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NCA Delegation meets with CDC

NCA's Larry Graham, Susan Smith and Alison Bodor met with Dr. Bill Dietz, Director of The Center for Disease Control's Division of Nutrition and Physical Activity at CDC in Atlanta late last week. Dr. Dietz is a pediatrician and his focus is on childhood obesity. CDC representatives discussed their thinking and strategies with regard to food and physical activity and NCA discussed consumer education and outreach. While CDC officials have some definite opinions with regard to the quantity of food consumed by individuals and interventions they believe are necessary to reduce food intake, **they generally agreed with NCA's message that candy is an enjoyable indulgence, a small treat, to be eaten in moderation and urged the candy industry to continue to promote candy in that vein.**

During the meeting the **Institute of Medicine's new report on "Preventing Childhood Obesity"** (www.iom.edu/obesity) was discussed; CDC funded the report. The report contains recommendations for **federal, state and local governments, communities, the food industry and parents.** While somewhat balanced, the report could have implications for foods and beverages sold in connection with schools and for marketing and advertising where children are concerned. **The CDC also is funding a scientific review of existing literature on the effect of advertising on children.** The review will be published in early 2006.

Bill to Prevent Childhood Obesity Introduced

Apparently in response to IOM's "Preventing Childhood Obesity" report, Senator Kennedy (D-MA) introduced S. 2394, **The Prevention of Childhood Obesity Act. The bill includes provisions that would result in food marketing and advertising restrictions and a ban on vending machines in schools.** Expect the bill to be introduced by Senator Kennedy in January 2005 when a new Congress begins.

Hearing on Partnerships to Reduce Childhood Obesity

Senator Majority Leader Bill Frist (R-TN) last week chaired a hearing in the Health, Education, Labor and Pensions Committee discussing private-public partnerships to reduce childhood obesity. There was widespread acceptance among Senators and witnesses alike that obesity is a complicated problem that should be addressed on a number of fronts - education, research, nutrition, physical activity, behavior modification and community planning. **However, Senator Harkin (D-IA) emphasized that "junk food" should be removed from schools** and also suggested that the Federal Trade Commission be granted authority to regulate advertising to children.

EU to Discuss Effects of Citric Acid on Dental Health

The use of citric acid in candy and its potential effect on dental health is an emerging issue in the EU. The German government has requested that the European Commission evaluate establishing an upper limit on the use of citric acid in candy and soft drinks because of the dental health concerns. CAOBISCO, representing European manufacturers of chocolate, biscuits and confectionery, submitted comments to the EU requesting that the European Food Safety Authority clarify the problem and the causal relationship between acids and confections before it suggests any limits or bans. **NCA will monitor developments in the EU in case the issue travels across the Atlantic.**

Recent Candy Activity at the State Level

There has been candy-related activity in a number of states recently. In **Maine**, a state task force has been meeting to consider obesity control proposals that include a tax on "non-healthy" food and beverage advertising in the state and increased restrictions on candy and other foods and beverages sold in schools. These proposals have not yet been introduced as legislative measures for the next session of the legislature, but **we have been in contact with food organizations in Maine to prepare for battle in the coming months.**

New Jersey has seen the introduction of school vending restrictions in both legislative and administrative forms. **Without notice, vending restriction bills were approved by the NJ Assembly Committee on Education,** while at the same time, the state's Secretary of Agriculture has proposed new guidelines to accomplish the same goal. It is reported the outgoing Governor McGreevey wants to make these regulations part of his legacy before his departure in November. **NCA has joined an in-state coalition fighting the measures** and has sent an Action Alert to our members in New Jersey. Many thanks to those who responded to this call to action - **more assistance will be needed shortly in the Senate.**

This year's election ballot in **South Dakota** will have a question for public consideration to **eliminate the state's sales tax on all food except candy and soft drinks.** Therefore, passage of the ballot question would create a new discriminatory tax on candy in the state. NCA has officially signed on to a coalition in South Dakota fighting the measure called "Taxpayers for Common Sense," which has been doing some effective work. While polls just a couple months ago showed public support for the ballot question, more recent articles indicate a majority of voters now oppose the tax repeal.

NCA's Steve Lodge just returned from another state outreach visit, this one to **Washington State**, where he made some useful contacts in a state **whose legislature has recently considered both vending restriction bills and discriminatory candy taxes.** He met with representatives of state grocers, retailers, vendors and the soft drink industry, plus the state associations representing school principals and school administrators. Visits were also made to legislative offices that represent NCA members. Many reported to Lodge that control of the State Senate is likely to switch from Republican to Democrat, which would increase further the chances of activity on these vending and tax bills.



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