

UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION

**Commissioner Pamela Jones Harbour**  
**Workshop: Perspectives on Marketing, Self-Regulation & Childhood Obesity**  
**Day 1 Remarks**

**Thursday, July 14, 2004**  
**1:15 –1:30 p.m.**

**Introduction.**<sup>1</sup>

Good afternoon, and welcome back from lunch. I am delighted to see so many of you here today. I hope you all enjoyed this morning's presentation, which addressed factors related to childhood obesity and the marketing of foods to children.

This afternoon's presentations will discuss current industry efforts to market foods in ways to help make children healthier. I believe that all of us – the government, media, marketers, and especially parents – have a responsibility to teach children to make healthy eating choices for themselves.

**Educational Initiatives to Help Children Make Healthier Eating Choices.**

I'm pleased about some of the educational efforts that have already begun in this area. As you know, the FTC and HHS are co-sponsoring this workshop. A recent study sponsored by the HHS's National Heart, Lung, and Blood Institute showed that children under 12 years old who participated in a behaviorally oriented nutrition education program adopted significantly better dietary habits over several years.<sup>2</sup> HHS's National Institutes of Health recently announced its "We Can" national education campaign, which uses some of the findings of that study to help parents and children make the right eating choices. The education campaign designates foods as "Go, Slow, and Whoa" foods.<sup>3</sup> "Go" foods are the healthiest foods and are good to eat almost anytime, such as fresh vegetables, fresh fruits, whole-grain breads, and chicken and turkey without the skin.<sup>4</sup> "Slow" foods are described as "sometimes" foods, which should be eaten only a few times a week, such as dried fruits, white bread, pancakes, processed cheese spreads, or lean ground beef.<sup>5</sup> "Whoa!" foods are those that can seriously slow one down and should only be eaten once in a while, such as french fries, doughnuts, or fried chicken.<sup>6</sup>

Consumer education groups, such as the Nemours Foundation, are now using the concept of "Go, Slow, and Whoa" foods to explain to parents and children how to eat healthily.<sup>7</sup>

A famous popular children’s character, as we heard from Dr. Dietz this morning, has also recently changed his tune. The “Cookie Monster” from Sesame Street is now singing a new song called “A Cookie is a Sometimes Food.”<sup>8</sup> In the song, the Cookie Monster learns that there are “anytime” foods – including foods starting with the letter “C” such as carrots and celery – and “sometimes” foods such as cookies.<sup>9</sup>

Many children and parents may not be aware that certain foods can slow us down or, if they are eaten too frequently, increase the risk of obesity, heart disease, or diabetes. Thus, education can play a key part in helping parents and children take responsibility for smart eating choices.

### **Industry Efforts to Change Products, Packaging, Advertising, and Marketing.**

Industry can also help parents and their children make the right and smart eating choices. This afternoon’s panelists will discuss industry efforts to: change products and packaging; change advertising and marketing; and foster healthier choices for children. The panelists include: representatives from food and drink companies and non-profit educational organizations; a “quick service”/fast food provider; food and nutrition professionals; professors; marketing and media consultants; and media representatives.

Some contend that marketers and the media are at least partially at fault for children’s rising obesity rates. Senator Harkin, as we heard this morning, asserts

that advertising “junk foods” to children “has allowed the epidemic of childhood obesity to grow rapidly.”<sup>10</sup> Others contend that serving sizes of foods sold in stores and restaurants have increased significantly from the 1960s.<sup>11</sup> They argue that consumers eat the sizes put in front of them without realizing that serving sizes may be double or triple the size that such foods used to be or should be.<sup>12</sup> Some critics claim that the Children’s Advertising Review Unit’s guidelines are not as strong or as effective as they should be, and have called for these standards to be updated or supplemented by additional standards for food marketers.<sup>13</sup>

This afternoon, however, we will hear about positive measures being taken to change food products and advertising and to educate children. A number of companies have undertaken a variety of initiatives, which our panelists will discuss. These initiatives may include voluntary advertising restrictions such as:

- not advertising food products to children under the age of 6;<sup>14</sup>
- not advertising less healthy food choices to children under the age of 12;<sup>15</sup> and
- not advertising less healthy food choices in schools.

Such initiatives also may involve changing food products or options by:

- improving the healthfulness of existing products by, for example, removing fat or calories, or using more whole grains or fiber;<sup>16</sup>
- making packages or portion sizes smaller;<sup>17</sup>

- making healthier products specifically for children;<sup>18</sup> or
- adding healthy items, such as fruit or low-fat yogurt, as available food options.<sup>19</sup>

Some companies have “seal” or “icon” programs which alert consumers to healthier or “smarter” food choices.<sup>20</sup> Other companies or organizations may use advertising to promote the consumption of more fruits and vegetables.<sup>21</sup> Still others may sponsor educational programs designed to promote healthy lifestyles for children.<sup>22</sup> Television networks also may encourage marketers to advertise healthy food products to children.<sup>23</sup>

I believe that competition among food companies can help foster “best practices” in marketing healthy food choices to children. If a company adopts healthy food practices, then others may follow. I understand that some critics may contend that not enough is being done by individual marketers.<sup>24</sup> Others may want industry-wide guidelines because not all marketers have initiated voluntary programs to alter their products or advertising to present children with healthier choices.<sup>25</sup> Still others may want laws, such as those recently enacted in France and Ireland, which will restrict food advertising.<sup>26</sup>

I believe, however, that companies should be encouraged and applauded when they do the right thing. Many of the initiatives that will be discussed this afternoon may lead to healthier eating choices for children and, ultimately, to less

obesity. I believe that competition will lead to healthier food choices and marketing. I also encourage food marketers and the media to consider adopting a set of best practices. I hope that this afternoon's panelists can provide us with some examples of what such best practices might include. For example, they may offer ideas on portion sizes; products offered; how products are advertised to children; when products are advertised; using icons or seals to alert consumers about healthier products; and whether characters from television or the movies should be used to advertise food items.

Some of the later panelists this afternoon will specifically address special challenges, such as how to educate children from particular ethnic backgrounds.

I hope that all of us – especially parents – can educate children so that they will understand that what some people call “junk food” is “sometimes” or “only occasional” food, which should be savored as special treats, rather than eaten at every meal.

Let me close by saying how pleased I am by your interest and participation in this workshop. On behalf of the Commission, I offer sincere thanks to all of the panelists today and tomorrow, and I hope you enjoy this afternoon's program. Thank you.

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1. The views expressed herein are my own and do not necessarily represent the views of the Federal Trade Commission or of any other individual Commissioner.
  2. NIH News, *New NHLBI-Sponsored Study Shows Programs Can Teach Children to Eat Healthier*, June 1, 2005, available at <http://www.nhlbi.nih.gov/new/press/05-06-01b.htm>.
  3. See <http://www.nhlbi.nih.gov/health/public/heart/obesity/wecan/live-it/>. GO, SLOW, and WHOA foods are adapted from CATCH: COORDINATED APPROACH TO CHILD HEALTH, FOURTH GRADE CURRICULUM (Univ. of Calif. & Flaghouse, Inc., 2002). The program was originally developed by research teams from four different universities and has been implemented in schools across the country. CATCH Texas, *About CATCH: Program History*, available at [http://sph.uth.tmc.edu/catch/about\\_history.htm](http://sph.uth.tmc.edu/catch/about_history.htm).
  4. We Can! Tipsheet, *Go, Slow, and Whoa Foods*, available at <http://www.nhlbi.nih.gov/health/public/heart/obesity/wecan/downloads/gswtips.pdf>.
  5. *Id.*
  6. *Id.*
  7. The Nemours Foundation was established in 1936 by philanthropist Alfred I. duPont and is dedicated to “improving the health and spirit of children.” *KidsHealth is a Project of Nemours*, available at [http://kidshealth.org/parent/kh\\_misc/nemours\\_foundation.html](http://kidshealth.org/parent/kh_misc/nemours_foundation.html). The Foundation’s guide, *Go, Slow, and Whoa: A Kid’s Guide to Eating Right*, is available at [http://kidshealth.org/kid/stay\\_healthy/food/go\\_slow\\_whoa.html](http://kidshealth.org/kid/stay_healthy/food/go_slow_whoa.html).
  8. Karen Brooks, *Look to Find the Monster Within*, THE COURIER MAIL (QUEENSLAND, AUSTRALIA), Apr. 13, 2005, at 15; Jennifer Frey, *Casting off Cookies? Fruits and Veggies Become the Main Course on ‘Sesame Street,’* WASH. POST, Apr. 23, 2005, at C1.
  9. *Id.*
  10. *Sen. Tom Harkin Speaks at FTC/HHS Workshop on Marketing, Self-Regulation and Childhood Obesity*, U.S. FED. NEWS, July 14, 2005 (setting forth statement issued by Senator Tom Harkin’s office).
  11. Nanci Hellmich, *Portion Distortion*, USA TODAY, June 23, 2005, at B8.
  12. *Id.*
  13. Ira Teinowitz, *Politicians Feast on Food Fight*, ADVERTISING AGE, Mar. 14, 2005, at 1.

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14. Kraft, Comment # 516960-00038 (noting that “Kraft has a longstanding policy of not advertising in TV, radio and print media that primarily reaches children under six”).
  15. See Stephanie Thompson, *Food Fight Breaks Out*, ADVERTISING AGE, Jan. 17, 2005, at 1.
  16. *Id.*; see also Kellogg’s, *Nutrition: Whole Grains & Fiber*, available at <http://www.kelloggwholegrain.com./nutrition/wholegrain>; General Mills, *Health & Wellness*, available at [http://www.generalmills.com/corporate/health\\_wellness/index.aspx](http://www.generalmills.com/corporate/health_wellness/index.aspx).
  17. See Hellmich, *supra* note 11 (encouraging consumers to “smartsize” their portions).
  18. See Thompson, *Food Fight Breaks Out*, *supra* note 15 (discussing Kraft’s introduction of Sensible Solution products); Associated Press, *Companies Market Super-Snack Food*, CNN.COM, May 2, 2005 (detailing Sunkist’s efforts to put freshly sliced fruits into small packages for children and Del Monte’s new “grab-and-go cups of water-packed carrots and celery”).
  19. See Kate MacArthur, *McD’s ‘05 Strategy Hinges on ‘Balance,’* ADVERTISING AGE, Jan. 10, 2005, at 6 (discussing McDonald’s addition of milk, yogurt, and fruit choices for kid meals).
  20. See Ellen Taaffe, Presentation to the IOM Committee on Food Marketing and the Diets of Children and Youth, *PepsiCo Health & Wellness: Capturing Growth at the Intersection*, Jan. 27, 2005, available at <http://www.iom.edu/file.asp?id=24744> (setting forth Pepsi-Co.’s “Smart Spot” (checkmark in a green dot)); General Mills, *Your Health: Goodness Corner*, available at [http://www.generalmills.com/corporate/health\\_wellness/your\\_health\\_detail.aspx?CatID=7780&SelectCatID=7780&section=yourhealth](http://www.generalmills.com/corporate/health_wellness/your_health_detail.aspx?CatID=7780&SelectCatID=7780&section=yourhealth) (setting forth “Goodness Corner” icons).
  21. *Companies Market Super-Snack Food*, *supra* note 18; Stephanie Thompson, *Dole: Eating All Your Vegetables is Sexy*, ADVERTISING AGE, Apr. 11, 2005, at 30.
  22. See Kate MacArthur, *Subway Tackles Childhood Obesity*, ADVERTISING AGE, July 19, 2004, at 4 (Subway’s program includes sponsorship of the American Heart Association’s Jump Rope for Heart program).
  23. Thompson, *Food Fight Breaks Out*, *supra* note 15, at 37; Marva Smalls, Executive Vice-President Public Affairs and Chief of Staff Nickelodeon, Remarks to the IOM Committee on Food Marketing and the Diets of Children and Youth, *Moving the Needle*, Jan. 27, 2005, available at <http://www.iom.edu/Object.File/Master/24/712/0.pdf>.

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24. See Teinowitz, *supra* note 13 (stating that Senator Hillary Clinton is calling for voluntary guidelines for the entire food industry and that Senator Tom Harkin is pushing for legislation).
  25. *Id.*
  26. Alexandra Jardine, *Marketers Brace for Food-Ad Rules*, ADVERTISING AGE, Sep. 13, 2004, at 20; Alexander Jardine and Laurel Wentz, *It's a Fat World After All*, ADVERTISING AGE, Mar. 7, 2005, at 3.