

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
June 22, 2011

To Whom It May Concern:

I am one of the founders and owners of Pannylunie, a growing business that, among other things, has done significant work developing animated commercials for cereal brands popular with children and families. This work has represented a substantial percentage of our business, and we are proud of this work. We were quite dismayed to learn of the proposed federal food advertising restrictions that would eliminate this entire portion of our business.

It would be one thing if there were compelling reasons behind this ban, but this ban appears to be purely arbitrary. Advertising of products like cereal may serve as a convenient scapegoat for the obesity problem, but all available evidence would indicate that cereal is a key weapon in the war against obesity. Neither cereal nor its advertising contribute in any way to obesity and banning cereal advertising will, if anything, make children less aware of products that help combat obesity and provide key nutrients that children might otherwise not get in their diets. In fact, studies have firmly established that kids who frequently eat sweetened cereals (including those for which we've developed animated commercials) are far less likely to be overweight than those who do not eat cereal frequently. Moreover, kids cereals provide large percentages of the daily needs of key nutrients to children while accounting for only an extremely small number of calories. And even beyond the nutrition in the cereal itself, 41% of all milk consumed by kids 6-12 is consumed with cereal. (Among Hispanic children, this percentage jumps to 48%, and among African-American children, the percentage increases even further to 54%.) Take away cereal, and you lose a huge amount of the calcium that kids get, plus the numerous vitamins and minerals in the cereal itself.

Against this scientific backdrop, and given the fact that cereal is the number one food product advertised to children (and is therefore the number one product affected by the advertising ban – especially because virtually all cereals (including nearly all unsweetened cereals) will be subject to the ban), this advertising ban will be harmful to public health and is unjustifiable. And beyond being unjustifiable, it will leave in its path a trail of severe economic injury – not just with respect to food companies, but it will be devastating to businesses like ours that serve the food industry. Before embarking on such an arbitrary and capricious witch-hunt against food advertising, it would seem that the agencies behind this proposal should have been required to do some actual scientific and economic study to justify their actions. It appears that none of this has been done, and if it had, we would not be watching our business suffer for no legitimate reason.

The proposed advertising restrictions should be scrapped immediately. Please know that I have been a lifelong New York Democrat, and a staunch supporter. This ban, as well intentioned as it may seem, would be counterproductive to its goals, while being economically devastating to many, many people.

Thank you,
Manny Galan
Creative Director
Pannylunie, LLC