Ms. Indra Nooyi, CEO
PepsiCo, Inc.
700 Anderson Hill Road
Purchase, NY 10577

Mr. Tom Greco, President
Frito-Lay North America
P.O. Box 660634
Dallas TX 75266-0634

Dear Ms. Nooyi and Mr. Greco:

Frito-Lay, a division of PepsiCo, reportedly later this year will begin marketing two flavors (Cocoa and Vanilla Mocha) of caffeinated Cracker Jack snacks, under the name Cracker Jack’D.¹ Cracker Jack is a child’s snack food. Whether or not they are advertised directly to children, it is certain that young children will consume Cracker Jack’D...and sometimes consume them to excess. Caffeine is a mildly addictive stimulant drug that is totally inappropriate to be included in foods consumed by children. Effects of caffeine include anxiety, restlessness, irritability, excitability, and insomnia.

The American Academy of Pediatrics has discouraged the consumption of caffeine and other stimulant substances in the diets of children and adolescents. That group stated:

> Additional concerns regarding the use of caffeine in children include its effects on the developing neurologic and cardiovascular systems and the risk of physical dependence and addiction. Because of the potentially harmful adverse effects and developmental effects of caffeine, dietary intake should be discouraged for all children. Avoidance of caffeine in young people poses a great societal challenge because of the widespread availability of caffeine-containing substances and a lack of awareness of potential risks.²

Even label disclosures, such as “contains caffeine” or “not recommended for children” will not keep young hands and mouths away from Cracker Jack’D.³ Kids will naturally be

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¹ http://www.nationwidecandy.com/frito-lay-mxl-frito.htm
² http://pediatrics.aappublications.org/content/early/2011/05/25/peds.2011-0965.full.pdf+html
³ For over-the-counter stimulant drugs, the Food and Drug Administration requires warning notices (21 CFR 340.50(c):

(1) “The recommended dose of this product contains about as much caffeine as a cup of coffee. Limit the use of caffeine-containing medications, foods, or beverages while taking this product because too
attracted to a tasty, finger-friendly snack food packaged and advertised with familiar Cracker Jack artwork.

One additional concern is that PepsiCo’s marketing of a caffeinated snack food will undoubtedly encourage other companies to start marketing caffeinated products and we’ll end up with something akin to the oat-bran craze. (Kraft is jumping on the bandwagon with its Mio Energy “water enhancer” products.)

You should also consider that adding caffeine to a snack food is illegal. The Food and Drug Administration stipulates that caffeine “is generally recognized as safe when used in cola-type beverages [up to 0.02 percent] in accordance with good manufacturing practice.” (21 CFR 182.1180) Also, several state and city law-enforcement officials and United States senators recently expressed concern about the caffeine content and marketing of energy drinks. Those products are marketed mostly to teens and young adults and have reportedly been associated with several deaths. Those or other officials may well be concerned about the marketing of caffeinated snack foods.

You, Ms. Nooyi, have expressed great interest in the health consequences—both positive and negative—of your company’s products. I am sure that you recognize the unnecessary harm that caffeinated snack foods could inflict on American families. Some parents might even resort to the courts to recoup damages caused by those products. I urge you not to market Cracker Jack’D or other caffeine-containing snack foods.

Sincerely,

Michael F. Jacobson, Ph.D.
Executive Director

much caffeine may cause nervousness, irritability, sleeplessness, and, occasionally, rapid heart beat.”

(2) “For occasional use only. Not intended for use as a substitute for sleep. If fatigue or drowsiness persists or continues to recur, consult a (select one of the following: physician or doctor).”

(3) “Do not give to children under 12 years of age.”