

**Congress of the United States**  
**Washington, DC 20515**

January 14, 2009

Mr. Frederick A. DeLuca  
President  
Doctors Associates, Inc. / Subway Restaurants  
325 Bic Drive  
Milford, CT 06461

Dear Mr. DeLuca:

Food and beverage marketing that targets children – particularly advertising aired during children’s programs – has a significant impact on children’s dietary choices. The prevalence of advertisements on children’s television for junk food, fast food, and other foods wholly lacking in nutritional value influences children’s food choices in favor of foods that contribute to America’s childhood obesity epidemic – an epidemic which the United States Surgeon General has called “the fastest-growing cause of disease and death in America.” As one of the world’s largest food and beverage marketers, Doctors Associates, Inc./Subway Restaurants can play an important role in addressing the childhood obesity problem through socially responsible marketing practices, and I encourage you to do so.

Since June 2007, I have called on several major food companies to restrict marketing towards children age 12 and under and encourage healthier diets and lifestyles. I applaud Subway for offering healthy children’s meals and urge you to take the next step by joining the Children’s Food and Beverage Advertising Initiative (CFBAI) of the Council of Better Business Bureaus (CBBB). Now is the time for all food companies to set strong nutrition standards and apply them to their marketing to children. I am encouraged by the efforts of the 15 food companies, including McDonald’s and Burger King, which have pledged to market food more responsibly to children as a part of the CFBAI. As one of the country’s fastest-growing restaurant chains, Subway has an important role to play in self-regulatory efforts to address junk-food marketing to children.

I am interested to know whether your company will join the CBBB initiative and commit to implementing strong nutrition standards and marketing restrictions that meet or exceed those of McDonald’s and Burger King, and if so, your timeline for doing so.

I respectfully request that you respond in writing by January 21, 2009. Thank you for your time and attention to this matter. If you have any questions, please call me or have your staff contact Amit Mistry at 202-225-2836.

Sincerely,



Edward J. Markey