

November 14, 2012

Mr. W. Anthony Vernon, CEO
Kraft Foods Global, Inc.
Northfield, IL 60093-2753

Dear Mr. Vernon:

Kraft is marketing caffeine-containing Mio Energy “water enhancers” in small squirt bottles. Each half-teaspoon squirt of the “energy” varieties is said to contain 60 mg of caffeine. The Mio Energy website explains that that amount of caffeine is equivalent to about what is in a 6-ounce cup of coffee.¹ It is important to remember though, that for a young child, the 60 mg is equivalent (on a body-weight basis) to an adult drinking about three cups of coffee. (The product also contains, apparently in imitation of energy drinks, ingredients like guarana, ginseng extract, and vitamins.)

While the products may not be marketed directly to young children, both the advertising² and the nature of the product and packaging will be very attractive to young children. To a child, a squirt bottle is a toy, and what child would not want to squeeze a bottle and see a colorful liquid disperse in a glass of water? And for many children, if one squirt is good, two or three squirts would be even better—especially because it’s fun to squeeze the bottle and the drink gets sweeter and sweeter. (One ad for non-caffeinated Mio even advises “Or you can squirt a lot.”³) While Kraft may believe that it is not marketing Mio Energy to children, it is certain that children will be attracted to the commercials shown on both television and the Web. In fact, the creatures in the commercials could have been plucked right out of books intended for young children. (Home-made commercials featuring children drinking Mio-Energy have been posted on YouTube.⁴)

We are concerned about the caffeine in Mio Energy because it is a mildly addictive stimulant drug that is totally inappropriate to be included in foods consumed by children. Possible adverse effects from caffeine include anxiety, restlessness, irritability, excitability, and insomnia.

¹ http://www.kraftbrands.com/mio/about_mio.html#faq_section

² For instance, one ad features fanciful characters that might well have been plucked out of a children’s book. <https://www.youtube.com/watch?v=Z9XKV6DhIvw>

³ <https://www.youtube.com/watch?v=tXG0PACMUOo>

⁴ See <http://www.youtube.com/watch?v=KhIMr5s-ZA8> and <http://www.youtube.com/watch?v=2-cMB-uGIY>

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.⁵

I urge Kraft to minimize the health risks from Mio Energy. Label statements, such as “contains caffeine” or “not for children” are welcome, but hardly sufficient to keep young hands and mouths away from the products. One option would be to simply drop the two caffeinated flavors. At the very least, Kraft should use child-proof caps, as are used on over-the-counter drugs such as acetaminophen and other harmful household products such as mouthwash, on containers of Mio Energy to protect young children.

One additional concern is that Kraft’s marketing of caffeinated products in child-friendly packaging will undoubtedly encourage other companies to do the same. Already, PepsiCo is planning to market caffeine-containing Cracker Jacks. When major food manufacturers market such products, many smaller companies likely believe that that gives them a green light to do so as well, and soon we’ll have something akin to the oat-bran craze. I hope that Kraft will set a good example of corporate responsibility by taking the actions we suggest.

It is relevant to note that several state and city attorneys general 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. Health and law-enforcement officials may consider the inclusion of caffeine in Mio Energy to be an illegal practice. Furthermore, and importantly, adding caffeine to a snack food violates federal regulations. The Food and Drug Administration stipulates that caffeine “is generally recognized as safe when used in cola-type beverages [up to 0.02 percent, or 36 mg per 6 oz.] in accordance with good manufacturing practice.” (21 CFR 182.1180) Mio Energy clearly is not a cola beverage. Also, the recommended dose of 60 mg per 8 oz. is greater than the FDA’s limit for cola beverages; people who want sweeter drinks might easily consume drinks with caffeine concentrations several times that much.

⁵ <http://pediatrics.aappublications.org/content/early/2011/05/25/peds.2011-0965.full.pdf+html>

Thank you for considering these recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Michael F. Jacobson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael F. Jacobson, Ph.D.
Executive Director

cc: Chris Doherty