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Donald S. Clark
Federal Trade Commission
Office of the Secretary
Room H-113 (Annex W)
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

RE: Interagency Working Group on Food Marketed to Children: Proposed Nutrition Principles: FTC Project No. P094513

Dear Mr. Clark:

Kraft Foods Global, Inc. (Kraft Foods) appreciates the opportunity to submit our comments on the Interagency Working Group (IWG) proposal for Marketing to Children.

Kraft Foods is the second largest food company in the world, with annual revenues over \$49 billion. Our products are found in 99% of American households, and millions more homes in 170 countries around the world. The trust and confidence of consumers, retail customers, and government officials are of the highest importance to us and we work to earn that trust every day. Responsibly marketing our products is one of the most important ways we earn consumers' trust, and this is particularly true of the select brands we market to children.

Kraft Foods believes that food and beverage companies should market responsibly to children. In fact, Kraft Foods was the first company to independently set nutrition standards worldwide for products advertised to children ages six to eleven. We do not market our products to children under age six. Over the years, we have also taken a number of steps to further limit our marketing activities to children, including eliminating all marketing in schools. In addition, we have worked with others in the food and beverage industry to improve the nutrition of products that are advertised to children. We were one of the first companies to join the Children's Food and Beverage Advertising Initiative (CFBAI), now a coalition of 17

companies in the United States committed to voluntary standards for marketing to children.¹

The food and beverage industry has made significant advances to change the nutrition profile of the products it advertises to children. Many foods are no longer advertised to children, and many foods that are advertised have been substantially improved. CFBAI members have reformulated or created numerous products to meet nutrition standards for advertising to children. For example, Kraft Foods recently introduced a new 2% Milk Reduced Fat Cheese Twists string cheese product that we advertise to children.

In addition to these improvements and reformulations, children's exposure to television ads for the food categories highlighted by the IWG has decreased dramatically from 2004 to 2010. For example, according to a Georgetown Economic Services study, children's exposure to ads for snack foods decreased by approximately 71% between 2004 and 2010.² It is no coincidence that this decline corresponds with the launch of CFBAI.

Moreover, CFBAI is not a static organization; members are committed to continued progress. In addition to expanding membership, it continues to assess and refine its program. In 2010, members agreed to expand the media covered by CFBAI's principles. In 2011, members agreed to adopt uniform nutrition criteria, which are described in detail in CFBAI's comments.

Kraft Foods believes we can continue to meet consumers' expectations for marketing to children in a responsible and practical way as the industry's policies and practices continue to evolve. However, we are concerned that the nutrition criteria outlined in the IWG proposal, especially when coupled with the unduly restrictive marketing definitions, do not support the progress that has been made through industry initiatives to date and will not encourage future progress. In the comments that follow, we provide an overview of our position on the IWG's proposed nutrition criteria; we also outline our recommendation for an alternative approach, and then directly address some of the specific questions posed by the IWG.

I. The IWG Nutrition Principles Are Unrealistic and Will Not Lead to Improvements in the Overall Nutrition Profile of Foods Marketed to Children.

In response to directions from Congress and in support of the White House Task Force on Childhood Obesity, the IWG proposes a set of nutrition principles characterized as "ambitious goals" to change the mix of foods marketed to children

¹ This document represents the consolidated opinion of 2 of the 17 companies, Kraft Foods and Cadbury Adams USA, LLC (Cadbury). Kraft Foods recently acquired Cadbury, and Cadbury will complete its transition to the Kraft Foods' Pledge by the end of this year.

² *Georgetown Economic Services (GES), Food and Beverage Advertising 2004 and 2010: Children's Impressions and Expenditures on Children's Programs (2011)*

and to improve their diets. While Kraft Foods supports ambitious goals in this area, the current proposal will not support or enable continued progress. In fact, the proposal is not well aligned with the perceived challenge. Proponents of extreme restrictions on marketing to children, such as those outlined in the IWG's proposal, frame the challenge as protecting a vulnerable audience from a pervasive environment of "junk food" marketing. While we disagree with this characterization of the environment (and address the question of what marketing should be the subject of self-regulation in separate comments), the IWG's proposed nutrition criteria would limit child-directed advertising to an "ideal" set of products, which we do not believe is a viable approach for voluntary guidelines.

We understand the goal of the IWG proposal is improvement of the nutritional profile of products marketed to children. Industry's self-regulation efforts that began in 2006 have resulted in meaningful improvements in the nutrition profile of products marketed to children. As described in more detail in comments submitted by the CFBAI, there have been both quantitative changes in the amount of advertising to children and qualitative changes in the nutrition profile of foods advertised to children in categories such as beverages, snack foods, breakfast cereals, and restaurant foods.

To continue this progress, we propose ambitious, but achievable, goals for further enhancements to industry's nutrition criteria. Kraft Foods knows from its own experience that setting realistic nutrition goals drives innovation in nutrition. Unrealistic goals are not actionable and reduce incentives for companies to improve their products so they can market them to children. This could increase the likelihood that companies will focus their development efforts in other areas.

II. CFBAI's New Uniform Criteria Will Lead to Real Improvements in the Overall Nutrition Profile of Foods Marketed to Children.

Kraft Foods remains committed to industry self-regulation. We believe a self-regulatory framework that is challenging, yet realistic, encourages others in industry to sign on, and fosters further advances to the progress accomplished to date. We believe that a realistic self-regulatory approach to nutrition criteria for marketing to children would include the following elements:

- Category-specific criteria recognizing inherent nutritional differences between products (*e.g.*, grains vs. meats) as well as differences between products in the same category (*e.g.*, fluid milk vs. cheese)
- Development of targets for calories, nutrients to limit, and nutrients and food groups to encourage for each category based on labeled serving size so that most of this information can be ascertained from nutrition and ingredient labeling (except, perhaps, for food groups).
- Consistent with current Dietary Guidelines for Americans, food regulations and federal nutrition policies (with flexibility to respond to new science and guidelines in a timely manner)
- Consideration of the role of individual foods and combinations of foods (meals) in the diet, how consumers use foods, the state of food science and

technology developments, and reformulation history (especially with respect to safety, taste and functionality parameters)

- Actionable goals to gain broad industry consensus and implementation (encouraging uniformity) so that products marketed to children move toward nutritional recommendations of public health officials
- A third-party oversight group with confidentiality agreements to examine proprietary information, if necessary, to determine if products qualify under the principles of the program (e.g., to verify food group levels)

CFBAI and its participant companies have developed uniform nutrition criteria consistent with the above framework. These new criteria will replace existing company-specific nutrition standards and will impose new challenges for participants, requiring reformulation of many products participants currently advertise to children or elimination of advertising for products that do not meet the criteria. The new criteria are the result of an intensive, year-long effort to improve CFBAI's self-regulatory program by developing strong, yet actionable, uniform nutrition standards that may be implemented within a relatively short time frame. Details of the nutrition criteria are available in the CFBAI comment and supporting materials submitted in response to the IWG's proposal.

III. Questions on Proposed Nutrition Principles

We are taking this opportunity to answer some of the nutrition questions outlined in the IWG proposal. As we address the IWG questions on nutrition principles, we will frequently refer to the CFBAI document. For questions 18 through 27, please refer to our comments on the proposed marketing principles, which we have submitted separately as requested by the IWG.

General Questions

1) IWG seeks comments on the wide age range specified in the Congressional directive and whether there should be multiple sets of nutrition principles.

Kraft Foods believes that including adolescents in the IWG recommendation is inappropriate. First, adolescents possess the cognitive abilities to make informed choices about the food they consume, and they are able to distinguish between commercial and non-commercial messages. Society already grants them a broad range of responsibilities and freedoms (such as driving a motor vehicle, holding a job, etc.) which underscore their ability to make significant decisions. Second, there is no evidence that food and beverage marketing to adolescents is causally related to obesity. The Institute of Medicine (IOM) report on food marketing to children concludes that, with respect to diets, there is insufficient evidence about its influence on the short-term food intake of teens ages 12-18 years and weak evidence that it does not influence the usual dietary intake of teens ages 12-18 years (IOM, 2006). Accordingly, there is no need for a second set of nutrition principles specifically for adolescents.

2) IWG asks if the nutrition principles should be adapted to accommodate advertising and marketing of a general brand or an entire product line as opposed to specific food products or menu items.

Where a substantial majority of a brand's products meet nutrition criteria for marketing, it should be appropriate to advertise the brand. Where a brand includes products that meet nutrition criteria for marketing to children and a substantial number of products that do not, the net impression of marketing in child-directed media should be that the marketing is for the products or sub-line that meets the nutrition criteria. In such cases, marketing vehicles directed to children generally should specify or feature the qualifying sub-line. Broader restrictions (*e.g.*, requiring that an entire line of products must meet the criteria for any portion of it to be marketed to children) would reduce incentives for companies to develop and market distinct products or sub-lines with better nutrition profiles.

3 and 4) In these questions, IWG asks whether nutrition principles should include guidance on nutrients to encourage, fortification, and portion size or calorie limitations.

The 2010 Dietary Guidelines for Americans (2010 DGA) recognizes four nutrients as nutrients of concern for the general population (calcium, potassium, dietary fiber, vitamin D) plus magnesium, and vitamins A, C, and E for children. Kraft Foods notes that consumers eating typical dietary patterns continue to have shortfalls in many of these important nutrients (Marriott et al, 2010).

Although nutrient goals can be met using "ideal" food pattern models, current behavior suggests a role for fortified foods to help meet nutrient goals. We support nutrition policies and education that encourage increased consumption of healthful foods to help move consumers toward the "ideal" eating patterns. We also recognize that adding selected nutrients of concern to foods that meet specific targets for nutrients to limit is a strategy that improves the nutrient density of foods already purchased and eaten by consumers. Food fortification provides a flexible way to add key nutrients broadly throughout the food supply, to help close the nutrient shortfall gap, and to improve the overall quality of the diet (Popkin et al, 1996; Berner et al, 2001; Joyce et al, 2009).

We support the principles embodied in the IOM report on fortification. We agree that discretionary fortification should be based on documented public health needs, particularly nutrient inadequacy (IOM, 2003). Similar guidelines in FDA's Fortification Policy have long guided industry in adding nutrients to specific foods to maintain and improve the overall quality of the food supply (21 CFR 104, Subpart B). Fortification under guidelines such as these has helped to prevent any increased risk of adverse effects from excessive intakes of any nutrient (Hannon et al, 2007; Flynn et al, 2009). Indeed, reports such as those by Marriott et al (2010) indicate that shortfalls of many nutrients occur at current levels of fortification. An analysis of NHANES 2005-2006 data found that even supplements added to a fortified food supply fail to raise Adequate Intakes (AIs) for calcium and vitamin D much above 60% of the population (Bailey et al, 2010). Fortification should be limited to those nutrients identified by the 2010 DGA as nutrients of concern for the population plus

shortfall nutrients for children. As well, restrictions on calories and specific nutrients to limit, as noted in our framework and realized in CFBAI criteria, should avoid encouraging fortification of foods with excessive amounts of components to limit.

Since the primary focus of the IWG proposal is childhood overweight and obesity, it seems that calories should be included in the nutrition criteria. The IOM report on school foods sets calorie limits for Tier 1 foods (IOM, 2007), and the IOM school meals report sets calorie ranges for school breakfast and lunch programs (IOM, 2010a). The latter targets are reiterated in a proposed rule on revising nutrition components of school lunch and breakfast offerings (76 Fed. Reg. 2494, January 13, 2011). The HealthierUS School Challenge also includes calorie limits on foods available in schools (USDA/FNS, 2007). There is nothing in the IWG proposal that inherently limits the caloric intake of the food groups recommended or the nutrients to minimize, since amounts eaten are not specified. Kraft Foods suggests that the category calorie limit incorporated into the CFBAI approach remedies this situation, and opens the possibility for more flexible targets for nutrients that impact health or weight, as these would be controlled by this approach.

Food categories

5) IWG asks for comments on the proposed food categories that are heavily marketed to children.

The ten categories selected by IWG represent most types of foods marketed to children. However, as noted above, CFBAI comments describe significant changes in the amount of advertising within these categories, especially for carbonated beverages and candy, as well as improvements in the nutritional quality of foods in many categories. These nutritional improvements have generally followed company-specific evaluations that reflected nutritional targets as well as technical and consumer-based realities.

Rather than consider the unique nutrient contributions of these categories and how they are used in the diet, IWG proposes a rigid system of nutrition profiling to evaluate whether each individual food or meal-type product would qualify for child-directed advertising. In contrast, we support uniform criteria organized around product categories, with requirements that recognize inherent nutritional differences among categories (*e.g.*, dairy and grain products) and the role they play in the overall diet. In particular, the criteria would include targets for calories and nutrients to limit (saturated fat, sodium, sugars) as well as for nutrient components to encourage (food groups and/or nutrients) *specific to each category*. Although there is an added degree of complexity in this approach, it is consistent with strategies food manufacturers consider when making changes to product lines. Furthermore, nutrition criteria developed on a category basis will likely encompass products the IWG proposal does not capture (*e.g.*, hot dogs, sauces). The CFBAI criteria offer a self-regulatory regime that requires member companies that do advertise to children to adhere to consistent, science-based nutrition criteria based on food category considerations.

Main dishes/meals

6) This question relates to nutrition principles for main dish items and meal products.

A requirement for multiple food groups in main dishes and meal products is consistent with the regulatory definitions for these items (21 CFR 101.13 and 9 CFR 317.313(m) and 381.417(m)) and acknowledges the larger quantities of food provided for consumption. The appropriate unit of measure should be the single item (main dish or meal) or labeled serving size if a main dish is sold in a multi-serve package. As described above, targets for calories, nutrients to limit and nutrition components to encourage for each category assure that the total item (main dish/meal) as consumed is a nutritious choice. Criteria developed by CFBAI recognize the regulatory requirements of this category but use only "shortfall" food groups identified in the 2010 DGA to qualify a main dish/meal for marketing to children. For example, a qualifying main dish must include fruits, vegetables, non/low-fat dairy, or whole grains; for meals, two of these "shortfall" food groups are required.

Nutrition Principle A

8-11) This set of questions asks about the food groups making a meaningful contribution to a healthful diet, the utility of the combination approach, and opinions on the use of a weight- or RACC-based option for quantifying food groups.

The food groups noted in this Principle are compatible with an overall healthful diet, but there is little focus on "shortfall" food groups (fruits, vegetables, whole grain and fat-free/low-fat dairy). CFBAI proposes a model that specifically emphasizes inclusion of these "shortfall" food groups or combinations thereof, especially in products with multiple food components (mixed dish and meal-type products). On the narrow question of vegetables, CFBAI recognizes the low consumption of vegetables among children and dietary guidance to increase intake of dark green and red and orange vegetables in preference to starchy vegetables. However, the CFBAI criteria target vegetables in general, rather than specific subgroups, to encourage increased consumption of this important food group.

The idea of combining nutrients from multiple food groups to meet targets for individual foods is an extension of the basic nutrition principle regarding nutrients. Indeed, the important nutrient contribution of fruits and vegetables is not generally attributed to a specific amount in any one food, but rather to the incremental effect of small amounts from many foods. A similar approach for food groups increases the flexibility of the program, but raises some issues. For instance, it appears from the examples in footnotes that two food groups can be combined under Option 1 or Option 2 simply by taking one-half of the target amount for each food group, but other proportionate combinations could be envisioned; guidance on this aspect is lacking. Likewise, conversion factors for concentrated forms of foods, such as

purees, would be needed as well as principles to account for moisture in different products before industry could apply this concept.

The weight and RACC options offer unique opportunities to develop foods that may qualify for marketing to children. However, absence of any demonstration that the weight and RACC approaches provide equivalent nutrient contributions over a wide range of foods makes a decision difficult. If this proposal moves forward, Kraft Foods suggests that both options be adopted as originally presented by the IWG.³ Having both options available allows food producers to maximize flexible and innovative approaches in new product development.

12) Question 12 seeks more information about the derivation of the food contribution values in Option 2.

The average daily caloric needs of children within the scope of this proposal cover such a wide range that the 2000 calorie/day diet standard seems appropriate; importantly children in the 6-12 year range have caloric needs ranging from 1800 to 2000 calories/day (IOM, 2010a). The use of three meals and a snack to apportion food group targets is a convenient model to arrive at the values presented in Option 2. However, the resulting values are awkward and could be challenging to implement (*e.g.*, 0.6c vegetables, 0.7oz nuts, 1.4oz meats, etc.), especially using proportionate combinations of food groups.

A simple alternative is presented in the CFBAI model that establishes set amounts for food groups such as 1/2 cup for fruits, vegetables, dairy, beans; and 1 ounce equivalent for meats/poultry/fish and nuts/seeds. Such an approach is consistent with guidance for MyPlate portions (<http://www.choosemyplate.gov/>). In the case of whole grains, CFBAI replaces "ounce-equivalents" with more familiar kitchen measures (1/2 cup cooked grains or cereals, one slice bread, etc.) to qualify 100% whole grain foods for child-directed advertising. For mixed grain products, the qualifying amount of whole grain is set at 8 grams or more of whole grain ingredients (based on FSIS, 2005). This latter concept is supported by the 2010 DGA in a discussion on foods offering a significant contribution of whole grains (at p. 37). Mixed grain foods are especially relevant as transition foods that can introduce the taste, color, and texture of whole grains over time for increased consumer acceptance, especially for children (Rosen et al, 2009). A growing body of evidence supports the gradual introduction of whole grains in school lunch programs (pizza, bread) and after-school snack programs (graham snacks) as a strategy to make significant increases in whole grain intakes among school children (Chan et al, 2008; Rosen et al, 2008; Sadeghi and Marquart, 2009, 2010). Transition foods represent a viable avenue to develop a desired sustainable behavior in children.

Nutrition Principle B

³ Federal Trade Commission Public Forum, "Sizing Up Food Marketing and Childhood Obesity," December 15, 2009.

13 and 14) In these questions, IWG seeks comments on a naturally occurring exemption for certain nutrients to limit in food contributions as well as the proper unit of reference and the 50 gram rule.

Although Kraft Foods understands why the IWG sees a need to create an exemption for naturally occurring amounts of saturated fat, sodium, and *trans* fat present in the food contributions under Principle A, there is no science-based justification for such a step. The abrupt introduction of a naturally occurring exemption reveals a fundamental flaw in IWG's one-size-fits-all approach and supports the category-based approach outlined in our framework and developed in the CFBAI criteria.

The need for this exemption derives from the criteria in Principle B for saturated fat, *trans* fat, added sugar and sodium. The physiological consequences of these food components in the body are the same regardless of their origin, whether added by a food manufacturer or naturally occurring. However, IWG provides no rationale for preferential treatment of 30 grams of sugar in 100% fruit juice, for example, compared to 10 grams of added sugar in a small serving of a fortified breakfast cereal (where there is very little other sugar present and limitations due to the "50 gram rule" apply). Likewise, those wishing to monitor compliance with the IWG nutrition principles require proprietary formulation data along with the amounts of these nutrients listed in nutrition labeling. Even at the level of food production, the many permutations of the designated foods under the options in Principle A (weight-based or RACC-based with/without combinations) could require an extensive set of calculations and record-keeping.

We note that the necessity for such an approach reflects the restrictions on saturated fat, added sugars and sodium under Principle B, driven by use of RACC and the "50-gram rule" for foods with small RACC sizes. In particular, the targets for saturated fat and sodium are ultimately based on regulations governing "low" nutrient content claims (except for the interim sodium target). While such targets may move the foods marketed to children to some ideal goal, it is unlikely that such strict criteria will be an incentive for food manufacturers to pursue development programs.

We have used similar considerations of various regulatory options in forming our internal programs for improving the nutrition of our product portfolio, but we have based targets (amount per serving) on the characteristics of the foods within different categories as well as the technical challenges in development of new products. This same thinking is reflected in the CFBAI model. For instance, we may first use a target of 480 mg for sodium in a yogurt product with an 8 ounce serving based on the "healthy" claim, but after review of the ingredients and processing, and the relatively low level of sodium required in yogurt, we can reduce that to 140 mg sodium. For grain products with small serving sizes, such as breakfast cereals or crackers, we can reduce saturated fat from a starting value of 2 grams/serving to 1.5 grams/serving due to the nature of the ingredients; whereas, in peanuts or peanut butter with a similar small serving size, saturated fat may be slightly over 2 grams/serving due to the inherent fat content of peanuts. In other foods with small serving sizes, such as meat products, the 480 mg sodium

“healthy” target may be retained to assure safety of the product during its expected shelf-life. Industry experience with this flexible approach has encouraged product developers to reduce nutrients to limit and/or add food groups to newer products.

Kraft Foods suggests that the unit of reference (the unit on which the nutrition criteria and a product’s nutrient content are based) for foods in this program should be labeled serving size (LSS) rather than the RACC. Well-established regulations describe the determination of LSS based on the RACC. In many but not all cases the LSS is the same as or close to the RACC. Furthermore, LSS is the amount declared in nutrition labeling and the amount upon which nutrients are disclosed, which aids consumer understanding of product nutrition information. The nutrient criteria for meals are based on the entire meal. This provides considerable transparency and consistency for those wishing to monitor foods for compliance with the nutrition principles without complicated calculations from RACC amounts.

We also question the need for the “50-gram rule” to adjust the nutrients to limit in foods with small serving sizes in a child-directed advertising program. This criterion naturally flows from the application of “low” nutrient content claims; indeed, the IWG appears to have added the “50-gram rule” requirement to the already strict criteria for FDA’s low saturated fat claim, an inconsistency that will make this standard extremely difficult to achieve for some foods. In contrast, the CFBAI model shows that appropriate targets for foods with smaller servings can be developed in the context of a category-specific approach. Such targets represent a movement toward healthier choices within and across categories without resorting to an inappropriate claims-based paradigm.

15-17) In these questions, IWG seeks comments about other nutrients to include in the proposal, and specific comments on added vs. total sugars and sodium targets.

The 2010 DGA clearly state the nutrients to limit, specific nutrients of concern and other nutrients to encourage for children, and important food groups to consider in dietary guidance. These, along with calories, are the proper focus of nutrition principles for marketing to children.

The 2010 DGA recommend that Americans reduce their intake of added sugars. Although the primary health concern is the contribution of calories with few or no naturally occurring essential nutrients in foods containing added sugars, setting criteria for added sugars presents a challenge. Except for products that contain dairy, fruit, and vegetable ingredients, the majority, if not all, of the sugars in the diet is added. Thus, in a category-based set of criteria like the CFBAI’s, a total sugars criterion generally can address this concern with added sugars through a limit on total sugars that is appropriate to the category.

Limits based on total sugars, rather than added sugars, align with current nutrition labeling requirements. Although FDA has defined claims for “sugar free,” “reduced sugars,” and “no added sugars,” (21 CFR 101.60(c)), the agency has not addressed other sugars-related claims, including added sugars claims. This is primarily due to a lack of scientific evidence for establishing a Daily Value for either total sugars or

added sugars. Also claims based on quantitative amounts of added sugars cannot be monitored for compliance analytically due to the inability to distinguish chemically between naturally occurring and added sugars in food and beverage products. Finally, the physiological response is the same for added sugars and naturally occurring sugars after ingestion. There are no data to show that a reduction in consumption of added sugars alone will have a different effect on health parameters than a decrease in intake of total sugars.

Therefore, we support the use of targets based on total sugars to qualify foods for marketing to children. Furthermore, we think a gram amount of total sugars per serving is the appropriate standard rather than a percent of calories approach, which is more relevant to daily diet than specific foods. As with other nutrients, the sugars criterion for foods should reflect the nature of specific product categories and certain types of products within some categories (*e.g.*, fruit juice compared to dairy; cheese compared to yogurt/milk; individual foods compared to meals).

Kraft Foods supports the gradual reduction principles of the IOM sodium reduction strategy report (IOM, 2010b) for sodium and for other nutrients to limit; by extension, this concept could be used for the gradual inclusion of food groups to encourage, especially whole grains.

Barriers to sodium reduction to the levels proposed by the IWG are well-known. These include food safety considerations; taste and consumer acceptance of lower sodium products; technical functions of sodium in various food matrices, which means that drastic reductions may compromise qualities of standard food items as well as delay the introduction of recommended food components (*e.g.*, whole grain bakery products); and lack of effective substitutes. In particular, industry will not compromise on food safety. For example, salt and other sodium-containing ingredients cannot be reduced in vulnerable products to levels that may compromise their efficacy in microbial growth retardation. Yet many such products are still deemed high in sodium. While Kraft Foods and others remain committed to sodium reductions, these very real challenges cannot simply be glossed over by setting longer deadlines.

A quick calculation suggests the challenge the proposed sodium targets present to food manufacturers. If an individual food meeting the "healthy" claim level of 480 mg sodium undergoes a year over year 10% reduction (which would be nearly impossible to do in many categories absent a significant technological breakthrough), it will not meet either the 2016 or the 2021 target. The situation for foods with small RACC sizes would only be exacerbated if the "50-gram rule" were imposed. A meal product at 600 mg sodium in a similar reduction program would meet the targets, but a meal product at the disclosure level of 960 mg would fail to meet either target.

Reductions in sodium, or any other nutrient to limit, as well as addition of food groups to encourage, do not occur in a vacuum. Changes in one component of a food often require other modifications to balance the overall quality and taste of a reformulated product. For instance, addition of whole grains may require extra sugar or salt in a grain product; removal of *trans* fat may require a small amount of

saturated fat in a baked good; or removal of fat may require addition of a fat-mimetic or sugar. Food technologists spend much time working with the multiple components of food systems to develop a product acceptable to the consumer. When the food in question is a company's iconic brand, there is an extra degree of attention to even minor changes so that the reformulated product meets consumer expectations of a trusted brand.

Other comments

Low calorie foods

The IWG proposal is silent on calories, except for a reference to "without overeating." We believe this is a significant oversight in a proposal meant to address childhood obesity. Kraft thinks there is a place in the nutrition principles for no/low calorie products beyond those food groups mentioned in the proposal. For example, Kraft Foods has lowered the calorie content of some children's beverages such that they meet the requirement for a "low" calorie claim. Such beverages would not meet Principle A in the proposal (food group contribution) and could not be advertised to children. However, we think foods and beverages of this type have a place in controlling calorie intake and offer variety and enjoyment to the diet. Such no/low calorie products, defined per existing regulations, are examples of the types of products that could fit within a category-specific model and may substitute for other higher calorie choices.

Sugar-free gum

Although IWG nutrition principles address concerns about both childhood obesity and overall health, the nature of the recommendations indicates that health concerns center around cardiovascular disease and type 2 diabetes. However, the principles do not directly consider dental caries, a well-known childhood problem area. We suggest that principles on child-directed advertising should include a section that permits sugar-free gum with its well-established anti-caries benefits.

The American Dental Association permits its Seal of Acceptance for sugar-free chewing gum in recognition of its role in helping to prevent dental caries (www.ada.org/ada/seal/chewing_gum.asp). Furthermore, in a policy statement on caries prevention, the World Dental Federation notes that "the regular use of chewing gum containing non-cariogenic sweeteners such as xylitol, has a role to play in preventing dental caries because of its non-cariogenic nature and its salivary stimulatory effect" (World Dental Federation, 2008). Corroboration of the conclusions of these organizations appears in an evidence-based review on sugar-free chewing gums (Deshpande and Jadad, 2008) and in expert commentary (Twetman, 2009).

Thus, the state of the science supports the inclusion of "chewing sugar-free gums after meals and snacks" as part of the "tool box" for caries prevention.

IV. CONCLUSION

We appreciate the opportunity to provide our perspective on this critical issue. Kraft Foods, like the IWG, is committed to responsible marketing to children, and we support policies that may have a positive impact on childhood obesity. However, as noted in our comments, we believe the IWG proposed nutrition criteria, especially when coupled with the unduly restrictive marketing definitions, do not support the progress that has been made through industry initiatives to date and will not encourage future progress.

Through CFBAI, we continue to raise the bar for responsible marketing to children. To date, the self-regulatory efforts of the industry and CFBAI have resulted in substantial improvements in the overall nutrition profile of foods marketed to children. In fact, over the past few years industry has made extraordinary changes in what and how it advertises to children. Further progress will be achieved with the new CFBAI standards for uniform industry criteria, and we believe the IWG should endorse this continued progress in responsible marketing to children and call on others to join CFBAI or adopt its principles.

Thank you for your consideration of our comments.

Sincerely,

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Jean E. Spence

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