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Office of Disease Prevention and Health Promotion, OASH
U.S. Department of Health and Human Services
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Dear Dr. Olson:

We agree with the 2015 U.S. Dietary Guidelines Advisory Committee that total diet and physical activity must be taken into consideration to achieve a healthy lifestyle. In fact, a 2014 position statement by the Academy of Nutrition and Dietetics concluded that a comprehensive approach to reducing calories from all sources while increasing physical activity is the most effective long-term solution for calorie reduction.

But the Dietary Guidelines Advisory Committee's efforts went beyond its charge and authority to develop dietary recommendations based on scientific evidence by advocating for public policies such as taxes and restrictions on foods and beverages and by questioning the safety of ingredients used in foods (*e.g.*, low calorie sweeteners, aspartame, and caffeine). The U.S. Food and Drug Administration is the competent authority on ingredient safety and continues to deem these ingredients as safe along with other government authorities around the globe. The Committee does not have the authority to make such recommendations, nor the scientific evidence or expertise to back up its recommendations. Furthermore, studies show that taxing sugar-sweetened beverages has no meaningful impact on public health.

When it comes to sugar and sugar-sweetened beverages, the Committee did not consider the totality of scientific evidence. There is nothing unique about sugar-sweetened beverages when it comes to obesity or any other adverse health outcome. In fact, trends show that sugar-sweetened beverage consumption has declined significantly over the past decade, but this decline was not accompanied by a decline in overall obesity. Singling out any one product for discriminatory treatment is inconsistent with a dietary pattern approach to the guidelines and bad public policy.

Given the importance of the Committee's guidance on helping Americans control their weight, their lack of support for foods and beverages made with low- and no-calorie sweeteners is contradictory. In fact, the Committee concluded that these ingredients help with weight loss; yet they contradicted their findings by not supporting their use as an alternative to help reduce calories and/or sugar. Aspartame is one of the most widely studied food ingredients in the food supply and has been repeatedly reaffirmed as safe by regulatory agencies around the globe,

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including the FDA. Despite the overwhelming body of evidence, the Committee chose not to recognize the existing research concerning the safety of aspartame relative to cancer.

When it comes to caffeine, the Committee referred to 'high' caffeine intake, and arbitrarily focused on a single category of products – energy drinks, which account for less than 10 percent of total caffeine intake. However, other sources of caffeine, like coffee, contain the same and oftentimes significantly higher amounts of caffeine than energy drinks, and contribute a much larger proportion of caffeine to the American diet.

As your department crafts final guidelines we urge you to continue the trend set in 2010 which included a focus on science and offering practical advice on balanced nutrition for consumers.

Very truly yours,



Elizabeth Ramirez-Washka
Corporate Counsel