

United States Senate

WASHINGTON, DC 20510

September 3, 2014

Chairwoman Edith Ramirez
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Chairwoman Ramirez:

We are writing to request that the Federal Trade Commission (FTC) complete an update to its 2012 report, "A Review of Food Marketing to Children and Adolescents: Follow Up Report," examining food and beverage company expenditures on marketing directed at children and adolescents during calendar year 2014.

We were greatly disappointed to hear that earlier this year Serena Viswanathan, Assistant Director of FTC's Division of Advertising Practices, told attendees at the Food and Drug Law Institute's conference that the Commission is not actively working on projects focused on food marketing to children. This is unacceptable. We strongly urge FTC to rethink its priorities and put the health of our children – our nation's next generation – first. It is the FTC's responsibility to ensure food and media companies make progress on reducing unhealthy food marketing to children and monitor how well their self-regulatory efforts are working.

Over the last three decades, childhood obesity rates have more than tripled. Although we have seen some recent improvements in these obesity rates, especially in young children, there is much work to be done. Research shows that food marketing is an important factor contributing to children's poor diets, obesity, and diabetes. The FTC's earlier reports demonstrate that the overwhelming majority of foods marketed to children are of poor nutritional quality. And according to a comprehensive review by the National Academies' Institute of Medicine, food advertising affects children's food choices, food purchase requests, diets, and health. In 2009, companies spent 1.8 billion dollars marketing and advertising food and beverages to children.

The FTC's 2012 report and its original 2008 report, "Marketing Food to Children and Adolescents: A Review of Industry Expenditures, Activities, and Self-Regulation," provided valuable insight into the marketing practices, expenditures, and nutritional quality of products marketed to children and adolescents by food and beverage companies. Both reports provided never-before available information about the scope of food and beverage marketing directed at kids and an invaluable assessment of progress made by food, beverage, and entertainment companies in addressing the problem of unhealthy food marketing to children. The 2012 report showed progress on food marketing to children. It also pointed out areas in need of further improvement.

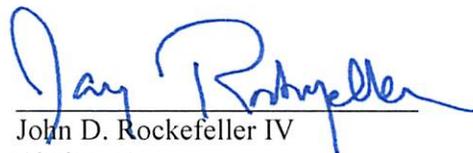
Starting January 1, 2014, the Council of Better Business Bureau's Children's Food and Beverage Advertising Initiative (CFBAI) implemented new uniform nutrition criteria for member companies marketing to children under 12. In light of this recent development, we urge FTC to work with the food and beverage industry to examine food and beverage marketing expenditures made by companies in calendar year 2014. Data from 2014 would also provide a five-year follow up from the 2009 data examined in the Commission's 2012 report. A follow up report would help policy makers, public health practitioners, industry representatives, and the public understand how food marketing directed at children and adolescents has changed over the last five years and provide a critical opportunity to evaluate the continued role of such marketing in regards to the health of our nation's children.

We look forward to your response.

Sincerely,



Tom Harkin
Chairman
Senate HELP Committee



John D. Rockefeller IV
Chairman
Senate Commerce Committee



Richard J. Durbin
United States Senator



Sherrod Brown
United States Senator



Richard Blumenthal
United States Senator