

CHILDREN NOW

Jon Leibowitz, Chairman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

December 20, 2010

Dear Chairman Leibowitz:

In response to the growing childhood obesity epidemic, the following organizations applaud the Federal Trade Commission (FTC) for leading the Interagency Working Group on Food Marketed to Children. However, we are concerned about the almost year-long delay in publishing the proposed nutrition standard for marketing food to children for public comment - and the overdue report to Congress that was to have been submitted in July. We call for the Commission to promptly release the proposed nutrition standard for public comment.

The childhood obesity epidemic continues to affect all levels of American society. According to, the Centers for Disease Control and Prevention, childhood obesity has more than tripled in the past 30 years putting millions of children at risk for diabetes, cardiovascular disease and bone and joint disorders. The industry spent nearly \$2 billion on food marketing and advertising specifically aimed at children, according to an earlier report to Congress from the Federal Trade Commission.

In 2006, the Federal Communications Commission (FCC) convened an industry/advocate Task Force on Media and Childhood Obesity aimed at addressing the prevalence of unhealthy food marketing in children's media. When the participating industry groups (food/beverage, media companies, advertising) failed to negotiate substantial changes in their practices of marketing unhealthy food to children, the Senate chairs of the Task Force - Senator Brownback and Senator Harkin - led the effort to order the Federal Trade Commission to create an Interagency Task Force to do what the industry failed to do at the FCC - to recommend a nutrition standard for marketing food to children. At an FTC Workshop in December 2009, the FTC announced that a proposed nutrition standard would be released for public comment in January 2010 - with the final report due to Congress July 2010. The FTC is now 12 months late for the public comment period and 6 months late for the report to Congress.

Addressing unhealthy food marketing to children is a fundamental necessity in improving our children's health. As a result of concerns expressed by almost 50 public health, child advocacy, medical, African-American, Latino, Asian American, Native Hawaiian and Pacific Islander, education, and religious organizations, the White House made several specific recommendations on unhealthy food marketing in its May 2010 Report "[Solving the Problem of Childhood Obesity Within a Generation.](#)"

1212 BROADWAY \ 5TH FLOOR
OAKLAND CALIFORNIA 94612
T.510 763 2444 F.510 763 1974

CHILDRENNOW.ORG

ADDITIONAL OFFICES
LOS ANGELES SACRAMENTO WASHINGTON, D.C.

Those recommendations include:

- “The food and beverage industry and the media and entertainment industry should jointly adopt meaningful, uniform nutrition standards for marketing food and beverages to children, as well as a uniform standard for what constitutes marketing to children.”
- “The media and entertainment industry should develop uniform guidelines to ensure that a higher proportion of advertisements shown on their networks and platforms are for healthy foods and beverages.”

The White House affirmed the concern that the response from media companies to address childhood obesity in their own advertising practices to children has been poor. In lieu of a meaningful response by the media companies, the proposed Interagency Working Group nutrition standard will serve as a benchmark to measure the health and compliance of the numerous, confusing food and beverage standards.

It is critically important to our children’s health and national well-being that the Federal Trade Commission do the job designated by Congress. We urge the Federal Trade Commission to release the overdue proposed nutrition standard for public comment.

On behalf of the signature organizations and individuals, we appreciate your leadership in addressing childhood obesity by reducing children’s exposure to unhealthy food marketing. We look forward to the public comment period for the proposed nutrition standard.

Signed,

American Academy of Child and Adolescent Psychiatrists
American Academy of Pediatrics
American Heart Association
American Psychological Association
American Sleep Apnea Association
American Society of Bariatric Physicians
Anderson Partnership for Healthy Children
Asian & Pacific Islander American Health Forum
Benton Foundation
California Center for Public Health Advocacy
California WIC Association
CANFIT
Center for a Commercial Free Childhood
Chicago Media Action
Child Care Food Program Roundtable
Children Now
Coalition for Independent Ratings
Common Sense Media
Consumers Union
Corporate Accountability International
David Crockett, PhD, Associate Professor of Marketing, University of South Carolina
David V. B. Britt, retired CEO-President, Sesame Workshop

Ellen Wartella, PhD, al-Thani Professor of Communication and Professor of Psychology, School of
Communication, Northwestern University
Fresno Metro Ministry
Industry Ears
Islamic Society of North America
Jane D. Brown, Ph.D., James L. Knight Professor, School of Journalism and Mass Communication,
University of North Carolina-Chapel Hill
Katharine E. Heintz, Ph.D., Children's Media Consultant
Latino Health Access
Medical Fitness Association
Mexican American Legal Defense and Educational Fund
MomsRising
National Hispanic Media Coalition
Parents Television Council
Public Education Network
Public Health Advocacy Institute, Northeastern University
Robert Wood Johnson Foundation Center to Prevent Childhood Obesity
San Diego County Childhood Obesity Initiative
Sandra L. Calvert, Professor, Department of Psychology, Director - Children's Digital Media Center,
Georgetown University
Sanjiv Harpavat MD, PhD
Shape Up America!
Shasta County Child Abuse Prevention Coordinating Council
South Shasta Healthy Eating, Active Communities Collaborative
The Media Literacy Project
The Prevention Institute
Trust for America's Health
United Church of Christ, Office of Communication
United States Conference of Catholic Bishops
Vic Strasburger, M.D., Professor of Pediatrics, University of New Mexico

Cc: Interagency Task Force on Nutritional Standards Members

- Tom Vilsack, Secretary of Agriculture, U.S. Department of Agriculture
- Margaret A. Hamburg, M.D., Commissioner of Food and Drugs, Food and Drug Administration
- Thomas R. Frieden, MD, MPH, Director, Centers for Disease Control and Prevention

The Honorable Sam Brownback

The Honorable Tom Harkin, Chairman, United States Senate Committee on Health, Education, Labor and
Pensions

The Honorable John D. Rockefeller, Chairman, United States Senate Committee on Commerce, Science,
and Transportation

Melody Barnes, Director, Domestic Policy Council, The White House