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

The American Academy of Pediatrics (AAP), a non-profit professional organization of 60,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, appreciates this opportunity to provide recommendations to the Interagency Working Group on Food Marketed to Children (Working Group) regarding the Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts Report.

The AAP would like to express our strong support for the Working Group's proposal to ensure that foods marketed to children make a meaningful contribution to a healthful diet and support proper growth and development in children and adolescents. The AAP was pleased that the Working Group brought together representatives from across the federal government, representing public health, marketing, agriculture, nutrition, and food policy. The Working Group's report demonstrates a clear understanding that marketing can effectively impact children's food choices, both negatively and positively. The recommendations are designed to encourage children, through advertising and marketing, to choose foods that positively contribute to a healthy diet and minimize consumption of foods that could have a negative impact on health and/or weight. The food industry should adopt the strong, uniform nutrition principles proposed in the Working Group's report to help children and adolescents make healthy food choices and help reduce obesity.

Expanding and Mandating Nutrition Standards

The AAP urges the Working Group in the strongest possible terms to make the nutrition principles and marketing standards mandatory, not voluntary. Mandatory standards will ensure that all food marketed to children adheres to basic principles

for promoting health, encouraging nutritious food choices, and reducing obesity. In order for the Working Group's recommendations to have the greatest impact on children's long-term health and well-being, the AAP also encourages the Working Group to apply the nutrition principles to all food marketed to children. Although the ten food categories most heavily marketed to children (breakfast cereals; snack foods; candy; dairy products; baked goods; carbonated beverages; fruit juice and non-carbonated beverages; prepared foods and meals; frozen and chilled desserts; and restaurant foods) represent approximately 70 percent of food marketing expenditures directed to children, a number of foods that children frequently eat would be omitted. The proposal to only apply the marketing standards to these ten food categories could potentially result in inappropriate marketing of other unhealthy foods to children.

General Nutrition Principles

The AAP is pleased with the two proposed nutrition principles outlined in the report. The first principle (Principle A) requires that any and all food marketed to children provide a meaningful contribution to a healthful diet. The second principle (Principle B) requires that foods marketed to children minimize nutrients that could have a negative impact on health or weight, specifically saturated fat, trans fat, sodium, and added sugars. These principles, taken together, form the basis for effective, national marketing standards that will help improve health and reduce childhood obesity.

The AAP supports the food-based approach outlined in the report. Ensuring that nutrient needs are met primarily through consumption of a variety of nutrient-dense foods is the basis for the 2010 Dietary Guidelines for Americans (DGA) and the new proposed standards for the National School Lunch and Breakfast Programs, and the AAP is pleased this framework has been extended to the Working Group's recommendations for foods marketed to children. Because the principles are based on promoting nutrient-dense, healthful foods, individual nutrient targets should not be necessary. Promotion of an overall healthy diet based on food groups is more appropriate and effective at promoting a realistic and healthy approach to eating.

The AAP recommends establishing separate nutrition principles for younger and older children. Currently, the report proposes uniform nutrition principles for all children age 2 to 17 years. Although most adults can base their food decisions on the recommended 2000 calories per day, guidelines for children are very different and daily caloric intake recommendations vary greatly from toddlerhood to childhood to adolescence. The nutrition principles would be greatly improved by establishing separate principles for children age 2-11 years and 12-17 years. If the Working Group chooses to retain only one set of nutrition principles for all children, the AAP would recommend basing recommendations on the median caloric intake for all children age 2 to 17 years, in order to take into consideration the reduced calorie needs of many children.

Recommendations to Improve Principle A

Nutrition Principle A is drawn from the DGA and should help ensure that children receive proper nutrition by choosing individual foods that make a meaningful contribution to their diet. Under the proposal, foods marketed to children must fall into at least one of the following food groups: fruit, vegetable, whole grain, fat-free or low-fat milk products, fish, lean meat or poultry, eggs, nuts and seeds, or beans.

First, the AAP would recommend combining the fish, meat, poultry, eggs, nuts and seeds, and beans categories into one food group, as they are listed in the USDA's new MyPlate and the DGA. Separating these items into different groups overemphasizes protein, which is not a nutrient of public health concern for children. In addition, the AAP is concerned that nuts and seeds are listed as a healthy food group category. Although some of the fats in these foods are important for cardiovascular health, many of these foods are calorically dense and should not be promoted in the same manner as other healthy food groups. If the Working Group does not combine lean protein sources into one healthy food category, the AAP would recommend removing nuts and seeds from this list.

The AAP recommends creating a more precise definition of fruits and vegetables to prevent food companies from complying with Principle A through the promotion of fried potatoes or other fried vegetables, or fruit and vegetable juices. The AAP also recommends the establishment of vegetable subgroups, including dark-green, red, and orange vegetables. Each of these subgroups represents a group of vegetables that provide different nutrients that are necessary for normal growth and development. The proposed changes to the National School Lunch Program established vegetable subgroups in order to promote a greater diversity of vegetables served to children and increase children's awareness of and exposure to a wide range of healthy foods. The Working Group should adopt the same vegetable subgroups as established in the proposed rule for school meals.

Recommendations to Improve Principle B

In addition to requiring foods marketed to children provide a meaningful contribution to their health and diet, it is also necessary that those foods have limited quantities of nutrients that could have a negative impact on health and weight. The AAP is pleased that the Working Group has outlined specific limits on sodium, saturated fat, trans fat, and added sugars for foods that are marketed to children. The AAP would also recommend including a limit on total fat. In addition, limiting added sugar rather than total sugar is an appropriate approach to limit calories, while taking into consideration naturally occurring sugar in food groups that should be increased in children's diets, such as fruits.

The AAP applauds the Working Group for establishing limits on sodium levels. Evidence has shown that a decrease in sodium can be accomplished without impacting consumer satisfaction of food products if it is done in a stepwise manner that gradually lowers sodium levels. The AAP supports the Working Group's efforts to reduce sodium over the next decade and would encourage the Working Group to work with food manufacturers to reach the sodium reduction target earlier than the proposed target date of 2021.

If the nutrition principles are fully implemented, the food choices of American children and adolescents will improve as children are encouraged to make healthier choices and avoid less nutritious options. In addition, food manufacturers will be challenged to develop new products that comply with the Working Group's principles, while also remaining palatable and attractive to children. Requiring that only nutritious foods are marketed to children and adolescents will lead to a healthier population and a positive long-term public health impact. The AAP applauds the Working Group for their effort to address the complex issue of food marketed to children

with creative, attainable solutions that provide a wide range of marketing tools and opportunities that correspond to the current state of children's exposure to marketing.

Again, the AAP strongly supports the proposed nutrition standards included in the Working Group report. We appreciate this opportunity to offer recommendations and applaud the Working Group for recognizing the need to improve the regulation of food marketed to children. If the AAP may be of further assistance, please contact Kristen Mizzi in our Washington, DC office at 202/347-8600.

Sincerely,

O. Marion Burton, MD FAAP
President

OMB/km