

# United States Senate

WASHINGTON, DC 20510

March 25, 2013

Rodney C. Sacks  
Chief Executive Officer  
Monster Beverage Corp  
550 Monica Circle #291  
Corona, CA 92880

Dear Mr. Sacks:

We write to express our concerns about the marketing of Monster Beverage Corp energy drink products to children. Despite statements from your company that Monster Beverage Corp does not market to children, multiple instances of targeted marketing of your products to children have come to our attention.

Over the past year, there has been growing concern about the potential health risks posed by energy drinks. The Food and Drug Administration (FDA) is conducting an investigation to strengthen its understanding of energy drinks and the health risks posed by these products, particularly for vulnerable groups, including children and those with pre-existing cardiac conditions.

Most recently, 18 scientists, clinicians, and public health professionals who have studied and conducted research on energy drinks, sent a letter to U.S. Food and Drug Administration (FDA) Commissioner Margaret Hamburg. After summarizing empirical evidence, the authors conclude that insufficient data supports the determination that the high level of caffeine in energy drinks is safe under the conditions of their intended use, particularly among children, adolescents, and young adults.

Your company has stated that it does not market energy drinks to children, however, we have learned of numerous instances that contradict that claim. At some high schools, outstanding student athletes are awarded the "*Monster Energy Drink Player of the Game*." As a part of this honor, photos of these athletes are taken with a pack of Monster Energy in each hand. It has also been brought to our attention that a Little League score board contains an advertisement for Monster Energy. Further, Monster Energy sponsors sporting events such as the Rick Thorne's Grindz and RhymeZ Tour, an event catering to kids in skate parks, which featured Monster Energy paraphernalia and provided Monster Energy drinks to kids.

In light of public health concerns regarding the consumption of high levels of caffeine by children and adolescence and your company's position that your energy drink products are not marketed to children, we are deeply concerned by evidence demonstrating direct marketing of your products to youth. Please provide a written response explaining why Monster Energy is

targeting marketing to children and what steps your company is taking to prevent this type of marketing in the future.

Sincerely,

  
Richard J. Durbin

  
Richard Blumenthal