even contradict the Administration’s own food recommendations to Americans.

In light of the above, Ocean Spray respectfully requests that IWG withdraw its proposed food marketing restrictions.

Sincerely, 

Richard A. Stamm
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¹ 2010 Dietary Guidelines for Americans, page 28.

² 2010 Dietary Guidelines for Americans, page 27.