

Food & Beverage

LITIGATION UPDATE

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Table of Contents

Legislation, Regulations and Standards

- [1] Japan Agrees to Reopen Markets to U.S. Beef Imports;
Senate Lawmakers Threaten Sanctions1
- [2] USDA Inspector General Critical of Avian Flu
Surveillance Efforts1

Other Developments

- [3] African-American Youth Overexposed to Alcohol Ads,
Says New CAMY Report1

Scientific/Technical Items

- [4] New AHA Dietary and Lifestyle Recommendations Take
Aim at Added Sugars and Saturated Fat2

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Legislation, Regulations and Standards

U.S. Department of Agriculture (USDA)

[1] Japan Agrees to Reopen Markets to U.S. Beef Imports; Senate Lawmakers Threaten Sanctions

In what observers deemed “a highly unusual concession by the United States,” Japanese and U.S. agriculture officials reportedly reached an agreement this week whereby American beef exports will resume in late July 2006 if Japanese inspectors visiting U.S. meatpacking facilities are satisfied that meatpackers are complying with bovine spongiform encephalopathy-related safety requirements. Japan’s ban on U.S. beef has reportedly cost producers some \$3 billion in lost sales.

Meanwhile, Senators Kent Conrad (D-N.D.) and Pat Roberts (R-Kan.) have introduced legislation calling for the U.S. Treasury Department to impose tariffs on Japanese products unless the Asian nation allows U.S. beef imports by August 31. “The job is not done until the beef is moving and shipped to Japan,” Roberts was quoted as saying. “We are introducing this bill to really keep their feet to the fire.” See *USA Today*, *The New York Times* and *Press Release of Senator Kent Conrad*, June 21, 2006.

[2] USDA Inspector General Critical of Avian Flu Surveillance Efforts

USDA’s Office of Inspector General has concluded that the agriculture department lacks a “comprehensive approach” for monitoring avian influenza in domestic poultry and relies too much on voluntary testing conducted by industry. In a [report](#) issued this week, the office recommended that USDA (i) identify any gaps in sampling surveillance, (ii) develop response plans for occurrences of bird flu in “off-farm” locations – e.g., livestock auctions, and (iii) develop and implement procedures for obtaining and administering vaccines and anti-viral drugs in the event of a culling operation. A USDA spokesperson was quoted as saying the agency has confidence in the poultry industry’s voluntary testing and “agreed with everything in the report.” See *The New York Times*, June 21, 2006.

Other Developments

[3] African-American Youth Overexposed to Alcohol Ads, Says New CAMY Report

African-American youth “continue to be inundated” by more alcohol advertising than other American youth, according to a [report](#) issued last week by Georgetown University’s Center on Alcohol Marketing and Youth (CAMY). “As long as alcohol use plays a part in the leading causes of death for African-American youth, parents and policy makers



have reason to be gravely concerned about the barrage of alcohol advertising reaching their children,” CAMY’s executive director said.

Among the CAMY report’s assertions: African-American youth ages 12 to 20 were exposed to 30 percent more magazine ads for alcohol per capita than youth in general during 2003-2004 and heard more alcohol ads on the radio per capita than youth in general in nine of the 10 largest markets in 2003. See *CAMY News Release*, June 14, 2006.

Scientific/Technical Items

Cardiovascular Disease

[4] **New AHA Dietary and Lifestyle Recommendations Take Aim at Added Sugars and Saturated Fat**

“Individuals who consume large amounts of beverages with added sugars tend to consume more calories and gain weight. Some evidence suggests that calories consumed as liquid are not as satiating as calories consumed as solid food. This factor may negatively affect attempts to achieve and maintain a healthy body weight,” say American Heart Association (AHA) [recommendations](#) issued this week that advocate curtailed consumption of foods and beverages with added sugars to decrease cardiovascular disease risk. Prepared by a 16-member panel of nutrition experts, the recommendations also urge restricting intake of saturated fat to less than 7 percent of energy, *trans* fat to less than 1 percent of energy and cholesterol to less than 300 milligrams as well as consuming alcohol in moderation and eating foods containing little or no salt.



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Food & Beverage Litigation Update is distributed by
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