

July 14, 2011

Chairman Jon Leibowitz  
Federal Trade Commission  
600 Pennsylvania Avenue NW  
Washington, DC 20580

Director Thomas Frieden  
Centers for Disease Control and Prevention  
1600 Clifton Road  
Atlanta, GA 30333

Secretary Tom Vilsack  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Washington, DC 20250

Commissioner Margaret Hamburg  
Food and Drug Administration  
10903 New Hampshire Avenue  
Silver Spring, MD 20993

Subject: Interagency Working Group on Food Marketed to Children: General Comments: FTC  
Project No. P094513

Dear Chairman Leibowitz, Director Frieden, Secretary Vilsack, and Commissioner Hamburg:

The Environmental Working Group, a non-profit public health research and advocacy organization, has a long history of advocating healthier federal policies that protect the most vulnerable of us. EWG strongly supports the proposed nutrition principles of the Interagency Working Group on Food Marketed to Children.

According to the Centers for Disease Control and Prevention, obesity among children and adolescents has almost tripled since 1980. The CDC predicts that one in three children born in 2000 will be diagnosed with diabetes during his or her lifetime<sup>i</sup>.

Voluntary efforts by the Children's Food and Beverage Advertising Initiative have not worked. Last year, according to the Rudd Center for Food Policy, nearly four-fifths of food ads viewed by children were for five of the least nutritious types of food—candy, sweet snacks, crackers and savory snacks, carbonated beverages, and restaurant foods (including fast food).<sup>ii</sup> A recent study in *Pediatrics*<sup>iii</sup> found that these food ads stimulate children's preferences for high calorie foods, in direct opposition to the 2010 Dietary Guidelines,<sup>iv</sup> issued by the U.S. Department of Agriculture and Department of Health and Human Services. These guidelines encourage "a healthy eating pattern that includes nutrient-dense foods and beverages...and stays within calorie needs." The facts on the ground indicate that the food processing and marketing industries need guidelines to help them do the right thing.

In the 2009 Omnibus Appropriations Act, Congress set up the Interagency Working Group to "conduct a study and develop *recommendations for standards* for the marketing of food" to children 17 years old or younger, with a goal of improving children's diet and addressing the high

rates of childhood obesity. We applaud the Interagency Working Group for addressing this directive in an inclusive, collaborative and appropriate manner.

The Interagency Working Group's recommendations for improving the health and well-being of children face strong opposition from companies that market unhealthy products for children. A report<sup>v</sup> conducted by IHS Consulting has asserted that the Interagency Working Group's guidelines will cost \$28.3 billion in lost food and beverage retail sales and the elimination of 74,000 jobs. These inflated claims are built on a tower of unproven assumptions—and all in protest of guidelines that are voluntary.

The guidelines do not suggest that the food industry stop advertising to children, only that it market more nutritious food for them. The recommendations, if followed, encourage marketing of foods that make a “meaningful contribution to a healthful diet.”

Changes in the types of foods marketed for children in the mass media are necessary to improve children's diets and health and to counter childhood obesity. According to the American Academy of Pediatrics, such voluntary guidelines may not even go far enough.<sup>vi</sup> However, the Environmental Working Group is happy to support these guidelines as a positive and necessary step forward.

We strongly support the Interagency Working Group's intent to issue its guidelines by the end of 2011.

We appreciate your consideration of our comments.

Sincerely,

Dawn Undurraga, Nutritionist  
Environmental Working Group

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<sup>i</sup> Narayan KM, Boyle JP, Thompson TJ, Sorensen SW, Williamson DF. Lifetime risk for diabetes mellitus in the United States. *JAMA*. 2003 Oct 8;290(14):1884-90.

<sup>ii</sup> Harris JL, Sarda V. Trends in Television Food Advertising to Young People. Rudd Center for Food Policy and Obesity at Yale University, 2011.

<sup>iii</sup> Boyland EJ, Harrold JA, Kirkham TC, Corker C, Cuddy J, Evans D, Dovey TM, Lawton CL, Blundell JE, Halford JC. Food commercials increase preference for energy-dense foods, particularly in children who watch more television. *Pediatrics*. 2011 Jul;128(1):e93-e100.

<sup>iv</sup> U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2010. 7th Edition, Washington, DC: U.S. Government Printing Office, December 2010.

<sup>v</sup> IHS Consulting. Assessing the Economic Impact of Restricting Advertising for Products That Target Young Americans. 2011. Available at <http://www.ana.net/getfile/16535>

<sup>vi</sup> Council on Communications and Media. Children, adolescents, obesity, and the media. *Pediatrics*. 2011 Jul;128(1):201-8.