



May 18, 2007

Federal Trade Commission/Office of the Secretary
Room H-135 (Annex J)
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

RE: Food Industry Marketing to Children Report: Paperwork Comment
FTC File No. P064504

ELECTRONICALLY FILED

Dear Sir or Madam:

I write on behalf of Consumers Union, nonprofit publisher of *Consumer Reports* and www.consumerreports.org, to commend your proposed information collection request to food and beverage companies and quick service restaurants published in the April 18, 2007 Federal Register. As drafted, the information request is responsive to the elements requested by Congress and the marketplace realities noted by consumer and public health commenter in order to give the Federal Trade Commission the data needed, and not otherwise available, to create a comprehensive snapshot of current expenditures on marketing by these sectors to children and youth.

Since our founding in 1936, Consumers Union has researched and reported on advertising tactics and trends, particularly where they affect the public health. As well, Consumers Union has consistently advocated for statutes and regulations to ensure truth in advertising, to curb false advertising, and to challenge unfair marketing targeted at children. We have published several reports on commercial targeting of children.

While data is most readily available on television advertising directed at children, and while television advertising expenditures aimed at children are still quite significant, they constitute a shrinking percentage of expenditures on advertising to children and a relatively small percentage of all marketing expenditures aimed at children. We commend your request to elicit data on the growing expenditures for "unmeasured" tactics, including through the schools. In this regard, we suggest you ask for break outs for outlays, for example, on soda contracts and other relationships with schools that include vending machines with product photos on them, cups and supplies with product or company logos etc. These may not show up on the books as "advertising" or "marketing" costs, but they are a significant part of the picture relating to how children are targeted through schools.

We strongly commend your request for policies, initiatives, and research undertaken by companies related to marketing to children. We understand, for example, that some companies are funding neurological and psychological research concerning brand

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recognition and emotional connectedness to brands to guide their marketing strategies both children. As well, research may reveal the extent to which such companies, in deciding where to spend for advertising that will reach children and adolescents, are aware that advertising placed on programs labeled as intended for adults actually have large proportions of children and youth as viewers. These factors will help policymakers decide whether legislation is needed, and if so how to shape their policy solutions.

In addition we applaud your request for breakdowns by brands and sub-brands or brand variants.

Moreover, given the high incidence of obesity-related disease in communities of color, we applaud the proposed request for data by brand to also be broken down by **race and ethnicity**. This could perhaps be accomplished by seeking from food, beverage and quick service restaurant companies advertisements in a language other than English and by examining placement data to ascertain how much is spent advertising food or beverages of low nutritional quality in media markets aimed at people of color. While there are a few research papers on this topic which find that the types of food and beverages advertised to African-Americans and Latinos are often less healthful than those marketed to general audiences, we are not aware of any focused on children and adolescents by race and ethnicity, and far more inquiry is warranted.

In closing, the snapshot of marketing to children and adolescents that collection of this information will allow will create a vital database and benchmark for policymakers. To know whether we are making progress, collecting and reporting this data regularly will be critical. Only by so doing, for example annually or biannually, will we be able to track trends and know whether the self-regulatory model we have operated under for so long is effectively addressing the problem of excessive marketing of unhealthy products to children.

Ascertaining the food, beverage, and quick service restaurant industries' marketing practices and expenditures aimed at influencing children and adolescents is a matter of great public importance, and we applaud your efforts to gather a full data set upon which sound policymaking can be based in order to protect the health of future generations.

Sincerely,

Elizabeth M. Imholz
Special Projects Director
Consumers Union of U.S., Inc.

cc via facsimile
Office of Management and Budget
Attention Desk Officer