

August 19, 2003

Hon. Tommy Thompson, Secretary  
Department of Health and Human Services  
200 Independence Ave. SW  
Washington, DC 20201

Dear Secretary Thompson:

In recent months, you have expressed concern about the epidemic of obesity (and such sequelae as diabetes) that has spread from adults to children. To respond creatively, vigorously, and appropriately to obesity and other diet-related health problems, the Department of Health and Human Services and the Department of Agriculture will need advice from leading and objective public-health experts.

Unfortunately, the committee that HHS and USDA have appointed to review the Dietary Guidelines for Americans (DGAC) falls far short of the ideal. While we do not believe that *de minimis* affiliations with industry need disqualify otherwise qualified scientists from advising the government, the tight affiliations that numerous members of the DGAC have with the food, drug, and dietary-supplement industries cast doubt on their ability to provide the government (and public) with the best, unbiased advice.

Compounding the potential industry bias of numerous committee members is HHS and USDA's failure to disclose any of the members' corporate affiliations. Please see the attached chart, which lists the corporate affiliations of which we are aware.

In a previous letter (Dec. 17, 2002; enclosed) regarding changes to HHS advisory committees at the Centers for Disease Control and Prevention, we pointed to problems with conflicts of interest and compliance with the Federal Advisory Committee Act (FACA). FACA requires that membership of committees be "fairly balanced," "impartial," and free of inappropriate influences of "any special interest." We do not believe that the current committee meets those requirements.

The bottom line is that the Departments (and the public) will not get the advice they deserve on a matter of life and death for millions of Americans. And regardless of what the committee ultimately advises, its advice will be received skeptically by the public, which has little tolerance for conflicts of interest and biases, especially secret ones, on federal advisory committees.

I urge you to (a) replace several of the committee members with the most extensive industry affiliations (such as Drs. Clydesdale, Go, Kris-Etherton, Nicklas, Pate, Pi-Sunyer, and Weaver)

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with public-health-oriented scientists who have no or minor affiliations with industry and (b) disclose to the public all the corporate affiliations of all members of the committee.

Sincerely,

Michael F. Jacobson, Ph.D.  
Executive Director

cc: USDA Secretary Ann Veneman

Enclosure