



## ASN Health and Nutrition Public Policy Newsletter June 15, 2007

### CONGRESSIONAL ACTION

#### House Subcommittee Marks Up the Nutrition Title of the Farm Bill

The House Agriculture Subcommittee on Oversight, Nutrition, and Forestry marked up the Nutrition Title of the Farm Bill, which governs the Food Stamp program and other related nutrition assistance programs. Many of the [changes to the Nutrition Title](#) are tied to the \$20 billion reserve fund designated for the Farm Bill, including an overall increase in deductions and indexing them to inflation for Food Stamp households and an expansion of the Fresh Fruit and Vegetable program to \$125 million by 2012 and to 50 schools in each state.

Four amendments were approved during the mark up. One was introduced by Ranking Member [Jo Bonner \(R-AL\)](#) to change the name of the Food Stamp program to the Supplemental Nutrition Assistance Program (SNAP). [Rep. Steve Kagen \(D-WI\)](#)'s amendment was adopted to establish a federal competitive grants program that would address obesity through nutrition education in the Food Stamp program and other solutions. Sense of Congress language regarding the consistency of nutrition education for Food Stamp participants with the Dietary Guidelines for Americans was introduced by Rep. [Charles Boustany \(R-LA\)](#) and approved.

Several subcommittee Members expressed concerns about tying the Nutrition Title changes to the reserve fund because it is unclear if these funds will materialize. House Agriculture Committee Chairman Collin Peterson (D-MN) assured Members that by continuing to tie projects to the reserve fund the Agriculture Committee was drawing the attention necessary to eventually see the reserve funds actualized. He added that discussions regarding the availability of reserve funds were ongoing.

The Farm Bill in its entirety is scheduled for consideration by the full Agriculture Committee June 26-28, with the hope of sending a final version to the House floor in July. The Senate Agriculture Committee has not scheduled a mark up of its version of the Farm Bill, but sources say it likely will occur in July. For more information regarding this hearing and additional information about the House Agriculture Committee's markups, please visit the [House Agriculture Committee Farm Bill Website](#).

#### House Appropriations Provide the Largest NIH Funding Increase in Four Years

The House Appropriations Subcommittee for Labor, Health and Human Services, and Education completed work on its fiscal year (FY) 2008 appropriations bill. Under the subcommittee approved draft bill, the National Institutes of Health (NIH) receives \$29.65 billion, a \$750 million or 2.6 percent increase, over FY2007 funding levels. However, the bill directs an additional \$200 million in NIH funds to be transferred to the Global HIV/AIDS Fund; therefore the actual increase over FY2007 funding levels is \$550 million, an increase of 1.9 percent. The additional funds will allow for approximately 545 new competitive research grants, lift a two-year freeze on the average cost of new research grants, and help train the next generation of researchers. Even though the increase proposed (in dollar terms) is among the highest NIH has received in the past four years, the proposed increase falls significantly short of the 6.7 percent increase recommended by FASEB and the broader medical research community. The 6.7 percent increases for each of the next three years would erase the inflationary losses suffered by NIH since 2003.

The bill also allocated \$6.4 billion for the Centers for Disease Control and Prevention (CDC). This is a \$246 million increase or four percent increase over FY 2007 funds. The CDC's Division of Nutrition and Physical Activity received a \$1.4 million increase, from \$41.25 million to \$42.75 million. The Health Information Service, of which the National Center for Health Statistics is a part, would receive \$254 million; a \$31 million increase over FY 2007.

For more information, please visit the [Chairman's Statement](#) and the [Table Outlining Appropriations Funding for Labor, Health and Human Resources, and Education](#).

### **Earmarks and Veto Threats Complicate the Appropriations Process**

As the House begins passing the FY2008 appropriations bills, new rules regarding earmarks could further complicate the process. According to earmark rules approved by both chambers of Congress, any earmarks for funds must be submitted to Congress and sponsorship of the earmark must be listed. In previous years, earmarks were added to appropriations bills without being vetted in Committee meetings or on the House floor. The Democrats vowed to change things. However, due to 30,000 earmark requests and a strain on Appropriations Committee staff, Democrats announced that earmarks will not be in bills initially passed, but will be added during the House and Senate conferences. Outraged Republicans claimed this is an unacceptable rule change that limits transparency in the appropriations process. They have used parliamentary procedures, such as attaching amendments to bills and blocking votes, to disrupt the appropriations process. Democrats argue that this is not a rule change and that delaying the inclusion of earmarks ensures that all the requests are reviewed appropriately. Ultimately, this latest partisan disagreement could slow the already complex appropriations process.

In addition, another challenge that has surfaced involves President Bush's threat to veto any appropriations bill that proposes to spend more than was included in his budget. The Democratic Budget Resolution proposes to spend \$21 billion more than the President's \$933 billion cap for discretionary spending. And, based on the allocations that each of the House Appropriations Subcommittees received, this would result in the President vetoing eight of the twelve appropriations bills, including the ones that fund NIH, the National Science Foundation and USDA's National Research Initiative.

## **ADMINISTRATIVE ACTION**

### **NIH Working Group Established to Examine Peer Review Process**

The NIH has formed both external and internal working groups to examine the Peer Review Process in order to maximize effectiveness. "Peer review is such a fundamental and critical part of the research process, that it requires our constant vigilance," said NIH Director Elias A. Zerhouni, M.D. "With the increasing breadth and complexity of science, along with the increased number of research grant applications, we need to take a comprehensive look at our review process, and make the necessary changes to strengthen it for applicants and reviewers alike. Although our peer review system is outstanding — and emulated throughout the world — we want to make it even better." Results from the working groups will be presented in December 2007 to the full Advisory Committee to the Director. ASN, in collaboration with FASEB's Office of Public Affairs, will be monitoring this process.

For more information and details on members of these working groups, please visit the [NIH Press Room](#).

### **FDA CFSAN FY 2007 Program Priorities**

The Food and Drug Administration (FDA) Center for Food Safety and Applied Nutrition (CFSAN) posted for comment on their website the Agency's Program Priorities for FY 2007. These include: Food Defense; Food Safety (General, Chemical Contaminants, Pesticides and Other Hazards, Cooperative Programs, Dairy Products, Education/Outreach, Egg Safety, Food

Additives, Food Allergens, International, Listeria, Pandemic Flu, Produce Safety, Research, Seafood Safety and Transmissible Spongiform Encephalopathies (TSEs)); Nutrition and Labeling (Nutrition/Preventing Obesity, Food Labeling and Infant Formula); Dietary Supplements and Cosmetics (Dietary Supplements and Cosmetics); and Priority Ongoing Activities.

For more information, please visit <http://www.cfsan.fda.gov/~dms/cfsan607.html>.

### **ERS Releases New Report on Behavioral Economics and Food Assistance**

The USDA Economic Research Service (ERS) issued a report entitled, "[Could Behavioral Economics Help Improve Diet Quality for Nutrition Assistance Program Participants?](#)" The report uses behavioral economics, food marketing, and psychology to explore creative policy ideas to improve the diet quality of food assistance participants. Interesting findings include the following:

- Pre-selection of foods may result in more healthful choices by reducing the presence of stress or other demands and limiting impulsive behavior
- Funds earmarked for a specific purpose would be spent for the designated purpose until they are depleted
- Diet quality cannot be significantly improved through the simple manipulation of food prices and,
- Nutrition education can be effective as a direct and less costly way to improve diets.

### **Upcoming Food and Nutrition Board Workshop on Dietary Reference Intakes**

The Institute of Medicine, Food and Nutrition Board of the National Academy of Sciences has scheduled a public workshop for September 18- 20, 2007 in Washington, DC on the topic "Development of DRIs, 1994-2004: Lessons Learned and New Challenges." The Workshop is intended to provide an opportunity to consider lessons learned from the DRI development and to identify issues to be considered in enhancing the approach. The workshop is not intended to provide consensus recommendations on issues, but rather is focused on describing the range of stakeholder inputs. The outcome will be a summary report reflective of the presentations and discussions.

For more information visit the [Dietary Intakes Workshop website](#).

## **NATIONAL INITIATIVES**

### **JAMA Study Examines R01 Applications and Success Rates**

A study published in the June 13 issue of the *Journal of the American Medical Association* (JAMA) examines historical trends in R01 application and success rates by MDs, PhDs, and MD/PhDs for clinical and non-clinical research. The authors conclude that physician-investigators consistently experience higher rates of attrition and failure, even after receiving a first R01 grant, and those proposing clinical research are less successful at obtaining funding than physicians proposing non-clinical research. Findings from the study include:

- The number of MDs applying for first-time R01s has remained stable over 40 years.
- Among first-time R01 applicants, MDs were less successful than PhDs or MD/PhDs.
- Among first-time R01 recipients, MDs were less likely to obtain a second R01 than PhDs or MD/PhDs. This difference was due to lower application rates among MDs compared to PhDs and lower application and success rates among MDs compared to MD/PhDs.
- Among first-time applicants, MDs were much more likely to propose clinical research studies than PhDs or MD/PhDs.

- Among first-time applicants, MD/PhDs were more likely than MDs to obtain funding for both clinical and non-clinical research.
- First-time MD applicants were more likely to receive funding for non-clinical grants compared to clinical grants.
- Among second-time applicants, non-clinical grants were more likely to get funded than clinical grants for both MDs and MD/PhDs.

### **FCC Task Force on Childhood Obesity and the Media Prepares for Final Report**

The Task Force on Childhood Obesity and the Media launched by the Federal Communications Commission (FCC), Sen. Sam Brownback (R-KS) and Sen. Tom Harkin (D-IA) held its final meeting June 8 to discuss its work and begin preparations for a final report to be released July 11. The Task Force has been charged with examining the role of media and food advertising on childhood obesity and developing recommendations for actions to address the problem through this medium.

Participant groups range from media companies such as Telemundo and Viacom, to food companies and industry groups such as Coca-Cola and the Grocery Manufacturers Association, and from advertising associations to health and academic societies. The groups generally agree on certain proposals such as:

- The need for monitoring, assessment and evaluation of principles and/or initiatives launched as a result of the Task Force's recommendations
- A greater focus on high risk populations
- The creation of media campaigns to promote an ongoing series of healthful messages for children and families
- A commitment to incorporate and model nutritious food choices within storylines of television shows and other child-directed content
- The creation of an inventory of current practices and existing efforts made by food companies, media outlets and others to address childhood obesity.

Issues on which the groups remain divided or are unable to resolve in the short time frame include the balance in food and beverage advertising, the use of licensed characters, nutrition standards and the potential use of a universal nutrition standard icon. Next steps include the development of a draft report for each group to take back to its membership for consideration in advance of the July 11 final meeting.

ASN has been a member of this Task Force since its inception last fall, and it is one of a small number of health and nutrition professional societies serving on it. Other like-minded groups include the American Academy of Pediatrics, the American Dietetic Association and the American Psychological Association.

**Children's Exposure to Food Advertising on Television**—The Kaiser Family Foundation released a side-by-side comparison of two studies on children and television food advertising. The comparison looks at the Federal Trade Commission's (FTC) new report, *Children's Exposure to TV Advertising in 1977 and 2004: Information for the Child Obesity Debate* and the Kaiser study, *Food For Thought: Television Food Advertising to Children in the United States*, released on March 28. Overall, the findings have many similarities. To view the side-by-side comparison, please visit the [Kaiser Family Foundation Website](#).

### **Kellogg Announces New Advertising Policies to Children**

The Kellogg Company will phase out product advertising to children under age 12 for foods that do not meet specific nutrition guidelines for calories, fat, sodium and sugar. Moreover, Kellogg will stop using licensed characters or branded toys to promote foods unless these foods meet those same guidelines. What are the guidelines? Kellogg will be using its new internal standard,

the Kellogg Global Nutrient Criteria, to determine which products will be marketed to children under age 12. The criteria set an upper threshold of 200 calories, 2 g of saturated fat, zero grams of trans fat, 230 mg of sodium and labeled 12 g of sugar per serving.

Wherever possible, the new policy will be implemented immediately. The company also will change its packaging to include "Guideline Daily Amounts" on the front of each product. The front-of-the-pack summary is designed to give a snapshot of how the food fits into a daily diet, and how it complements the federally-mandated Nutrition Facts panel.

For more information, visit the [Kellogg Media Room](#).

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