

## **Oppose Provisions Harmful to Public Health in the FY2012 Agriculture Appropriations Bill**

June 13, 2011

United States House of Representatives  
Washington, DC 20515

Dear Member of Congress:

As organizations dedicated to improving public health, we are writing to express our concern over a number of provisions included in the bill text and report language of the FY 2012 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations bill, as approved by the Appropriations Committee on May 31st. These provisions could potentially impair our nation's efforts to address critical public health issues – including tobacco control, antibiotic resistance, and obesity.

One amendment, approved during full committee mark-up, would limit the type of scientific evidence the Food and Drug Administration (FDA) can use before issuing rules or guidance. This would weaken the FDA's authority in several critical areas, including tobacco control and efforts to contain antibiotic resistance.

The measure could reverse progress made through the Family Smoking Prevention and Tobacco Control Act (FSPTCA), including weakening the FDA's authority to restrict tobacco marketing or require changes in tobacco products, such as the reduction or removal of ingredients which make it more likely for consumers to smoke. The FDA would also be restricted from moving forward on its public health approach to antimicrobial use in animals, reflecting the broad consensus of the scientific, medical, public health and international health communities. Infectious disease physicians and public health advocates are greatly concerned about the growing body of scientific evidence demonstrating that antimicrobial drug use in livestock and poultry contributes to the spread of drug-resistant bacteria to people.

Further, we are concerned about report language that would negatively impact work to combat obesity and improve nutrition by making it easier for children and adults to make healthy eating choices. The committee report includes language which would slow the Department of Agriculture's (USDA) implementation of improved nutrition requirements for school lunch and school breakfast programs. School meals play a significant role in children's diet, constituting the majority of daily calories consumed for many students. Improved nutrition standards will be a fundamental step towards addressing the epidemic of childhood obesity, and improving the long-term health of America's children.

The committee report also includes language which would narrow the scope of nutrition labeling provisions for restaurants and retail food establishments that would give Americans the tools they need to make healthy eating choices the easy choices. Congress should not limit the FDA's authority to ensure that restaurants and similar retail food

establishments provide clear, easily understandable nutritional information at the point of ordering.

Finally, the report also includes language which would remove the USDA from the Interagency Working Group on Food Marketed to Children. This working group brings together representatives from several agencies to develop model guidelines for food marketing on children, to help improve children's eating behavior. As the department which oversees nutrition programs ranging from school lunch to WIC, the USDA is a critical member of this working group and should be permitted to continue their participation.

We urge you to reconsider the inclusion of these various provisions that we believe are detrimental to the nation's health.

Sincerely,

Advocates for Better Children's Diets  
American Academy of Family Physicians  
American Academy of Pediatrics  
American College of Preventive Medicine  
American Heart Association  
Arthritis Foundation  
Center for Science in the Public Interest  
Childhood Obesity Prevention Coalition – Washington State  
Defeat Diabetes Foundation  
Institute of Social Medicine & Community Health  
Latino Coalition for a Healthy California  
Missouri Association of Local Public Health Agencies  
National Association of County and City Health Officials  
National WIC Association  
Public Health Institute  
Public Health Law & Policy  
Trust for America's Health