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December 18, 2009

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2009 - 2010**

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The Honorable Charles E. Grassley  
United States Senate  
Washington, DC 20510-6200

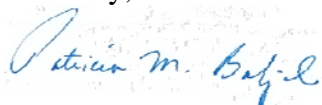
Dear Senator Grassley:

We are pleased to provide the information that you requested in your communication dated December 17, 2009. Attached is a breakdown of support received from pharmaceutical, medical device companies, foundations established by these companies or the insurance industry that has been provided to the American Dietetic Association (ADA) from the period January 2006 to the present.

A copy of the policy governing the acceptance of industry funding is attached. The ADA does not allow companies to place restrictions on how funding will be spent. These policies, which include full disclosure and full transparency practices, are reviewed on an ongoing basis.

Also provided is the ADA's Conflict of Interest Policy that all board members and top executives sign annually addressing the disclosure of conflicts. The disclosure of outside income from companies is covered by this policy. From 2006 until the present, we have not received any disclosures of outside income filed with our organization by our top executives and board members.

Sincerely,



Patricia M. Babjak

PMB:MBW:mlo

Attachments

Funding Period	Name of Company	Amount of Funding	Funding Purpose
2006	Ross Nutrition	\$16,160.00	ADA Food & Nutrition Conference and Expo Keycard Sponsorship
2006	Ross Nutrition	\$10,000.00	ADA Food & Nutrition Conference and Expo Educational Session Sponsorship
2006	Abbott Nutrition	\$50,000.00	ADA Food & Nutrition Conference and Expo Opening Session Keynote Sponsorship
2006	GlaxoSmithKline Consumer Healthcare	\$20,000.00	ADA Food & Nutrition Conference and Expo Educational Session Sponsorship
2006	McNeil Nutritionals, LLC	\$8,000.00	ADA Food & Nutrition Conference and Expo Culinary Demo Sponsorship
2006	Seabury & Smith	\$105,452.13	Royalty Revenue
2006	Liberty Mutual	\$11,942.87	Royalty Revenue
2006	Abbott Labs (Ross Division)	\$69,500.00	Dietetic Practice Group Sponsorships
2006	Bristol-Meyer Squibb	\$11,000.00	Dietetic Practice Group Sponsorships
2006	Eli Lilly	\$12,500.00	Dietetic Practice Group Sponsorships
2006	GlaxoSmithKline	\$20,000.00	Dietetic Practice Group Sponsorships
2006	McNeil Nutritionals, LLC	\$26,000.00	Dietetic Practice Group Sponsorships
2006	Johnson & Johnson (*)	\$57,000.00	Dietetic Practice Group Sponsorships
2007	Seabury & Smith	\$87,587.01	Royalty Revenue
2007	Liberty Mutual	\$10,956.72	Royalty Revenue
2007	Abbott Labs (Ross Division)	\$148,300.00	Dietetic Practice Group Sponsorships
2007	Bristol-Meyer Squibb	\$22,700.00	Dietetic Practice Group Sponsorships
2007	Eli Lilly	\$58,500.00	Dietetic Practice Group Sponsorships
2007	GlaxoSmithKline	\$15,000.00	Dietetic Practice Group Sponsorships
2007	McNeil Nutritionals, LLC	\$54,850.00	Dietetic Practice Group Sponsorships
2007	Par Pharmaceutical	\$75,750.00	Dietetic Practice Group Sponsorships
2007	Takeda Pharmaceutical	\$8,800.00	Dietetic Practice Group Sponsorships
2007	Johnson & Johnson (*)	\$35,000.00	Dietetic Practice Group Sponsorships
2007	Solvay Pharmaceutical	\$20,000.00	Dietetic Practice Group Sponsorships
2008	Seabury & Smith	\$39,934.97	Royalty Revenue
2008	Liberty Mutual	\$12,366.13	Royalty Revenue
2008	Abbott Labs (Ross Division)	\$99,379.00	Dietetic Practice Group Sponsorships
2008	Baxter Health Care	\$7,500.00	Dietetic Practice Group Sponsorships
2008	Bristol-Meyer Squibb	\$15,600.00	Dietetic Practice Group Sponsorships
2008	Eli Lilly	\$33,000.00	Dietetic Practice Group Sponsorships
2008	GlaxoSmithKline	\$11,148.00	Dietetic Practice Group Sponsorships
2008	McNeil Nutritionals, LLC	\$23,000.00	Dietetic Practice Group Sponsorships
2008	Par Pharmaceutical	\$1,000.00	Dietetic Practice Group Sponsorships
2008	Takeda Pharmaceutical	\$48,000.00	Dietetic Practice Group Sponsorships

Funding Period	Name of Company	Amount of Funding	Funding Purpose
2009	Seabury & Smith	\$80,543.45	Royalty Revenue
2009	Liberty Mutual	\$12,530.78	Royalty Revenue
2009	Abbott Labs (Ross Division)	\$217,550.00	Dietetic Practice Group Sponsorships
2009	Baxter Health Care	\$4,000.00	Dietetic Practice Group Sponsorships
2009	Bristol-Meyer Squibb	\$31,500.00	Dietetic Practice Group Sponsorships
2009	Eli Lilly	\$53,000.00	Dietetic Practice Group Sponsorships
2009	GlaxoSmithKline	\$5,000.00	Dietetic Practice Group Sponsorships
2009	McNeil Nutritionals, LLC	\$20,000.00	Dietetic Practice Group Sponsorships
2009	Takeda Pharmaceutical	\$37,500.00	Dietetic Practice Group Sponsorships
2009	Johnson & Johnson (*)	\$30,500.00	Dietetic Practice Group Sponsorships
2010	Seabury & Smith	\$39,671.45	Royalty Revenue
2010	Liberty Mutual	\$8,894.50	Royalty Revenue
2010	American Insurance Marketing Service Check	\$1,877.40	Royalty Revenue
2/2007-2/2008	GlaxoSmithKline Consumer Healthcare	\$325,000.00	Sponsorship
2/2008-1/2009	McNeil Nutritionals, LLC	\$100,000.00	Sponsorship
2/2008-2/2009	GlaxoSmithKline Consumer Healthcare	\$325,000.00	Sponsorship
2/2009-1/2010	McNeil Nutritionals, LLC	\$100,000.00	Sponsorship
2/2010-1/2011	McNeil Nutritionals, LLC	\$108,000.00	Sponsorship
2/2011-1/2012	McNeil Nutritionals, LLC	\$108,000.00	Sponsorship
6/2008-5/2009	SOYJOY (a Pharmavite brand)	\$105,000.00	Sponsorship
6/2009-5/2010	SOYJOY (a Pharmavite brand)	\$105,000.00	Sponsorship
7/2007-6/2008	Abbott Nutrition	\$100,000.00	Sponsorship
7/2008-6/2009	Abbott Nutrition	\$100,000.00	Sponsorship
7/2009-6/2010	Abbott Nutrition	\$108,000.00	Sponsorship
7/2010-6/2011	Abbott Nutrition	\$108,000.00	Sponsorship

(\*) has a pharmaceutical Division

## POLICIES/PROCEDURES

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### SUBJECT: Conflict of Interest Policy

This conflict of interest policy is designed to help any person serving as a director, officer or member of a Board, committee or task force of the American Dietetic Association ("ADA") identify situations that present potential conflicts of interest and to provide the ADA with a procedure that will allow a transaction to be treated as valid and binding even if a director, officer or member of an ADA Board, committee or task force has or may have a conflict of interest with respect to the transaction. The policy is intended to comply with the procedure prescribed in The Illinois General Not for Profit Corporation Act, 805 ILCS 105/108.6, and the Federal Internal Revenue Code (the "Statutes") governing conflicts of interest for directors of nonprofit corporations. In the event there is an inconsistency between the requirements and procedures prescribed herein and those in the Statutes, the Statutes shall control. All capitalized terms are defined in Part 2 of this policy.

1. Conflict of Interest Defined. For purposes of this policy, the following circumstances shall be deemed to create Conflicts of Interest:
  - A. Outside Interests.
    - (i) A Contract or Transaction between ADA and a Responsible Person or Family Member.
    - (ii) A Contract or Transaction between ADA and an entity in which a Responsible Person or Family Member has a Material Financial Interest or of which such person is a director, officer, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative.
  - B. Outside Activities.
    - (i) A Responsible Person competing with ADA in the rendering of services or in any other Contract or Transaction with a third party.
    - (ii) A Responsible Person's having a Material Financial Interest in, or serving as a director, officer, employee, agent, partner, associate, trustee, personal representative, receiver, guardian, custodian, conservator or other legal representative of, or consultant to; an entity or individual that competes with ADA in the provision of services or in any other Contract or Transaction with a third party.

2. Definitions.

- A. A "*Conflict of Interest*" is any circumstance described in Part 1 of this Policy.
- B. A "*Responsible Person*" is any person serving as director, officer or member of an ADA Board committee or task force.
- C. A "*Family Member*" is a spouse, parent, child or spouse of a child, brother, sister, or spouse of a brother or sister, of a Responsible Person.
- D. A "*Material Financial Interest*" in an entity is a financial interest of any kind, which, in view of all the circumstances, is substantial enough that it would, or reasonably could, affect a Responsible Person's or Family Member's judgment with respect to transactions to which the entity is a party.
- E. A "*Contract or Transaction*" is any agreement or relationship involving the sale or purchase of goods, services, or rights of any kind, the providing or receipt of a loan or grant, or the establishment of any other type of pecuniary relationship with the ADA. The making of a gift to ADA is not a Contract or Transaction.

3. Procedures.

- A. Prior to board, committee or task force action on a Contract or Transaction involving a Conflict of Interest, a director, officer, committee or task force member having a Conflict of Interest and who is in attendance at the meeting shall disclose all facts material to the Conflict of Interest. Such disclosure shall be reflected in the minutes of the meeting.
- B. A director, officer, committee or task force member who plans not to attend a meeting at which he or she has reason to believe that the board or committee will act on a matter in which the person has a Conflict of Interest shall disclose to the President or chair of the meeting all facts material to the Conflict of Interest. The President shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting.
- C. A person who has a Conflict of Interest shall not participate in or be permitted to hear the Board's, committee's or task force discussion of the matter except to disclose material facts and to respond to questions. Such person shall not attempt to exert his or her personal influence with respect to the matter, either at or outside the meeting.
- D. A person who has a Conflict of Interest with respect to a Contract or Transaction that will be voted on at a meeting may be counted in determining the presence of a quorum for purposes of the vote, but may not be counted when the Board of Directors, committee's or task force's takes action on the Transaction or Contract. The person having a conflict of interest may not vote on the Contract or Transaction and shall not be present in the meeting room when the vote is taken, unless the vote is by secret ballot. Such person's ineligibility to vote shall be reflected in the minutes of the meeting.

- E. Responsible Persons who are not members of the Board of Directors of ADA, or who have a Conflict of Interest with respect to a Contract or Transaction that is not the subject of Board, committee or task force action, shall disclose to the President or the President's designee any Conflict of Interest that such Responsible Person has with respect to a Contract or Transaction. Such disclosure shall be made as soon as the Conflict of Interest is known to the Responsible Person. The Responsible Person shall refrain from any action that may affect ADA's participation in such Contract or Transaction.

In the event it is not clear whether a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the President or the President's designee, who shall determine whether there exists a Conflict of Interest that is subject to this policy.

4. Confidentiality.

- A. Each Responsible Person shall exercise care not to disclose confidential information acquired in connection with such status or information the disclosure of which might be adverse to the interests of ADA in accordance with the ADA's Confidentiality Policy currently in effect.

5. Review of Policy.

- A. Each new Responsible Person shall be required to review a copy of this policy and to acknowledge in writing that he or she has done so.
- B. Each Responsible Person shall annually complete a disclosure form identifying any relationships, positions or circumstances in which the Responsible Person is involved that he or she believes could lead to a Conflict of Interest. Such relationships, positions or circumstances might include service as a director of or consultant to a nonprofit organization, or ownership of a business that might provide goods or services to ADA.
- C. This policy shall be reviewed annually by each member of the Board of Directors, committees or task forces. Any changes to the policy shall be communicated immediately to all Responsible Persons.

The Board of Directors of the American Dietetic Association ("ADA") wishes to avoid possible conflict of interest involving its directors, officers or members of an ADA Board, committee or task force as defined by state and federal law, in accordance with the ADA Conflict of Interest Policy currently in effect. In addition, the Board wishes for all directors, officers, or members of an ADA Board, committee or task force continually be cognizant of their fiduciary duties to the ADA arising out of their positions of confidence within the organization, in accordance with the ADA Confidentiality Policy in effect. Therefore, the Board requests that each director, officer, or member of an ADA Board, committee or task force attest to the following statements:

I, \_\_\_\_\_, state the following:

1. I have read and understand the ADA Conflict of Interest Policy.
2. I attach a list of all my affiliations with any person (including any officer or employee of the ADA), firm, organization, corporation, or other entity with which I have reason to believe the ADA does business (check one).

\_\_\_\_\_ I HAVE NO AFFILIATIONS WITH SUCH PERSONS OR ENTITIES.

\_\_\_\_\_ LIST ATTACHED.

3. I shall amend this list each year, and more frequently as my affiliations or ADA duties change.
4. If I become aware that any member of my family (parents, brothers and sisters, children, spouse, and/or in-laws) is engaged or proposed to be engaged in business with the ADA, I shall disclose my relationship with the person(s) concerned and the nature of this business to the President or chair of the ADA committee or task force.
5. I understand that I am not to participate in any decision or vote on an issue in which I may have conflicts of interest because of affiliations listed herein.
6. I have read and understand the ADA Confidentiality Policy, and agree to abide by its terms.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# **American Dietetic Association's Guidelines for Corporate Relations Sponsors**

The American Dietetic Association welcomes corporate relationships that help the Association fulfill its mission and vision in the following ways:

- Delivering ADA-approved nutrition messages to a wider consumer audience than ADA could reach using its own resources
- Providing ADA-approved educational tools and materials to ADA members that are useful in their professional work with the public
- Creating consumer nutrition education messages and communications programs to make them consistent with sound science and Association positions and philosophies

In its relations with corporate organizations, the Association is mindful of the need to avoid a perception of conflict of interest and to act at all times in ways that will only enhance the credibility and professional recognition of the Association and its members. The continuing value of ADA's name depends on its reputation for integrity, which has been earned by generations of ADA members over the course of many decades. ADA will authorize no commercial use of the name and logo that would diminish that value or damage that reputation.

ADA's procedures and formal agreements with external organizations are designed to prevent any undue corporate influence particularly where there is a possibility that corporate self-interest might tend to conflict with sound science or ADA positions, policies and philosophies.

ADA requires that the sponsor be clearly identified on all such materials bearing the ADA name.

## **General Requirements for Acceptance of Corporate Relations Sponsors**

- Fit with ADA strategic goals
- Scientific accuracy
- Conformance with ADA positions, policies and philosophies
- ADA editorial control of all content in materials bearing the ADA name
- Clear separation of ADA messages and content from brand information or promotion
- No endorsement of any particular brand or company product
- The inclusion of relevant facts and important information where their omission would present an unbalanced view of a controversial issue in which the sponsor has a stake
- Full funding by the sponsor of all direct and indirect costs associated with the project

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As a rule, ADA does not permit the free use of ADA content in publications or Web sites where the effect of the ADA content and name is to help the publication or Web site increase circulation or sell advertising or subscriptions.

ADA strives to communicate healthful eating messages to the public that emphasize the total diet, or overall pattern of food eaten, rather than any one food or meal. If consumed in moderation with appropriate portion size and combined with regular physical activity, all foods can fit into a healthful diet.