Congress of the United States
Washington, DC 20515

September 12, 2007

Mr. Joe Weller
Chief Executive Officer
Nestlé USA, Incorporated
800 North Brand Boulevard
Glendale, CA 91203

Dear Mr. Weller,

I am writing to you to express concern about the role that food and beverage marketing targeting children – particularly advertising aired on children's television during children's programs – is having on children's dietary choices. In particular, I am concerned that the prevalence of advertisements on children's television for junk food, fast food, and other foods wholly lacking in nutritional value is one of the root causes of America's childhood obesity epidemic, which the United States Surgeon General has identified as "the fastest growing cause of disease and death in America."

Parents have an undeniable responsibility to steer their children toward healthy choices and the growing problem of childhood obesity cannot be attributed solely to advertising. Yet your company, as one of the world's largest food and beverage marketers, can play a role in solving the childhood obesity problem through socially responsible advertising practices and I urge you to do so.

On June 22, I chaired a hearing in the House Subcommittee on Telecommunications and the Internet entitled "Images Kids See on the Screen." At this hearing, the Subcommittee explored the link between TV advertising and childhood obesity, and whether regulatory or legislative solutions are needed to restrict food marketing on television to combat this public health issue.

The recent announcement by the members of the Council of Better Business Bureau's ("CBBB") Children's Food and Beverage Advertising Initiative to voluntarily place significant restrictions on food marketing to children is a welcome development. These 11 companies adopted nutrition standards and will apply those standards to all marketing aimed at children, including advertising on television, print, radio, the Internet, product packaging, and in schools.

While Nestle is a prominent advertiser on children's television, it is notably absent from the CBBB initiative. Hershey's and Mars, by contrast, have joined the

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initiative and have agreed to apply nutrition standards to the food products they market to children. I am writing to you to ascertain whether your company will join the CBBB initiative and commit to implementing marketing restrictions that meet or exceed those of the other companies that have made pledges, and if so, your timeline for doing so. Such information will help inform the Subcommittee and the public as to additional steps that may be warranted to safeguard kids from junk food ads during children's television programming.

I respectfully request that you respond in writing by September 19, 2007. Thank you for your time and attention to this matter. If you have any questions, please call me or have your staff contact Maureen Flood at 202-226-2424.

Sincerely,

Edward J. Markey

Edward J. Markey
Chairman, House Subcommittee on
Telecommunications and the Internet