



ASN Health and Nutrition Public Policy Newsletter January 15, 2008

CONGRESSIONAL ACTION

This week the House returns to Washington. The Senate will return on January 22.

Farm Bill conference work begins

Now that both the House and the Senate have passed their versions of the 2007 Farm Bill, the difficult work to conference the two bills begins. Although both chambers have been in recess, Members and their staff have launched preliminary discussions. Sources say House Agriculture Committee Chairman Collin Peterson has met five times with USDA Acting Secretary Chuck Conner since Christmas. Conner has been threatening a Presidential veto of the bill over costs and tax provisions used to increase available funds.

Money remains the most contentious issue. Because of declining budget baseline levels and Democrat pay-as-you-go guidelines, lawmakers struggled with ways to fund new farm bill programs. The House chose to generate revenue by restricting the use of tax-treaty benefits by foreign firms and changing the tax treatment on offshore oil royalties. The Senate raised revenue by codifying the “economic substance” doctrine and potentially shutting down many tax shelters and write-offs. Neither chamber trimmed excess spending as the bills were written, but given the Presidential veto threats, that may be what happens.

Some of the nutrition and research-related provisions, and how they differ between the bills, are outlined below.

Joint Nutrition Monitoring and Related Research Activities – The Research Title of the Senate bill directs USDA and HHS to continue to provide jointly for national nutrition monitoring and related research activities. The House bill includes identical language, but is located in the Nutrition Title.

Sense of Congress Language on Human Nutrition Research – The House version has language that says Congress finds human nutrition research has the potential for improving the health status of Americans, reducing costs to federal health programs and that increased funding for human nutrition research is justified. The Senate version does not have a similar provision.

Pilot Program to Evaluate Health and Nutrition Promotion in the Food and Nutrition Program (Food Stamp Program) – The House version provides \$10 million for research to reduce obesity for this population, while the Senate version provides \$50 million, of which \$25 million would go towards a pilot program to test incentives for purchasing fruits and vegetables.

Agriculture Policy and Public Health – The Senate version calls for the Comptroller General of the U.S. to conduct a study to assess whether U.S. agricultural policies have an impact on health, nutrition, overweight and obesity, and diet-related chronic disease. The House version does not have a similar provision.

Study and Report on Access to Nutritious Foods – The Senate requires USDA to study and report on areas in the U.S. with limited access to affordable and nutritious foods, particularly in lower income communities. The House version does not have a similar version.

There are also significant differences in how research would be structured at USDA, and language authorizing funding levels for competitive grant programs. The Congressional Research Service released a [side-by-side comparison](#) of the House and Senate-passed Farm Bills. ASN is preparing its priorities and recommendations for the Farm Bill conference. They will be posted on the new Public Affairs section of the website soon.

ADMINISTRATIVE ACTION

FDA seeks comments on dietary reference values and the Nutrition Facts label

The Food and Drug Administration (FDA) released an Advanced Notice of Proposed Rulemaking (ANPR) requesting comments on the dietary reference values that should be used to calculate the percent daily value (DV) on the Nutrition Facts and Supplement Facts labels. It also seeks detailed information on the macronutrients and micronutrients displayed on the label, and it considers the addition and removal of certain nutrients from the current label. Examples include: removing “Calories from Fat” as it may divert attention away from the total calorie content of a food, and making the labeling of monounsaturated fats mandatory.

Comments are due Jan. 31; however, sources close to the Agency say that the comment period will be extended. ASN, along with other stakeholder groups, sent a letter to FDA requesting the extension. ASN's Public Policy Committee is coordinating the Society's response to this ANPR.

For more information, see the [advanced notice of proposed rulemaking](#).

FDA to reevaluate certain health claims

The FDA will reevaluate the following two authorized claims: soy and risk of coronary heart disease; and dietary lipids (fat) and cancer. FDA also will review two qualified health claims—antioxidant vitamins and risk of certain cancers, and selenium and certain cancers—that are the subject of letters of enforcement discretion. FDA has decided to take on the reevaluation of these claims because of new scientific evidence that has emerged for substance-disease relationships. This new evidence may have the effect of weakening or strengthening the existing health claims. FDA is accepting comments on this notice until February 19. For more information, please visit the [Federal Register](#).

NIH publishes mandatory public access rule

As expected, the National Institutes of Health (NIH) has published the rule, created by the Consolidated Appropriations Act for 2008, requiring all NIH-funded investigators to submit an electronic version of their final, peer-reviewed manuscripts to the National Library of Medicine's PubMed Central (PMC). Submission must be done upon acceptance for publication, to be made publicly available no later than 12 months after the official date of publication. The law requires NIH to implement the new policy in a manner consistent with copyright law.

Specific details of the rule include the following:

The NIH Public Access Policy applies to all peer-reviewed articles that arise, in whole or in part, from direct costs funded by NIH, or from NIH staff, that are accepted for publication on or after April 7 of this year.

Institutions and investigators are responsible for ensuring that any publishing or copyright agreements concerning submitted articles fully comply with this Policy.

The final, peer-reviewed manuscript must include all graphics and supplemental materials that are associated with the article.

Beginning May 25, 2008, anyone submitting an application, proposal or progress report to the NIH must include the PMC or NIH Manuscript Submission reference number when citing applicable articles that arise from their NIH funded research. This policy includes applications submitted to the NIH for the May 25 due date and subsequent due dates.

Clarification is still needed on a couple of points, including whether the rule applies to review articles. There also is concern about the effect the new policy will have on impact factors for journals. For example, a scientist might reference PMC and not the journal in which the article was published.

To view the notice in full, go to <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-08-033.html>

PubMed Central is the NIH digital archive of full-text, peer-reviewed journal articles. Its content is publicly accessible and integrated with other databases (see: <http://www.pubmedcentral.nih.gov/>).

NIH Director Zerhouni highlights science education

NIH Director Elias Zerhouni released a [Special Edition Newsletter](#) on the importance of science education on the U.S. “The future of biomedical research and the health of this nation both hinge on getting young people excited about science and health,” says Zerhouni. He also addresses the importance of science literacy, making special note of nutrition. “Children who learn about health and the science that underpins it will be better equipped to make smart choices—about diets and exercise, about smoking and drugs, and about choosing lifestyles that will help keep them mentally and physically fit.”

Save the Date: NIH Director’s Council of Public Representatives meeting

The NIH Director’s Council on Public Representatives (COPR) will hold its spring meeting on the NIH campus in Bethesda, MD on Friday, April 18. The COPR is the federal advisory committee made up of members of the public who advise the NIH Director on issues related to the following:

- Public input and participation in NIH research activities
- Public input and participation in the NIH research priority-setting process
- NIH outreach programs and efforts

The [COPR website](#) has additional details, and the agenda will be posted two weeks prior to the meeting.

USDA asks IOM to examine ways to update school meal patterns

The Child Nutrition and WIC Reauthorization Act of 2004 included a provision requiring the Secretary of Agriculture to issue guidance on how to increase the consumption of foods that are recommended for increased serving consumption in the most recent Dietary Guidelines for Americans. In preparation for the rulemaking process, USDA assembled an internal group of nutritionists and program administrators to examine ways to integrate the 2005 Dietary Guidelines into the school meal programs, within group feeding limitations and cost restrictions. Given the complexity of issues uncovered during this process, USDA decided to contract with the Institute of Medicine (IOM), which will assemble a panel of experts from diverse specialties in child nutrition. This expert panel will provide USDA with recommendations to update the meal patterns and nutrition requirements for both the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). Once an agreement is signed, it may take IOM from 18 to 24 months to provide the USDA with the recommendations. USDA would then issue a proposed rule that incorporates as many of the IOM recommendations as possible.

USDA is encouraging states and schools not to wait for new regulations before beginning to bring meals into compliance with the most recent Dietary Guidelines.

Team Nutrition training grants available

The USDA Food and Nutrition Service (FNS) is soliciting grant applications from State agencies to expand and enhance training programs that incorporate and implement the 2005 Dietary Guidelines for Americans. The funding period will be from September 30, 2008, through September 30, 2010. The maximum amount of funding awarded to an individual State or a coalition within a State will be \$200,000; up to \$350,000 for a coalition of two or more different States.

Intent to submit an application is due to FNS by March 3, and the completed application is due April 14. More information on the grants, go to: <http://www.fns.usda.gov/tn/grants/2008app.html>

NATIONAL INITIATIVES

IOM is Seeking Nominations for Obesity Committee

The IOM is seeking nominations for a new, Standing Committee on Childhood Obesity Prevention. This new committee will serve as a focal point for national and state-level policy discussions by leaders in the field of childhood obesity prevention. It will also provide strategic guidance for the work of a series of IOM committee studies addressing specific policy issues related to childhood obesity. The committee is sponsored by the Robert Wood Johnson Foundation and will meet 2 to 3 times a year. Nominees should have relevant expertise, particularly in: childhood obesity prevention research and programs, nutrition/nutrition policy, child and family development, behavioral research, public policy, education/school and child care policy, physical

activity, media, built environment (community design), youth organizations, community-based research and programs, pediatrics, private sector food or physical activity businesses or organizations, and economics.

To submit nominations please provide name, affiliation, and area of expertise and include any additional comments that may be helpful. Committee members do not have to be members of IOM and it is acceptable to nominate yourself. Submit your nominations by January 18th to Annina Burns by email (aburns@nas.edu), phone (202-334-2094), or fax (202-334-2316).

FASEB and Member Societies launch ScienceCures.org

The Federation of American Societies for Experimental Biology (FASEB), of which ASN is a member, has launched an exciting, new voter education initiative, ScienceCures (www.sciencecures.org), aimed at raising the profile of federal funding for biomedical research among the candidates and the general public. "When Presidential candidates are making speeches or answering questions about health and health care, we want to make sure that the National Institutes of Health and medical research are an integral part of that discussion," said Robert Palazzo, Ph.D., FASEB President. "Federal funding of biomedical research should be a high priority for the nation in 2008 and beyond."

ScienceCures.org encourages scientists to become engaged in calling on our leaders to reinvigorate national investment in scientific research through a variety of tools and resources. Through the website, researchers and members of the public can contact the candidates, write letters to their local media outlets, sign a pledge to educate candidates and elected officials about the importance of federal funding of research, and even register to vote.

The site includes a number of resources emphasizing the benefits of biomedical research, including a number of interactive features designed to provide key facts about medical research, at both the national and local level. In addition to mobilizing the scientific community through the ScienceCures.org website, FASEB is working to highlight the importance of medical research among all Presidential candidates.

University of Hawaii to create Health Disparities Center

The University of Hawaii has announced plans to use a five-year, \$7.3 million federal grant to create a research center dedicated to identifying obesity and diabetes interventions for native Hawaiians. The planned Center for Native and Pacific Health Disparities Research aims to reduce the prevalence of obesity, diabetes and other conditions that disproportionately affect native Hawaiians. Funded by the National Center on Minority Health and Health Disparities, the new center will continue and expand upon research conducted by the University of Hawaii's Department of Native Hawaiian Health. Planned research projects include an investigation into the prevalence of metabolic syndrome among adolescent residents of Oahu; a study of mitochondrial function in obese patients participating in weight loss interventions; a study of the role bitter melon plays in reducing obesity and hyperlipidemia; and an investigation of hula as a cardiac rehabilitation activity for patients who have undergone coronary artery bypass surgery. The center also plans to offer courses for community health workers on diabetes and heart disease and to form research partnerships with other agencies.

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

American Society for Nutrition, 9650 Rockville Pike, Bethesda, MD 20814, www.nutrition.org
Join us at the [ASN Annual Meeting](#), held at [Experimental Biology 2008](#), April 5 - 9, in San Diego, California.



American Society for Nutrition
Excellence in Nutrition Research and Practice
www.nutrition.org