

(As Prepared)  
Remarks of Commissioner Deborah Taylor Tate  
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Good morning, and thank you for this invitation! It is wonderful to have the opportunity to speak with you all today about issues important to both the FCC and the advertising industry. I'd like to take this opportunity to thank Dan Jaffe, Executive Vice President of the ANA and AAF President & CEO Wally Snyder for their participation in the Task Force on Media and Childhood Obesity – but more importantly for their willingness and reaching out to me – even before the task force began.

In many ways, my own professional career has intersected with ad agencies and extraordinary creative talents for as long as I can remember, whether political campaigns choosing colors and slogans and editing ads or campaigns to raise children's immunization rates and improve public schools. So, I would like to take this opportunity to thank you all, as representatives of member organizations, for the proactive steps that ANA, AAF and "Four A" have taken over the years to help bring the power of advertising to bear on so many problems facing our children and youth – from the war against drugs and tobacco, buckling up our seat belts to the more recent national epidemic of childhood obesity. You have had and will continue to have a profound effect on our country.

In my work with two Governors, ad agencies and broadcasters were often my first phone calls to launch a major campaign – long before the launch of course. In fact, I may be one of the few government officials with an "addy," one of the awards I truly cherish. We resurrected a vintage ad from the 1970s called "TN TRASH," with a colorful country music personality

driving across the state throwing out trash, introducing an entire new generation to this character and launching environmental projects across our beautiful state. The song became such a phenomenon that it was one of the top requested songs on the radio! And, my friend Bill Hudson and I got to take home an addy.

I think that you seem to be an amazingly calm group given the amount of turmoil there is in your industry right now. Audiences are splintering across distribution platforms, consumers are time and space shifting, and formerly reliable business models are showing signs of strain as new entrants expand the scope of their disruptive (and I mean that in the economic sense) practices. Part of all this disruption and convergence is due, at least indirectly, to my agency. Not due to regulation, but due to *deregulation*.

The FCC has aggressively pursued the creation of a regulatory environment that promotes broadband deployment and investment in dazzling new technologies for consumers no matter where they choose to live. We've conducted one very successful spectrum auction since I joined the Commission, and we have a statutory obligation to auction off another large block of 700 MHz spectrum, ideal for the provision of high bandwidth fixed and mobile services, in the near future. These policies and this newly available spectrum are providing consumers access to all manner of digital content and services, at home, at work, and on the move. This provides amazing opportunities for consumers, and amazing challenges for your industry.

In the scramble to adjust to this new world, it can sometimes be too easy to focus on the *work*, to the exclusion of the broader social context into which that work fits. All of us, in our role as professionals and government officials, have an obligation to ensure that we contribute to our larger society. Thankfully, that's not a tough sell for this crowd. An excerpt from the

mission statements of each of the advertising associations that sponsored this event are illustrative:

- Four A – “To facilitate the application of our members’ skills and talents to pro bono efforts on behalf of worthwhile social and community causes.”
- ANA – “On behalf of the industry, we align the marketing community towards solutions for societal concerns.”
- AAF – “Applies the communication skills of its members to help solve community concerns.”

You should be proud to have mission statements that include such laudable social goals. Like you, I have taken my pro bono and volunteer work seriously, and that is what I would like to discuss with you all today.

When I arrived at the FCC, I knew that I wanted to continue my work to improve the lives of children and families. As a state official and policy maker, I had known about the childhood obesity epidemic for a while. Both as a mother trying to encourage healthy choices at home and as a policymaker, as our state health program, TennCare, became a quarter of the state budget. One night as I was working late, I read the Surgeon General’s report where a fellow Nashvillian – then Surgeon General David Satcher – asserted that today’s youth may be the first generation with a shorter life expectancy than their parents. I realized that this national epidemic would not be resolved without leadership at every level of government, throughout neighborhoods and states, schools and nonprofits, caregivers and parents. And, of course, you, as advertisers are a major part of the equation at each juncture of this complex issue.

We all agree that childhood obesity is now a national public health problem. More than 10 million school-aged children are now considered overweight, and whether this is 1 in 3 or 1 in

4 of our children, we also know the numbers are expected to grow if we do not effectively respond and halt the epidemic. There is no question that the health ramifications – including the unmistakable links between obesity and diabetes, cancer, and heart disease and stroke – are reason enough for each of us to get involved in the solution.

But for those of you who would like even more reason, consider the economic ramifications associated with this epidemic. Obesity related medical expenses are astronomical. In California and New York combined, Medicaid expends nearly \$6.5 billion on obesity associated medical expenses. And in California alone, the annual cost of medical care attributable to obesity is estimated to be almost \$7.7 billion. The cost of Medicare and Medicaid, as well as private pay insurance, is already a major burden to the economy, the federal budget, and small businesses. With a healthcare system already exploding, how will we pay for those 10 million plus children when they become adults? That is why I believe we must address this national epidemic from every angle, with all the fire power we all bring to the table.

Last fall, I attended the Institute of Medicine's unveiling of its most recent report regarding childhood obesity. This report called for leadership at every level, from all levels of government, industry, communities, schools, and families in mobilizing the resources required to address childhood obesity. I could not agree more. Like I have said many times before, "It won't just take a village," it will take an entire society to solve this epidemic.

A number of federal agencies have already taken some positive steps.

- The Department of Agriculture's WIC program helps safeguard the health of low-income mothers, infants, and children up to age 5 who are at risk by providing nutritious foods to supplement diets and information on healthy eating. Which

make sense – with 80% of kids reporting that “MOM” has the biggest impact on their eating habits.

- The USDA is partnering with States and local school to promote healthful diets and encourage physical fitness through programs such as the Healthier US Schools Challenge.
- The Interior Department is facilitating greater access to parks and public lands encourage outdoor activities. I just returned from Tampa where they have the longest continuous sidewalk in the US – 7 miles of walkway to encourage citizens and tourists alike to get out and walk!
- And most recently – something you all are very familiar with – HHS partnered with the Ad Council and Dreamworks to launch a public awareness campaign featuring Shrek to encourage physical fitness.

The advertising industry also has taken other proactive steps to combat obesity. For example, inquiries on food and nutrition published by CARU and NAD illustrate that industry self-regulation has an important role to play in combating childhood obesity. Since HHS launched the Obesity Prevention campaign, the PSAs have received more than \$270 million in donated media support.

While these are steps in the right direction, it is, frankly, just not enough. To put this in perspective, some advertisers paid more than \$2.6 million for a 30-second commercial during this year’s Super Bowl. So I ask, implore, and challenge you – and the companies you work with – to do more.

I am excited about the creation of the task force on media and childhood obesity bringing together stakeholders from the food and beverage companies, academic and medical industry,

consumer advocates, and media and advertising industry – including your associations and many of your clients. Hopefully, looking at the role of media within the larger topic of childhood obesity will shed additional light on the problem, but more importantly, coming up with solutions and messaging that may be audio, video, digitized, packetized and individualized based on the audience – something *you* have the expertise to make successful. You, as the advertising industry, have a unique opportunity to have a positive impact-you can help save lives. There are a number of studies that have been released, or are scheduled to be released, that demonstrate what a profound influence you have on America’s children and youth.

When I arrived at the FCC, I was astonished to discover that 2 to 7 year olds watch nearly 14,000 ads per year, and 8 to 12 year olds watch over 30,000 ads per year. They are voracious consumers and marketers certainly know that – but it may not be entirely fair. According to recent research, most children can’t distinguish between programs and commercials until they are 4 or 5 years old. and not until children are 7 or 8 years old are they able to understand that advertising is designed to persuade – until that age they often accept advertisements as fact.

Today I implore you step up to the challenge and be a positive influence in fighting this epidemic. As you are aware, or should be aware, there is heightened interest in what other countries are doing – from total bans on ads to children to government bans on trans fats and other unhealthy foods. Some countries have banned advertising during children's programs and on children's channels altogether. In fact, we – the FCC – were recently asked by members of Congress if we were aware of what steps other countries are taking. Perhaps the industry needs to come up with some self-regulatory ideas, rather than have government choose even more stringent constraints

I come with a few pretty practical suggestions. Instead of the “Four A’s,” I bring suggestions as “the Four E’s:” Educate, Equalize, Emulate and well, simply, End.

### 1. Educate your clients

Every CEO should know the enormity of this problem-especially those that market products of any kind to children and families. This should be their number one initiative and they should say so. The CEO should state that from the top. Bob Iger did at Disney and they are transforming all their business plans to reflect that edict. And, use that educated message then to educate parents, teachers, and yes, kids! Here’s the problem and (INSERT THE PRODUCT OR COMPANY) is part of the solution. It’s not just good for the customer, it’s just good business.

### 2. Equalize the messages

I understand that a few of the largest food companies have *voluntarily* agreed that they will advertise and networks will air an equal number of ads for healthy products as unhealthy ones. Right now, the graph I’ve seen looks more like 70/30 the other way. This is great for four or five or six companies, but why not set an industry-wide goal and encourage the industry to adopt a voluntary goal of equal ads in the near term, moving toward a *majority of healthy ads* by a date certain. And, you should be ready to answer: “Why advertise unhealthy foods at all, especially to little children?” If scientific research and cost to the healthcare system proves we know how harmful they are, why are companies doing it?

As we hold media hearings all across the country, indeed there are thousands of citizens who show up and speak in favor of more government regulation of the media of every type, so you should weigh the environment across this country regarding media as you make decisions going forward.

### 3. Emulation – use it *only* for the positive

Only allow children's popular characters to advertise *healthy* choices, nutritional foods and beverages as well as physical activity. Several companies are making that choice already: TV, movie and game characters will be found in the fruit and vegetable, dairy and juice aisles. And, companies are also creating healthier, more fiber-filled, whole grain choices. So, advertise all the good, new products being put on the grocery shelves today. And, some children's television shows are, in essence, games for kids that encourage physical activity. Why can't an ad for food, toys, a game, movie or other products for children likewise encourage interactive physical activity? Use those funny and loveable characters to be a *positive* influence on kids so they will make healthy lifestyle choices.

### 4. Eradicate, Exterminate, Erase and End Childhood obesity in the US

How do we challenge the entire food and beverage industry to meet these goals? Perhaps you, as advertisers, could suggest that this isn't just good for children, it's good for our country's economic well-being, and good for their bottom line.

Making an impact on this issue will require gaining footholds outside of the traditional health fields. Because the FCC has a relationship with much of the nation's media and communications industries – I've been talking to everyone from the cable guys to the wireless industry to ministers from other countries – we have a primary vantage point to consider the role of these companies in the quest for solutions to obesity, particularly as it relates to children's media.

I am careful to note that our rules and authority may be cabined to "children's programming" and advertising requirements on that programming, but we can raise the consciousness of the media content and delivery companies to consider their impact, especially



on children, and this is one place the Supreme Court has been deferential. In my role as Commissioner, I have been given an incredible opportunity and am indeed honored to serve as a voice for parents. It is a role I take very seriously as a Commissioner, and a mother. We are not here to fight the influence of media on our children, but to make it a *positive force*.

If we had the chance and the knowledge to help find a cure for 10 million children with a debilitating disease, wouldn't we all do all we could to help find that cure? So, for all those artists and scientists and teachers and "ad men" and "add-women" of tomorrow: for our nation's greatest natural resource, for our children, let's "JUST DO IT."

Thank you again for inviting me.