March 26, 2010

Director
Office of the Executive Secretariat
U.S. Department of Agriculture
1400 Independence Ave. SW
Room 116-A Whitten Building
Washington, DC 20250

Re: Comments to the Task Force on Childhood Obesity: Request for Information

To the Director:

The Center for Science in the Public Interest is pleased to submit these comments in response to the U.S. Department of Agriculture’s (USDA) and the U.S. Department of Health and Human Services’ joint request for comment regarding the work of the Task Force on Childhood Obesity.

- Questions 1, 3, and 7

We wish to submit the following information in response to Questions 1, 3, and 7 as set forth at 75 Fed. Reg. 12,494 regarding key topics to be addressed by the task force and the need for cross-agency coordination. As recognized by the First Lady, one of the key elements in the public health tool box that can be used to reduce childhood obesity is improved food labeling. Our report, Food Labeling Chaos, (Attachment A) details the actions that should be taken by the Food and Drug Administration (FDA) and the USDA in this area. While both agencies are actively pursuing food labeling reform, they have not yet addressed many of the issues raised in our report. We urge the task force to recommend that the FDA and the USDA maximize the public health potential of honest and informative nutrition information on food labels that could assist parents in planning healthier diets for their children by taking the actions we recommend. See, http://cspinet.org/new/pdf/food_labeling_chaos_report.pdf.

- Questions 1, 5, and 12

We also wish to submit the following comments in response to Questions 1, 5, and 12, as set forth at 75 Fed. Reg. 12,494, regarding the March 2009 Supplemental Nutrition Assistance Program Education (SNAP-Ed) Plan Guidance. Those provisions undermine the goal of SNAP-Ed “to improve the likelihood that persons eligible for the SNAP-Ed will make healthy food choices within a limited budget....” (USDA, Supplemental Nutrition Assistance Program
*Education SNAP-Ed Plan Guidance* at 1). They also undermine a central premise of the SNAP-Ed program: “that all nutrition messages conveyed . . . are consistent with the Dietary Guidelines for Americans . . .” *Id.* at 17.

Under the Guidance, “SNAP-Ed funds may not be used to convey negative written, visual, or verbal expressions about specific foods, beverages, or commodities.” *(Id.* Nor may funds be used to publicize “[n]utrition education messages which convey negative messages or disparage specific foods, beverages or commodity [sic]. . . .” *(Id. at 74). “This includes messages of belittlement or derogation of such items, as well as any suggestion that such foods, beverages or commodities should never be consumed.” *(Id. at 17).

The Guidance has its roots in a January 10, 2003, USDA memorandum to all Directors. The memorandum stated that “. . . Food Stamp Program nutrition education funds may not be used to convey negative, written, visual or verbal expressions about any specific foods, beverages, or commodities. This would include messages of belittlement or derogation of such items, as well as any suggestion that such foods, beverages, or commodities are never to be consumed.” That Guidance document, was originally drafted by USDA under the previous Administration at the behest of soft drink companies which protested the use of SNAP-Ed funds for campaigns that (correctly) singled out soft drinks as a major contributor to obesity. Although this section of the Guidance was drafted by the previous Administration under industry pressure, it has since been incorporated into subsequent SNAP-Ed Plan Guidance including the latest March 2009 edition of the document prepared by USDA under the current Administration.

We urge USDA to drop its limits on SNAP-Ed campaigns using direct nutrition education messages involving soft drinks. There are a number of specific foods and nutrients that Americans must consume less of in order to comply with the *Dietary Guidelines*. The Department should inform state officials that its policy is being revised and that the campaigns that were prohibited in the past are now considered permissible. Please see our June 2009 letter to Secretary Vilsack on this matter. (Attachment B).

We wish to congratulate the Task Force on its work and request that our comments be considered fully.

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