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PETITION FOR EXECUTIVE ACTION
REGARDING DIETARY GUIDELINES

) Docket No.: _____
) Date: February 19, 2015
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Submitted to:

The Honorable Thomas Vilsack, Secretary
U.S. Department of Agriculture
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The Honorable Sylvia M. Burwell, Secretary
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Submitted by:

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The United States is in the midst of a national dietary emergency. Evidence shows that diet-related diseases may actually reduce the average life expectancy of the next generation:

- According to the Centers for Disease Control and Prevention, one in three children born in the year 2000 will develop diabetes in his or her lifetime.
- The percentage of overweight and obese children is now at or above 30 percent in 30 states, according to a report from the Trust for America's Health.
- Among children 2 to 19 years of age, approximately one-third are overweight and obese (23,500,000 children), and more than 16 percent are obese. In the past 30 years, the prevalence of obesity in children 6 to 11 years of age has quadrupled (1).
- About 27 percent of young adults are too overweight to qualify for military service (2).
- A study in the *New England Journal of Medicine* found that today's heaviest children are more than twice as likely as the thinnest children to die prematurely—before the age of 55.

The Physicians Committee for Responsible Medicine is a nonprofit public health organization that advocates for and educates the general public about preventive medicine through proper nutrition. The Physicians Committee's membership includes more than 150,000 medical professionals and lay persons, including 12,000 physicians. For three decades, the Physicians Committee's staff of physicians, dietitians, and other scientists has monitored developments in scientific and medical research related to human nutrition.

The Physicians Committee hereby petitions the Secretaries of the U.S. Department of Agriculture and the Department of Health and Human Services to disregard the Dietary Guidelines Advisory Committee's (DGAC) findings on dietary cholesterol, published on page 17 of the new *Scientific Report of the 2015 Dietary Guidelines Advisory Committee* (3).

In concluding that “[c]holesterol is not a nutrient of concern for overconsumption,” the DGAC deferred to a report by the American Heart Association and American College of Cardiology (4) and one meta-analysis of egg consumption. This conclusion conflicts with the findings of the Institute of Medicine, which found that dietary cholesterol raises blood cholesterol levels, especially in people whose diets are modest in cholesterol to start with (5). The DGAC's wholesale deference to just two sources is contrary to the National Nutrition Monitoring and Related Research Act, which mandates that the dietary guidelines be based on “the preponderance of the scientific and medical knowledge which is current at the time the report is prepared.” 7 U.S.C. § 5341(a)(2).

The DGAC's reliance on the report by the American Heart Association and American College of Cardiology also does not comply with the spirit of the Federal Advisory Committee Act, which requires “that the advice and recommendations of the advisory committee will not be inappropriately influenced by ... any special interest, but will instead be the result of the advisory committee's independent judgment.” 5 U.S.C. app. 2 § 5(b)(3). The American Heart Association has a financial incentive for discounting the relationship between dietary cholesterol and serum cholesterol. It receives substantial cash payments for certifying food products, including cholesterol-containing food products, as “heart-healthy.”

In appearing to exonerate dietary cholesterol, the DGAC further confuses an already bewildered general public, the very group the *Dietary Guidelines* are supposed to benefit. *See* 7 U.S.C. § 5341(a)(1). The average American does not differentiate fat from cholesterol or dietary cholesterol from blood cholesterol. To suggest that cholesterol in foods is not a problem will lead many to imagine that fatty foods or an elevated blood cholesterol level carry no risk—two potentially disastrous notions.

Therefore, the Physicians Committee requests that you exercise your joint authority under the National Nutrition Monitoring and Related Research Act to 1) disregard the DGAC's recommendation regarding dietary cholesterol; and 2) instead reiterate prior federal recommendations that Americans limit their cholesterol intake.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Neal D. Barnard". The signature is fluid and cursive, written over a horizontal line.

Neal D. Barnard, M.D.
President
Physicians Committee for Responsible Medicine

REFERENCES

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3. Scientific Report of the 2015 Dietary Guidelines Advisory Committee. February 2015.
4. Eckel RH, Jakicic JM, Ard JD, et al; American College of Cardiology/American Heart Association Task Force on Practice Guidelines. 2013 AHA/ACC guideline on lifestyle management to reduce cardiovascular risk: a report of the American College of Cardiology/American Heart Association Task Force on Practice Guidelines. *Circulation*. 2014 Jun 24;129(25 Suppl 2):S76-99. doi: 10.1161/01.cir.0000437740.48606.d1. Epub 2013 Nov 12.
5. Dietary Reference Intakes for Energy, Carbohydrate, Fiber, Fat, Fatty Acids, Cholesterol, Protein, and Amino Acids (Macronutrients) (2002/2005); Food and Nutrition Board (FNB), Institute of Medicine (http://www.nal.usda.gov/fnic/DRI/DRI_Energy/energy_full_report.pdf).