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Position Paper on the Green Paper on Healthy Diets and Physical Activity

Executive Summary

<u>Subject</u>	<u>Business Perspective</u>	<u>AmCham EU Position</u>
<i>Level of action</i>	Tackling obesity requires a multiplicity of local, national, European and international initiatives, by a multitude of actors: citizens, industry, government authorities and consumers.	A multi-stakeholder response addressing all factors contributing to overweight, obesity and chronic diseases is essential.
<i>Type of action at European level</i>	Given the cultural and dietary diversity as well as the differing social contexts in the Member States, a prescriptive approach at European level is neither appropriate nor practical	At European level share research and best practice and stimulate innovation.
<i>Better regulation</i>	Voluntary codes of conduct can safeguard the interests of consumers as they are quick, inexpensive, flexible, responsive, applied across borders and enforced by peer pressure.	Incentivise good self-regulation and responsible behaviour.

Introduction

The American Chamber of Commerce to the European Union (AmCham EU) welcomes the European Commission’s Green Paper on “Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases” and is pleased to respond to the consultation process.

AmCham EU represents companies from all sectors of industry. By virtue of the nature of our organisation we are also able to closely observe developments on both

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sides of the Atlantic. This gives us a unique, horizontal and global perspective from which to provide observations regarding the Green Paper.

Overarching principles

In summary, we approach this debate from the following perspective:

- the Green Paper addresses a multifactorial public health issue that needs to be addressed by society as a whole. A multi-stakeholder response addressing all factors contributing to overweight, obesity and chronic diseases is essential;
- take a holistic view;
- at European level share research and best practice and stimulate innovation;
- incentivise good self-regulation and responsible behaviour; and
- promote impact assessments and find evidence for what works.

We welcome the laudable goals outlined in the Green Paper – promoting a more balanced diet, stimulating a higher degree of physical activity and improving the overall health condition of European citizens. Actors throughout society, both as individuals and organisations, need to consider what they can usefully do to achieve these goals and then act accordingly. A policy approach that is not holistic and fails to encompass any of the areas and actors in society which impact on these issues will prevent any long-term success.

The European dimension to an issue on which there are no clear solutions, but a multiplicity of local, national and industry initiatives, should be based on two key principles: to search out and promote evidence-based best practice sharing and to act as a catalyst/provide incentives for encouraging innovation in this area. Given the cultural and dietary diversity as well as the differing social contexts in the Member States, a prescriptive approach at European level, either towards the Member States or towards industry is neither appropriate nor practical. Whilst legal competence for addressing nutrition issues remains with the Member States (under Article 152 of the Treaty), there is an important role for the EU not only in encouraging co-operation and the sharing of best practice but also in guarding against measures which disturb the functioning of the Single Market.

Education from an early age must play a critical role in ensuring that European citizens understand the importance of nutrition and a balanced and healthy lifestyle. It is only once consumers understand the issues surrounding diet and lifestyle (in particular that both an unbalanced diet and an inactive lifestyle contribute to overweight, obesity and chronic diseases) that they can make informed choices and take responsibility for their diet and lifestyle. Education is the primary responsibility of public authorities at national and regional levels. However the EU can play a significant role notably by promoting evidence-based best practice and facilitating the sharing of knowledge between Member States.

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Responses to relevant sections of the Green Paper

IV.1 – European Platform for Action on Diet, Physical Activity and Health

AmCham EU would support wider consideration of this innovative approach to achieving change as it is much faster than traditional regulatory and prescriptive methods. We believe it is an approach that is particularly suited to areas of policy where the exact ways to achieve change are uncertain.

AmCham EU is not itself a member of the Platform but some of its companies are involved through other groups and are themselves active.

For example:

- PepsiCo has given commitments in the areas of product development, consumer information, marketing/advertising and the promotion of healthy lifestyles. PepsiCo will accelerate the roll-out of healthier snacks, beverages and breakfast cereals, provide additional nutritional information on all products, implement new advertising and marketing guidelines and promote healthy lifestyles among employees.
- Kraft will provide nutrition labeling on all packs except single ingredient products (eg, pure coffee), where space is available by the end of 2006. Where national Guideline Daily Amount (GDA's) targets have been agreed this information will be provided. In addition Kraft will develop healthy living websites to provide consumers with practical information to help them make good nutrition and healthy lifestyle choices. Kraft will also continue to develop new products reduced in calories, fat or sugar or with added fruit, vegetables or fibre and will continue to provide a variety of portion-size options. For some time Kraft has committed not to advertise in TV / radio / press in programme airtime aimed at children under 6 years old; not to advertise or promote products in schools and it has established nutrition standards for school vending. Only products meeting Kraft's own 'Sensible Solution' nutrition standards (ie "better for you" nutrition criteria) can be advertised to children 6-12. Restrictions also apply to websites aimed at children under 12 years. Kraft businesses are encouraged to include healthy lifestyle messages and activities in more of their promotions - especially for products consumed by children.
- Masterfoods has implemented a uniform voluntary nutritional labeling policy worldwide and recently announced a voluntary GDA labeling initiative in the UK. It is also actively engaging its employees in healthy lifestyle initiatives.
- McDonald's Corporation has developed a Nutritional Information Initiative (NII) that aims to provide consumers with an easy tool to understand their nutrition intake based on GDAs. The information will be portrayed on its packaging and through supporting communication materials. The concept, which originated as part of McDonald's commitment to the Platform, was launched in Europe in February and by the end of 2006 McDonald's plans to have the packaging in more than 20,000 restaurants worldwide.

As an example of a catalyst for stimulating innovation in this area, AmCham EU believes that the Platform is on track to be successful.

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IV.3 – Health across EU policies and IV.4 Public Health Action Programme

More research funding in the area of nutrition and physical activity is important. The Community can provide a vital service to Member States and citizens by comparing different policies and initiatives, identifying root causes and data gaps and developing recommendations. For example, qualitative research on the background and social context and quantitative research on participation in sport and physical activity would be useful¹. The Community could promote the use of impact assessments by Member States for their policies to encourage the collection of evidence on what policies work. Many channels for the dissemination of this information need to be tried to find evidence of what works for specific target groups.

IV.5 – EFSA

AmCham EU has responded to the consultation on the review of EFSA and expressed concerns about adequate budgetary funding and resources available to EFSA to carry out its already extensive role. EFSA must first concentrate on its primary remit of food safety in order to ensure sound science in this crucial area. It is essential that the EU has the highest possible standard of food safety in order to maintain the confidence of consumers and trading partners.

V.1 – Consumer information, advertising and marketing

In its capacity as guardian of the single market, the Commission should guard against any national measures that disturb the functioning of the single market.

AmCham EU fully supports the provision of relevant consumer information and clear, easily understood nutrition labeling to enable consumers to make informed choices about the food they eat.

AmCham EU believes that encouraging industry to co-operate in these areas under a self-regulatory framework is the most appropriate and beneficial approach.

At their best self-regulatory voluntary codes of conduct can safeguard the interests of consumers in that they are quick, inexpensive, flexible, responsive (eg, to changing consumer needs and attitudes and to new scientific knowledge), applied across borders, and enforced by peer pressure. The criticisms of voluntary codes of conduct are of course well known, namely a possible lack of legal underpinning, transparency, objectivity, effective enforcement and consumer participation. The first problem is easily overcome by using self-regulation to provide detailed rules within a legislative framework. Transparency, objectivity and enforcement problems can be solved by rigorous drafting and application of the codes themselves. The most difficult problem is consumer participation. In order to address this, a participatory and transparent method of dialoguing with real consumers at local level needs to be devised. This is an area

¹ *Sports Participation in the European Union: Trends and differences, Maarten van Bottenburg, Bas Rijnen, Jacco van Sterkenburg, W.J.H Mulier Institute Arko Sports Media, 2005*

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where the Commission can play a vital role in promoting dialogue between stakeholders and acting as a catalyst to devise such a mechanism.

Consumer information, advertising and marketing have been a key focus of the European Platform for Action on Diet, Physical Activity and Health, through which stakeholders in the food chain in particular have been catalysed to examine their own practices and take action to help address the obesity challenge. The results are promising in terms of commitments to support the quest to reduce obesity. However, industry actions related to information provision and marketing practices will have little impact if they are not accompanied by well conceived wider educational efforts on the importance of balanced diets and physical activity. That is why it is so important to involve health and education authorities and to work on the basis of sound science.

V.2 - Consumer Education

The context in which consumers take in messages is determined by a wide range of factors: family, social networks, formal schooling, media, etc. National authorities have a key role to play in providing their citizens with the means of becoming informed consumers. Educational policy on active lifestyles and balanced diet needs to be based on sound science. Messaging needs to be appropriately adapted to different channels and audiences in order to be understandable and relevant to all. This is another example of the need for taking a holistic view; consideration of industry initiatives in isolation from education systems will not deliver results. Although education is within the competence of Member States, the Community can and should facilitate the sharing of best practices among Member States. Industry can inform consumers and find better ways of doing this, but governments have a key responsibility for effectively educating their citizens.

In the field of promoting physical activity, research demonstrates² that the effectiveness of mass media campaigns is actually rather disappointing both in the short- and long-term. It appears that purely raising people's awareness does not alter behaviour. In order to understand means for effective communication, we would suggest working in consultation with all stakeholders to find innovative, tailored solutions for the different regions and societal groupings in the EU.

V.4 – Food availability, physical activity and health education in the work place

It is clear that a 'one-size fits all' policy is inappropriate for nutrition and physical activity education in the work place. Best practices differ from country to country, as consideration is given, not only to the various public health systems in force, but also the different employee cultures. The most promising way for the Community or Member States to encourage improved nutrition and physical activity education in the workplace is therefore by providing incentives and by sharing best-practice.

² *Sports Participation in the European Union: Trends and differences, Maarten van Bottenburg, Bas Rijnen, Jacco van Sterkenburg, W.J.H Mulier Institute Arko Sports Media, 2005*

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Some best practices include:

- Fitness facilities in the company headquarters, accessible to all employees;
- Advice on healthy lifestyles from professional nutritionists and trainers;
- Gym subscriptions or sporting events for employees as part of team-building exercises;
- The provision of good cycle routes, as well as safe places to keep bicycles during the day;
- Discouraging meetings during the lunchtime period, to give people an opportunity for physical activity during the day; and
- Organising staff volunteering opportunities promoting physical activity outside the office surroundings.

V.6 – Addressing the obesogenic society

It would be naïve to think that a single solution exists for tackling the obesogenic society. The issue must be viewed in the context of a multiplicity of local, national, European and international initiatives including all actors, the citizen, industry, government and the consumer. Moreover, efforts must be made to ensure a holistic approach, focusing on the improvement of a ‘lifestyle’ rather than singling out any contributing factor to the obesogenic society.

A major step will be taken to address the problem by abolishing barriers to physical activity and promoting access to sport for all. Examples of public policy support for these goals could be:

- 1) Re-positioning physical education in schools in terms of importance in the weekly curriculum
- 2) Guaranteeing access to sporting and recreational facilities and good use of urban space for both children and adults (eg, playgrounds, safe places for pedestrians to walk and cycle lanes).

The European Community again has a role in promoting exchange of best practice in this area.

V.7 – Socio-Economic Inequalities

The Community could play a role in promoting further research into the real underlying causes of unhealthy lifestyles. Once more, a holistic approach needs to be adopted, rather than a narrow focus on one or two issues. The Community should promote the sharing of best practice in this area.

V.8 – Fostering an integrated and comprehensive approach towards the promotion of healthy diets and physical activity

In order to understand how to develop a comprehensive approach towards promoting balanced diets and physical activity it is essential to work in consultation with all stakeholders to find innovative tailored solutions for the different regions and actors in the EU.

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No “one size fits all” solution is possible, but the EU can act as a catalyst for innovative ideas and solutions. Community policies can also usefully contribute by identifying opportunities for building or supporting existing public policy networks and increasing awareness of physical activity issues with EU Member State governments

V.9 – Recommendations for nutrient intake and for the development of food-based dietary guidelines

EFSA has a role to play in assessing scientific evidence in respect to food. However, its focus should first and foremost be on risk assessment in relation to food safety and to underpin EU food law. Moreover, it should focus on those areas where scientific consensus exists in order to optimize the use of its limited resources and funding. AmCham EU would like to see the EU and EFSA profit from international sources which have done similar work in this area.

V.10 – Cooperation beyond the European Union

The Union should certainly engage in exchanging best practice with third countries and international organisations such as the WHO. It should also actively seek to draw out and make more available in Europe research that has been done in other countries and evidence of approaches that have success elsewhere. The Union, situated as it is with a variety of dietary situations among the Member States, has much evidence to draw upon to help the dialogue on this issue at international level.

AmCham EU members support the recent initiatives to improve cooperation between regulators and stakeholders in the EU and the US, while at the same time recognising that this should not duplicate or undermine the extensive work and discussions already taking place in multinational fora, notably the Codex Alimentarius. As companies of American parentage, we realize the cultural, societal and lifestyle differences between the EU and the US but we urge the EU to further its regulatory dialogue with the US to ensure a clear understanding of policies on both sides of the Atlantic regarding the healthy lifestyles debate.

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The American Chamber of Commerce to the European Union (AmCham EU) is the voice of companies of American parentage committed to Europe towards the institutions and governments of the European Union. It aims to ensure an optimum business and investment climate in Europe. AmCham EU facilitates the resolution of EU – US issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Total US investment in Europe amounts to \$964 billion, and currently supports over 3.6 million jobs.

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