



## ASN Health and Nutrition Public Policy Newsletter August 17, 2007

### CONGRESSIONAL ACTION

#### **During Dog Days of summer, rally for fall begins**

With Congress on summer recess, Washington is gearing up for an active fall. With fiscal year 2008 beginning October 1, appropriations bills top the agenda for returning members of Congress. The House has passed all 12 appropriations bills, including Agriculture appropriations and Labor, Health and Human Services, and Education (Labor-HHS-Ed) appropriations. Meanwhile, the Senate Appropriations Committee has passed all appropriations bills except Defense; however, only the Homeland Security appropriations bill has cleared the Senate floor.

After a meeting with the Democratic Caucus, Senate Majority Leader Harry Reid (D-NV) said he would not be scheduling a floor vote on, among other appropriations bills, the Labor-HHS-Ed appropriations bill. Due to looming veto threats, expectations for another Iraq war supplemental funding request in September, and the need to respond to General Petraeus's report on the status of the troop surge in Iraq, Reid anticipates there will be little time for appropriations bills.

The appropriations bills will likely be wrapped into either an omnibus appropriations bill or a "mini-bus" made up of two or three bills. A year-long continuing resolution (CR), similar to the one passed for fiscal year 2007, is not likely. Rather, staff indicates that a continuing resolution may be passed to extend funding for fiscal year 2007 for a few weeks to allow time for an omnibus bill to be completed before year end.

The White House opposes an omnibus appropriations bill, and President Bush also continues to threaten a veto. As they currently stand, the twelve appropriations bills would provide \$22 billion more in Federal domestic discretionary spending than the President proposed in his FY2008 budget. He held a news conference last week to reaffirm his intentions to veto the spending bills and urged Congressional leaders to send the measures to him one at a time to avoid what he called a "massive omnibus bill that no one can read and in which anyone can hide wasteful spending." The White House believes there are urgent priorities that must be addressed and which will be put on hold if Congress fails to act by October 1.

For more information, visit <http://thomas.loc.gov/home/approp/app08.html>.

#### **Senate to begin Farm Bill consideration in September**

The Senate Agriculture, Nutrition and Forestry Committee is expected to take up the 2007 Farm Bill reauthorization upon return from the August recess. Sources tell ASN that members of the Committee and their staff have received discussion drafts of

Chairman Tom Harkin's (D-IA) proposals for the bill, although when this article went to press the revised drafts had not been made public. Reportedly, the draft makes clear Harkin's intention to bolster conservation spending and to place a tighter cap on commodity subsidies. The House-passed bill would implement an income cap of \$1 million annually for farmers to receive subsidies.

The Senate has set aside time on September 30 for floor consideration of the Farm Bill. Since the current legislation expires on that day, there will most likely be a temporary extension of current law to allow time for passage and conference with the House bill.

The House passed its version of the Farm Bill on July 27 after a heated debate. While ASN was pleased to see its nutrition monitoring language included in the bill, concerns remain over the general research provisions in the bill. Specifically, there is no new money for food, nutrition and agriculture research, and the language falls far short of meaningful organizational change to bolster competitive research at the USDA.

To view detailed information on the House-passed Farm Bill, visit the [House Agriculture Committee's Farm Bill webpage](#).

## **ADMINISTRATIVE ACTION**

### **FTC issues subpoenas to 44 food and beverage companies**

On July 31, the Federal Trade Commission (FTC) issued subpoenas to 44 food and beverage companies requesting information, including budgets and strategies, on advertising practices to children and adolescents. The companies are being asked to file an FTC Special Report within 90 days that includes marketing expenditures from television advertising to packaging and labeling; descriptions of marketing and promotional activities targeted to children and adolescents; details of any market research performed on individuals under age 18; and any company policies on food marketing, whether formal or informal.

"We are going to use this to lay out a description of what food and beverage marketing looks like nowadays," said FTC spokesperson Diana Garza Ciarlante. FTC has issued subpoenas like these in the past to alcohol and tobacco companies, and this action was announced at a July 18 FTC workshop, "Weighing In: A Check-Up on Marketing, Self-Regulation, and Childhood Obesity."

Among the 44 companies subpoenaed are the 11 that have pledged, as part of the Council for Better Business Bureaus Children's Food and Beverage Advertising Initiative, to change advertising and marketing practices to children and adolescents.

[Read the ASN press release](#) in response to the pledges put forth under the Children's Food and Beverage Advertising Initiative.

### **USDA to release final rule on WIC food package**

The U.S. Department of Agriculture (USDA) is expected to release its final rule on the Supplemental Food Program for Women, Infants, and Children (WIC) this fall. After receiving over 55,000 comments from individuals, advocacy groups, industry groups, non-profits, and state organizations, the Food and Nutrition Service (FNS) at USDA is scheduled to release its final rule sometime in September. In January, USDA is

expected to release a final rule on fluid milk substitutions for the National School Lunch and Breakfast Programs, which should mirror milk substitutes allowed in the WIC food package final rule. At this time there is no indication from the Department of a specific release date for the final rule or of any changes from the proposed rule.

### **Upcoming Meetings and Events**

The Office of Dietary Supplements (ODS) will hold an update on *Vitamin D and Health in the 21st Century* on September 5 and 6 at the main NIH campus in Bethesda, MD. Various speakers will examine past and emerging research. For details and registration, visit [the conference webpage](#).

The National Cancer Institute (NCI) will hold a meeting on *Strategies for Maximizing the Nation's Investment in Cancer* on September 10, 2007, at the Marriott Evergreen Conference Center in Stone Mountain, GA. The meeting will be from 8 AM to 4 PM and is open to the public. For more information, see the [Federal Register Notice](#).

Also, as previously reported, the FDA's Center for Food Safety and Applied Nutrition (CFSAN) will be holding a public hearing September 10 and 11 on the use of symbols on food labels to communicate nutrition information to consumers. For more information on this event, visit the [CFSAN Website](#).

### **IOM Workshop on Dietary Reference Intakes**

The Institute of Medicine's (IOM) Food and Nutrition Board will hold a workshop on September 18 -20 on the *Development of DRIs, 1994-2004: Lessons Learned and New Challenges*. This free workshop will be held at the NAS Auditorium at the National Academy of Science Building in Washington, DC.

For more information, agenda and background materials, please visit the [IOM Website](#).

## **NATIONAL INITIATIVES**

### **AHA and ACSM Release Updated Physical Activity Guidelines**

The American Heart Association (AHA) and the American College of Sports Medicine (ACSM) released new physical activity guidelines for all healthy adults aged 18 to 65. According to the guidelines, adults should engage in moderate-intensity aerobic physical activity for at least 30 minutes, five days a week; or, vigorous-intensity aerobic activity for at least 20 minutes, three days a week. The recommendations update the 1995 Centers for Disease Control and Prevention (CDC) and ACSM recommendations on the types and amounts of physical activity needed by healthy adults to improve and maintain health. Although the core recommendations remain fundamentally the same, new science has provided greater understanding of the biological mechanisms by which physical activity provides health benefits and enhances quality of life.

The improved recommendations clarify the definition of moderate-intensity physical activity, incorporate vigorous-intensity physical activity into the recommendations, and include a muscle-strengthening recommendation.

Other recommendations include the following:

- Moderate- and vigorous-intensity activities are complementary in producing health benefits, and a variety of activities can be combined to meet the recommendations.
- Aerobic activity is needed in addition to routine activities of daily life.
- "More is better." Meaning that physical activity above the recommended minimum provides even greater health benefits.
- Short bouts of exercise are OK. The recommendations clarify that a minimum length of 10 minutes for short bouts of exercise is beneficial.

Citing the strong connection between physical activity and healthy aging, AHA and ACSM also issued guidelines for older adults (those over age 65.) These guidelines, in addition to recommending the same amount of moderate to vigorous exercise outlined above, include specific guidance on strength-training exercises and balance exercises, and encourage the development of a physical activity plan.

The new physical activity guidelines have been published jointly in *Medicine & Science in Sports and Exercise* and *Circulation*. This effort dovetails with the current work of the U.S. Physical Activity Guidelines Advisory Committee, which is expected to culminate in the release of Physical Activity Guidelines for Americans in the fall of 2008.

For more information or additional details on the physical activity guidelines, please visit [www.americanheart.org/fitness](http://www.americanheart.org/fitness) or [www.acsm.org](http://www.acsm.org).

### **Funds Expand Healthier Generation Program in States with Highest Obesity Rates**

The Robert Wood Johnson Foundation (RWJF) announced a \$20 million expansion of the Healthy Schools Program. The program was created to reverse childhood obesity by helping schools develop and implement policies and practices that promote healthy eating and increased physical activity. The new grant money will help expand the program to states with the highest obesity rates, including: Alabama, Alaska, Arkansas, Georgia, Indiana, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, Texas, Tennessee and West Virginia. The funds will allow for in-person support to more than 8,000 schools by 2010, an increase from the 230 schools currently receiving hands-on guidance.

For more information, visit the [RWJF Press Room](#).

### **Study on Link between Marketing and Childhood Obesity at Missouri State University**

The French government has awarded Missouri State University (MSU) \$262,000 to support an international analysis of marketing's influence on childhood obesity. The three-year *Marketing to Children and Obesity Project* brings together researchers from MSU, University of Massachusetts-Dartmouth, and researchers in Belgium, France and Tunisia, to analyze how food advertising affects children's thoughts and behaviors. Researchers will also study how children make food decisions, whether children's attitudes become desires, and how parents affect children's food choices in and outside the home. Researchers hope the study will identify new ways to use marketing to prevent childhood obesity and promote healthy habits.

For more information, visit the [RWJF Program Area Website](#).

Questions about this newsletter? Please contact Mary Lee Watts, ASN Director of Public Policy and Communications, at (301) 634-7112 or [mwatts@nutrition.org](mailto:mwatts@nutrition.org).