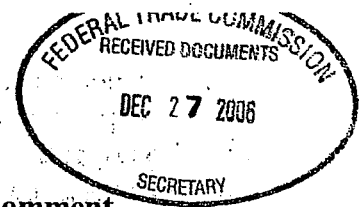


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Food Industry Marketing to Children Report: Paperwork Comment
FTC File NO. P064504

*Attempted to post online 12/19/07, but none of the websites were opening and I couldn't find the appropriate site through the agency search engine or Google.

Dear Ms. Johnson,

Thank you for your consistent efforts in trying to safeguard children from aggressive marketing, especially in the food and beverage arena. I also appreciate the opportunity as a nutrition scientist to comment on FTC's food and beverage marketing to children information collection plan.

The Institute of Medicine of the National Academies expert Food Marketing to Children committee informed Congress in 2005 that: "food and beverage marketing influences the preferences and purchase requests, influences consumption at least in the short term, is a likely contributor to less healthful diets, and may contribute to negative diet-related health outcomes and risks among children and youth." One of the expert committee's recommendations was for the government to utilize its research capabilities to investigate how marketing influences the food and beverage choices of children and adolescent. Independent and sophisticated research findings enable scientists and ultimately policy makers to implement the most effective strategies for preventing childhood obesity and promoting healthy diets.

The FTC is the most appropriate venue to take a critical step in understanding the effects of food marketing to children. The independent agency has the capacity to protect a competitive marketplace and, at the same time, safeguard consumers, particularly vulnerable children, from deceptive and potentially harmful marketing tactics.

The proposed plan to collect records pertaining to marketing to children from food and beverage companies, as well as quick service restaurants is necessary for the government to take appropriate action in the debate regarding food marketing to children. The information Congress requests and the FTC proposes to collect facilitate a more effective political and regulatory response to this four-decade long debate. Additional requested information could potentially include:

- Demographics industry uses to target an audience, including age ranges and ethnic background.
 - Age can help discern the American Psychological Association's recent findings that suggests that children under 8 are incredibly susceptible to marketing tactics and incapable of understanding the nature of advertising.
 - Ethnic background may enable future targeted efforts to promote more healthful items to at-risk populations.
- Product profiles more thoroughly breaking down how much a company expends on items with less nutritional value in comparison to promoting their items of more nutritional value.
 - Product profile analyses will help understand whether or not—if equally marketed, children and adolescents would still prefer and purchase less nutritious items.
- Selection process criteria for the targeted 50 parent companies.

- Expertise of any nutrition and health professionals working or consulting on any of the companies' marketing tactics. Similar to the Anti-kickback Statute in Healthcare, expenditures related to these employees and/or consultants.
- Quantitative and qualitative assessments of industry emphasize in any marketing tactics on physical activity in comparison to dietary choices.
- Nutritional icon standard information.
 - Companies are increasingly using nutritional icons to label products they deem as healthy, but these icons may be confusing to consumers and inconsistent with federal food guidelines. Further information on the development and effect of these icons is necessary to ensure they are not deceptive marketing tactics.
- Money spent on lobbying efforts on Food Marketing to Children is imperative.

Thank you again for the opportunity to comment and your continued work in this critical endeavor.

Carpe Diem,

Sheila Fleischhacker Ph.D.
3L Loyola University Chicago Law

