



July 14, 2011

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex W)
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

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

To Whom It May Concern:

The American Meat Institute (AMI) is the nation's oldest and largest meat packing and processing industry trade association. AMI members slaughter and process more than 90 percent of the nation's beef, pork, lamb, veal, and a majority of the turkey produced in the United States. AMI appreciates the opportunity to comment on the Interagency Working Group on Food Marketed to Children: Proposed Nutrition Principles: FTC Project No. P094513. AMI has and will continue to support the use of sound science as the foundation for nutrition public policy.

The health of our customers is the driving force in the production of meat and poultry products. AMI is committed not only to improving the safety of meat and poultry products, but also to offering diverse nutritional products to consumers so they can make an educated decision in choosing the food that best fits their personal lifestyle and family needs. The following comments address specific concerns that require further clarification and/or additional consideration by the Federal Trade Commission (FTC), Food and Drug Administration (FDA), Department of Agriculture (USDA), and the Centers for Disease Control and Prevention (CDC), (hereinafter the Working Group).

Any Standards for Marketing Foods to Children Should Be Voluntary

AMI supports initiatives that are voluntary, science-based, practical, and will quantifiably improve public health by enhancing the consumer's ability to make healthy food choices. The preliminary proposed principles for marketing to children are vague at best. The principles alone will do little to change the nutrition status of children without being accompanied by a clear path for achieving the principles. Simply saying that companies must adhere to these principles does little to encourage food manufacturers to develop new and costly marketing campaigns that fit within the principles.

**The Working Group Must Conduct a Study on the Impact of
Marketing Foods to Children 17 Years Old or Younger**

The 2009 Omnibus Appropriations Act (H.R. 1105) included a provision calling for the development of the Working Group. Within H.R. 1105, the Working Group was “directed to *conduct a study* and develop recommendations for standards for the marketing of food when such marketing targets children who are 17 years old or younger or when such food represents a significant component of the diets of children” (emphasis added). It is premature for the Working Group to make marketing recommendation without conducting the Congressionally mandated study. A better understanding of how, when, and the effectiveness of marketing foods to children is needed to determine if changes will quantifiably improve the health of children.

The proposed recommendations should be withdrawn and the Congressionally directed study conducted in collaboration with experts in marketing, child nutrition, and food industry. AMI respectfully suggests that answers to such questions must be produced within the context of a comprehensive study that is subjected to public review before the Working Group initiates any mandatory standards for marketing. The study’s design, sampling, and analytical methods should be published for public comment to solicit the advice and counsel of scientific and technical experts before proceeding with any such study. If it’s necessary to put temporary principles in place for the marketing of food to children, AMI strongly recommend that they be voluntary until a study can be completed.

**Criteria Established for Marketing to Children Should be Consistent with
Nutritional Criteria Set By Other Agencies**

The proposed principles purportedly are “drawn from the principles of the 2010 DGA” (*Dietary Guidelines for Americans, 2010*). The Working Group appears to have interpreted this vague statement as giving the group latitude to interpret the 2010 DGA recommendations. Any criteria recommended should be consistent with nutritional criteria set by the 2010 DGA because they serve as the basis for federal nutrition programs, such as WIC and the National Nutrition Standards for School Meals program.

Deviation from these initiatives sends mixed messages to parents and children as they make nutritional decisions. For instance, the proposed principles reference “extra lean meat and poultry” but provide no guidance regarding what “extra lean” means. The Working Group provides no definition and the 2010 DGA recommends “lean meat and poultry,” which is consistent with 2010 DGA focus on consuming nutrient-dense foods. To that end, AMI recommends the Working Group establish criteria that are consistent with other federal nutritional policy.

**A Well-balanced Diet, Proper Portion Sizes, and Exercise Are
the Keys to Reducing Obesity in Americans**

Controlling and preventing obesity in Americans, especially in children, is a complex issue; one that is not solved with a simple solution. Because of the complexity of increasing obesity rates, AMI supports the premise that eating a balanced diet from all food groups and engaging in moderate exercise are keys to a healthy lifestyle for Americans, whether they are children or adults. Meat and poultry products are an important component of a healthy human diet because they provide essential amino acids, minerals such as iron, vitamins, and other dietary requirements. Meat and poultry products in the marketplace today, including processed and enhanced meat products, are available to consumers in an abundant variety of formulations at the most affordable prices found anywhere in the world.

Meat and poultry are complete proteins that offer all essential amino acids in a serving. Consuming meat provides Americans a simple, direct, and balanced dietary source of amino acids. In addition to high quality protein, meat and poultry also are important and rich sources of micronutrients such as iron, zinc, selenium, and Vitamins A, B₁₂, B₆, thiamin, riboflavin, niacin, and folic acid. Recent research also has demonstrated the role that meat and poultry can play in ensuring adequate vitamin and mineral intake.^{1,2,3}

While meat and poultry supply essential nutrition across the board, their high iron content is critically important to certain subpopulations such as the 1.2 million children in America with anemia or pregnant women who are particularly at risk of anemia.⁴ Reduced iron in the diet could lead to deficiencies that have long-term health effects if not addressed. These subpopulations – children and pregnant women – also have increased protein needs during growth and development, and meat and poultry as a nutrient dense food is a logical source.

Research also has shown that meat's high protein and low carbohydrate content translates into a low glycemic index in people who consume it, and this offers benefits for both weight and diabetes control.^{5,6}

¹ Institute of Medicine, National Academy of Sciences. Dietary Reference Intakes for Vitamin A, Vitamin K, Arsenic, Boron, Chromium, Copper, Iodine, Iron, Manganese, Molybdenum, Nickel, Silicon, Vanadium, and Zinc. National Academy Press., Washington, DC. 2001.

² Institute of Medicine, National Academy of Sciences. Dietary Reference Intakes for Vitamin C, Vitamin E, Selenium, and Carotenoids. National Academy Press. Washington, DC. 2000.

³ National Academy of Sciences. Dietary Reference Intakes for Thiamin, Riboflavin, Niacin, Vitamin B6, Folate, Vitamin B12, Pantothenic Acid, Biotin, and Choline. National Academy Press. Washington, DC. 2000.

⁴ Accessed July 2, 2010: <http://www.anemia.org/patients/feature-articles/content.php?contentid=000338>.

⁵ Leidy, Mattes. Higher protein intake preserves lean mass and satiety with weight loss in pre-obese and obese women. *Obesity*. *Obes Res.* 2007; 15: 421-429.

⁶ Donald K. Layman, Ellen M. Evans, Donna Erickson, Jennifer Seyler, Judy Weber, Deborah Bagshaw, Amy Griel, Tricia Psota, and Penny Kris-Etherton. A Moderate-Protein Diet Produces Sustained Weight Loss and Long-Term Changes in Body Composition and Blood Lipids in Obese Adults. *The Journal of Nutrition*, March 2009.

Recommended Sodium Reductions in Foods Could Have Unintended Adverse Consequences While Not Improving Public Health

Sodium is essential for human health and development, particularly in regulating the body's electrolyte balance, preventing dehydration, and maintaining many of the body's cellular functions. The 2010 DGA recommend consuming no more than 2,300 mg of sodium/day for the general population and 1,500 mg of sodium/day for those on salt restricted diets. Both FDA and USDA require sodium levels to be identified on a product's Nutrition Facts label panel.

Although sodium chloride certainly offers flavor, in meat and poultry it also affects the texture and sensory attributes of the product and has a tremendous food safety benefit because it reduces risks from pathogens. Reducing sodium is not as simple as adding less and sending the product to market. For example, reducing the salt in certain deli meats may lower the water activity of the product, which would make the growth of *Listeria monocytogenes* more favorable. The meat and poultry industry must ensure that there are no unintended food safety consequences to product reformulation.

These unintended food safety consequences demonstrate the complexity of sodium reduction in foods. The function of sodium in meat and poultry products is different than the functionality of sodium in other foods such as soups, snack foods, and breads. Any sodium reduction strategies for food need to be developed for each individual food not broad categories. Using the "one-size fits all" model, as proposed, is a simplistic approach to a complex issue. Sodium reduction strategies should be developed in collaboration with food industry experts that understand the function of sodium in food during production, processing, distribution, and consumption. AMI strongly advocates that any efforts to reduce sodium be science based, achievable and do not adversely affect the safety of meat and poultry products. In addition, these strategies should be realistic and have quantifiable health improvements.

Salt Plays an Important Role in Meat Production and Safety

As an ingredient in meat products, salt is used as a preservative, which is one aspect of a multi-hurdle approach toward maintaining the safety of products. In the last 20 years, the meat and poultry industry has also learned in more quantitative fashion the importance of sodium chloride in managing pathogenic bacterial risks presented by *L. monocytogenes*, *Salmonella*, and pathogenic *Escherichia coli* in processed meat and poultry items. *L. monocytogenes* is of particular concern in ready-to-eat processed meat and poultry items because it is very difficult to eradicate from the environment and if products are contaminated, the organism will survive and grow (even at refrigerated temperatures) unless growth inhibitor systems are used. Children, the elderly, and immuno-compromised individuals have a greater risk of becoming ill when exposed to *L. monocytogenes*.

Three common ingredients used as a growth inhibitor are sodium chloride, sodium or potassium lactate, and sodium diacetate. These inhibitors are used in up to 70 percent of processed items in the U.S. marketplace. Reducing the use of one requires a concomitant increase in another in order to maintain the same degree of safety. Alternatives to these ingredient approaches exist, but are not widespread due to ease of use, economic, and product quality reasons.

Sodium chloride's role in meat and poultry products is primarily for food safety, not the common misperception of improving product palatability. Taormina has eloquently summarized the critical food safety necessity of sodium chloride in the production of food products in his article "Implications of Salt and Sodium Reduction on Microbial Food Safety" in *Critical Reviews in Food Science and Nutrition*.⁷ In that article Taormina concluded:

"...sufficient research has not been conducted to remove and/or reduce NaCl in processed and restaurant foods to the extent being proposed by various stakeholders through biomedical journals and other media. Governments and food protection groups must convene to weigh the societal risks versus benefits and potential economic burdens associated with imposing further restrictions on use of NaCl in food formulations. Epidemiological and clinical evidence indicates that long-term public health benefits would result from reducing NaCl in human diets. However, short-term unintended consequences related to the impact on microorganisms have not been fully explored. Regulatory action on reducing NaCl in foods without first obtaining thorough predictions on the behavior of foodborne pathogens and spoilage organisms in the food supply could lead to significant disruptions to international food commerce at best. These disruptions would be caused by microbial survival, growth, and spoilage when and where previously unexpected using processing and distribution parameters developed for the current amounts of sodium in foods. At worst, a rush to significantly reduce NaCl without research and careful planning could lead to significant increase in exposure of humans to foodborne pathogens."

AMI also encourages the Working Group to consider the work of Doyle and Glass (2010), who published "Sodium Reduction and Its Effect on Food Safety, Food Quality, and Human Health" in the January 2010 issue of *Comprehensive Reviews in Food Science and Food Safety*.⁸ The Doyle and Glass review considers the published data on the effect of excess salt consumption on health, the functionality of sodium chloride in the production of processed foods, and possible reformulation strategies for sodium reduction while maintaining critical food safety standards.

For the foregoing reasons, with respect to the decision-making process regarding sodium intake recommendations, AMI respectfully requests that the Working Group consider the possible unforeseen food safety consequences of those recommendations.

⁷ Taormina, P. 2010. Implications of Salt and Sodium Reduction on Microbial Food Safety. *Critical Reviews in Food Science and Nutrition*. 50(3): 209-227. DOI: 10.1080/10408391003626207. <http://dx.doi.org/10.1080/10408391003626207>.

⁸ Doyle, M; Glass, K. 2010. Sodium Reduction and Its Effect on Food Safety, Food Quality, and Human Health. *Comprehensive Reviews in Food Science and Food Safety*. 9(1):44-56. DOI: 10.1111/j.1541-4337.2009.00096. <http://www3.interscience.wiley.com/journal/123221587/abstract>.

Sodium Reduction Reformulation is Occurring in the Meat and Poultry Industry

Consumer health is the driving force in the production of meat and poultry products, both in offering nutrient dense protein food products and ensuring that the production processes ensure the safest food possible. Still, in response to public requests the meat and poultry industry is actively involved in efforts to reduce sodium in meat and poultry products with more than 50 percent of the processed meat and poultry market undergoing recent sodium reduction reformulation.

A survey of AMI members found that most companies have a high awareness of salt reduction initiatives and are responding by reformulating many processed products like ham, bacon, hot dogs and deli meats. Members indicated that they favor the gradual, step-wise sodium reduction strategies recommended by the Institute of Medicine⁹ because it gives consumers time to adjust to sodium reductions and resulting changes in taste.

Summary

As previously stated, consumer health is the driving force in the production of our products. AMI ardently supports the premise that a well-balanced diet, proper portion sizes and exercise are the keys of reducing obesity in Americans. Meat and poultry products are nutrient dense foods containing high quality protein and an excellent source of micronutrients especially for children during their formative growth and development years.

AMI supports the prudent use of sodium in meat and poultry products without compromising product safety. Sodium reduction strategies are only effective if the target goals will improve the consumer health. Setting unrealistic targets and employing a “one-size” approach in sodium reduction ignores the unique functions sodium provides in meat products compared to other foods. AMI strongly advocates that any efforts to reduce sodium are science based, achievable, and do not adversely affect the safety of meat and poultry products.

AMI is concerned the Working Group has not completed the study as outlined in the 2009 Omnibus Appropriations Act (H.R. 1105) and recommends that the proposed principles be withdrawn until the mandated study is conducted. The results of the completed study need to be shared with allied stakeholders and, if warranted, in collaboration with food industry experts future recommendation could be developed.

⁹ IOM Report "*Strategies to Reduce Sodium Intake in the United States*" accessed April 25, 2010: <http://bit.ly/9urpv6>.

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AMI looks forward to working with the Working Group to set achievable, practical, and meaningful policy and in that regard, AMI appreciates the opportunity to comment on the development of the *Interagency Working Group on Food Marketed to Children: Proposed Nutrition Principles*. AMI would be pleased to work with the Working Group regarding each of these concerns and requests that AMI's recommendations be considered before finalizing any voluntary nutritional principles to guide the food industry in marketing to children.

Thank you for your consideration of our comments. If there are any questions please do not hesitate to contact me at bbooren@meatami.com or 202-587-4249.

Sincerely,

Betsy Booren, Ph.D.
Director, Scientific Affairs

cc: J. Patrick Boyle
Jim Hodges