

## Further supplementary written evidence submitted by Monster Energy Company (END0032)

Monster Energy Company (Monster) is grateful to the Science and Technology Select Committee (Committee) for providing Monster with the opportunity to submit evidence on the safety of energy drinks, their ingredients, and their patterns of consumption. Monster greatly appreciated the invitation to participate in the 10 July 2018 oral evidence session, which Monster hopes helped to provide the Committee with a more complete and balanced view of the evidence surrounding the safety, consumption, and marketing of energy drinks.

### Follow-up Information

1. During the oral evidence session, Monster committed to provide the Committee with additional information concerning the number of teaspoons of sugar in a Monster energy drink. Monster confirms that Monster Energy (Green) contains 13.8 teaspoons of sugar in a 500-ml can.<sup>1</sup> This level is comparable to or less than the amount of sugar in similar portions of colas (13.8 teaspoons/ 500 ml), apple juice (13.9 teaspoons/ 500 ml), and grape juice (20.6 teaspoons/ 500 ml).<sup>2</sup> This level is also comparable to the amount of sugar found in coffee beverages from high street coffee chains, such as the Starbucks Coffee Frappuccino (11.6 teaspoons/ 500 ml).<sup>3</sup> Moreover, Monster offers a variety of low- and no-sugar energy drink options, with more than 60% of Monster's energy drink varieties available in the UK being low- or no-sugar options.

### Further Considerations

2. Monster appreciated the opportunity to explain why it objects to a restriction on the sale of energy drinks to under 16s, even though Monster does not market to children and its primary target demographic consists of individuals 18 to 34 years old. First, such restriction is not supported by the evidence and would run counter to the conclusions of authoritative public health bodies, including the European Food Safety Authority (EFSA). Second, such restriction would give the false impression that energy drinks are unsafe and present unique issues that require government intervention as compared to other caffeinated beverages that contribute comparable or significantly higher amounts of caffeine to the diets of children and adolescents.<sup>4</sup> Indeed, a study by EFSA found that UK adolescents (ages 10 to < 18 years) consume about the same amount of caffeine from coffee as from energy drinks and nearly four times as much caffeine from tea and three times as much caffeine from colas.<sup>5</sup> Given the long-term, safe

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<sup>1</sup> The UK Scientific Advisory Committee on Nutrition (SACN) suggests that there are 4 - 6 grams of sugar in a teaspoon. Monster uses the conservative conversion rate of 4 grams of sugar per teaspoon to calculate the sugar content of beverages in this submission. SACN, Press Release: Expert Nutritionists Recommend Halving Sugar in Diet (July 17, 2015), [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/446188/SACN\\_Carbohydrates\\_Press\\_Release\\_July\\_2015.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/446188/SACN_Carbohydrates_Press_Release_July_2015.PDF).

<sup>2</sup> See, e.g., PepsiCo, <https://www.pepsi.co.uk/products/pepsi>; Tesco Pure Apple Juice, <https://www.tesco.com/groceries/en-GB/products/260547341>; Welch's Purple Grape Juice, <http://www.welchsjuice.co.uk/product/purple-grape-juice>.

<sup>3</sup> Starbucks, Summer 2018 Starbucks Beverage Nutrition Information, <https://globalassets.starbucks.com/assets/B3C57FE13368448FA5FB00B49FFB5624.pdf>.

<sup>4</sup> See, e.g., EFSA, *Scientific Opinion on the Safety of Caffeine*, 13(5) EFSA J. 1, 106-07 (2015), available at <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2015.4102> (referencing the survey NDNS-Rolling Programme Years 1-3).

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consumption of these other caffeinated beverages by adolescents, there are no grounds to single out energy drinks for restrictions based on caffeine content, as energy drinks like Monster are also safe and not consumed excessively.

3. After hearing the Committee's questions posed to the various witnesses, and given the myriad sources of caffeine available to consumers, Monster would support a campaign of caffeine awareness education in the UK to ensure that consumers of caffeinated products have a robust and accurate understanding concerning their actual and potential caffeine intake from all sources of caffeine. Indeed, Monster believes that several misconceptions concerning energy drinks that arose during the Committee's inquiry stem from a tendency to view energy drinks in isolation, without regard to the significantly greater amounts of caffeine that adolescents are presently consuming from non-energy drink sources in the UK.
4. Monster thanks the Committee for giving the witnesses at both the 12 June and 10 July oral evidence sessions the opportunity to express their agreement that there is no evidence of a causal link between energy drink consumption and risk-taking behavior. Indeed, as Dr. John Thompson of The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) explained at the 10 July oral evidence session, (1) the cross-sectional studies that others have relied on to allege an association between energy drink consumption and risk-taking activity do not establish a causal relationship; and (2) energy drinks do not pose unique health concerns for children and adolescents.
5. Monster is also grateful to the Committee for giving Dr. Ashley Roberts the opportunity to present evidence on his years of research establishing there is no negative interaction between the ingredients in energy drinks. As Dr. Roberts explained, he examined energy drink constituents from a pharmacokinetic, pharmacological, and toxicological perspective, and concluded that there are no potential adverse interactions between energy drink ingredients generally and ingredients in Monster specifically. This is consistent with the conclusions of EFSA and the evidence Dr. Thompson presented at the 10 July oral evidence session.<sup>6</sup> Both Franks et al. (2012)<sup>7</sup> and Fletcher et al. (2017)<sup>8</sup> suffer from significant limitations, as acknowledged by the study authors, and thus do not provide reliable evidence of an ingredient interaction.

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<sup>5</sup> EFSA, *Scientific Opinion on the Safety of Caffeine*, 13(5) EFSA J. 1, 106-07 (2015), available at <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2015.4102> (referencing the survey NDNS-Rolling Programme Years 1-3).

<sup>6</sup> See EFSA, *Scientific Opinion on the Safety of Caffeine*, 13(5) EFSA J. 1, 3, 16-18 (2015), available at <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2015.4102>; EFSA, *The Use Of Taurine And D-Glucurono- $\gamma$ -lactone As Constituents Of The So-Called "Energy" Drinks*, 935 EFSA J. 1, 23 (2009), <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2009.935>.

<sup>7</sup> Amy Franks et al., *Comparison of the Effects of Energy Drink Versus Caffeine Supplementation on Indices of 24-Hour Ambulatory Blood Pressure*, 46 ANNALS OF PHARMACOTHERAPY 192, 196-97 (2012), available at <http://journals.sagepub.com/doi/abs/10.1345/aph.1Q555>.

<sup>8</sup> Emily Fletcher et al., *Randomized Controlled Trial of High-Volume Energy Drink Versus Caffeine Consumption on ECG and Hemodynamic Parameters*, J. AM. HEART ASSOC., at 6 (2017), available at <http://jaha.ahajournals.org/content/6/5/e004448>.

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6. Monster also appreciates that witnesses had the opportunity to reiterate that beverage volume, such as can size, is not relevant to a discussion about caffeine safety or consumption. As Dr. John Thompson of COT explained at the 10 July oral evidence session, the effects of caffeine are related to caffeine amount, not product volume. To illustrate this point, Dr. Thompson noted that a double espresso would contain the same amount of caffeine as a large cappuccino filled with milk and two espresso shots.
7. Regarding the Energy Drinks Europe (EDE) submission and its recommendation concerning a 250 ml can-size restriction on energy drinks in the UK, Monster respectfully notes that EDE's statement that it "is the representative association of Europe's energy drinks producers" is not accurate. Specifically, EDE is controlled by and speaks for the energy drink company Red Bull, which has principally sold its energy drinks in 250-ml cans, in contrast to its competitors. The Secretary General of EDE is a former senior Red Bull employee, and Red Bull has significant control over EDE, as two of the four EDE directors are Red Bull companies. Monster, which has significant market share in Europe, and other energy drink companies with products sold in Europe, are not EDE members. As beverage volume is irrelevant to caffeine safety, it is clear that EDE's 250-ml can-size recommendation is disingenuous and a thinly veiled attempt to secure an unfair advantage for one competitor over other market participants, including Monster.
8. Monster notes that some fundamental misconceptions appear to remain in the record before the Committee, including with respect to consumption data and comparisons of energy drinks to coffee. First, there is a misconception that energy drink consumption is rampant among children and adolescents. It is not. While a 2013 EFSA-commissioned consumption study found that 69% of UK adolescents (ages 10 to < 18 years) and 68% of European adolescents were "consumers" of energy drinks, "consumers" was broadly defined as those who had consumed at least one energy drink in an entire year.<sup>9</sup> With respect to the highest consumers, this same EFSA study found that just 12% of European adolescents who consume energy drinks (i.e., 8% of European adolescents) consumed at least 1.065 L of energy drink per "single session," which EFSA defined as "a period of time of a couple of hours."<sup>10</sup>
9. Second, there remains a misconception that energy drinks are necessarily more quaffable than coffee, and that the effects of caffeine depend on the temperature of the beverage and how rapidly it is consumed. These statements have been shown to be false, and they cannot be reconciled with reports that indicate that **cold drinks represent more than 50% of sales at Starbucks stores**, most of which drinks are flavored, such as Starbucks Frappuccinos.<sup>11</sup> These flavored, iced drinks skew far younger than traditional hot coffee. In any event, the evidence shows that (1) energy drinks are not consumed more rapidly than hot coffee, and (2) the effects of caffeine are the same irrespective of the temperature, rate of consumption, or

<sup>9</sup> S. Zucconi et al., *Gathering Consumption Data on Specific Consumer Groups of Energy Drinks*, 10 EFSA J. 1, 2 n.4, 91, 154 (2013), available at <https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/sp.efsa.2013.EN-394>.

<sup>10</sup> S. Zucconi et al., *Gathering Consumption Data on Specific Consumer Groups of Energy Drinks*, 10 EFSA J. 1, 2 n.6, 32 n.22, 95 (2013), available at <https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/sp.efsa.2013.EN-394>.

<sup>11</sup> Micheline Maynard, *As The Anti-Plastic-Straw Trend Gains Speed, Starbucks Will Pull Plastic Straws Worldwide*, FORBES (July 9, 2018), available at <https://www.forbes.com/sites/michelinemaynard/2018/07/09/as-the-anti-plastic-straw-trend-gains-speed-starbucks-decides-to-pull-plastic-straws-worldwide/#2f8f07fd2607>.

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carbonation.<sup>12</sup> Moreover, reliable data show that adolescents are getting comparable levels of caffeine from coffee as they are from energy drinks. Indeed, as noted above, EFSA found that UK adolescents consume about the same amount of caffeine from coffee as from energy drinks.<sup>13</sup>

10. While Monster energy drinks are not positioned as claiming any health benefits, it is noteworthy that Monster Energy drinks do contain, among other ingredients, vitamins B2, B3, B6 and B12 and L carnitine, which ingredients typically are not found in other drinks or caffeinated beverages.
11. In addition, as a supplement to one of the answers given during the 10 July evidence session, Monster would like to note that the Monster Army program does not operate at all in the UK. Rather, the Monster Army is a US-based athlete development program that supports amateur athletes in a variety of sports, including but not limited to motocross racing. Much of the Monster Army website is only available to those amateur athletes who are approved for sponsorship, following a voluntary application process. Monster does not sell Monster Energy drinks to the public through the Monster Army website, and does not provide drinks to those in the Monster Army who are under 16. On the whole, the entire program represents less than one half of one percent of the company's overall sponsorship spend.

Monster thanks the Committee for the opportunity to provide oral evidence, and believes that a complete and balanced view of the full body of evidence demonstrates that there is no scientific basis to single out energy drinks for additional regulation.

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<sup>12</sup> J.R. White et al., *Pharmacokinetic analysis and comparison of caffeine administered rapidly or slowly in coffee chilled or hot versus chilled energy drink in healthy young adults*, 54 *Clin. Toxicol.* 308, 312 (2016), available at <https://www.tandfonline.com/doi/full/10.3109/15563650.2016.1146740>.

<sup>13</sup> See, e.g., EFSA, *Scientific Opinion on the Safety of Caffeine*, 13(5) *EFSA J.* 1,107 (2015), available at <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2015.4102> (referencing the survey NDNS-Rolling Programme Years 1-3).