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**RE: Docket No. FSIS-2006-0040A, "Product Labeling: Use of the Voluntary Claim "Natural" in the Labeling of Meat and Poultry Products"**

NSAC is a national, non-profit organization representing the interests of thirty nine farmer, rural, and conservation groups from across the country that advocate for public policies supporting the long-term economic and environmental sustainability of agriculture, natural resources, and rural communities. Many of the farmer and rancher members of NSAC member groups are livestock producers and a majority of those use a variety of market labels to market their sustainably-raised product. Hence we have a very strong, direct interest in FSIS as well as AMS policy with respect to meat label claims. In that light, we submit the following comments to FSIS in regard to the ANPR pertaining to the "natural" claim and closely related issues.

Fundamentally, we believe the existing "natural" claim to be misleading and therefore in violation of the Federal Meat Inspection Act and the Poultry Product Inspection Act. As multiple consumer surveys have revealed, consumer do in fact seek out products with the natural label but fundamentally misunderstand what FSIS means by the term, assuming not surprisingly that it refers to far more than processing. Now is the time to correct this glaring deficiency by substituting terms that "say what they mean and mean what they say." We urge you to adopt "minimally processed" and "no artificial ingredients added during processing" as the new, non-misleading label terms. FSIS should take immediate steps to establish a new labeling regime with new terminology that is not false or misleading, and then proceed to definitive rulemaking with respect to meaningful terminology, while scrapping "natural" once and for all.

Also fundamentally, and by the same logic, we urge AMS to fully revoke the "naturally raised" label claim standard partially issued in January, and in its place finalize the underlying label claim standards that have been in development since 2002, including "No antibiotics used" or "Raised without antibiotics", "No added hormones" or "Raised without supplemental hormones", and "Free-Range," "Free-Roaming," or "Pasture-Raised", as well as "Not Fed Animal Byproducts". Unlike "naturally raised" these claims, if they are accompanied by strong, clear standards, will say what they mean and mean what they say. In the same fashion as the recommended FSIS adoption of "minimally processed" and "no artificial ingredients added during processing", these new process-verified label claims, with strong standards, will provide consumers with truly meaningful information and will reward the farmers and ranchers who have taken great strides at considerable

cost to develop these meaningful labels and important new markets, to the benefit of public health, the environment, and rural communities.

Finally, we strongly urge FSIS, with AMS, to do a thorough review and overhaul of label claims policy and procedures with respect to animal raising label claims and claims such as “natural” which are widely interpreted by consumers as encompassing animal-raising attributes. Labeling for animal raising claims can never be fair and transparent for producers and consumers if they are determined on a case-by-case basis with a multitude of resulting definitions and meanings. Raising claims need consistent meaning, not scores of different definitions and meanings for the same term or very similar terms. Case-by-case determinations and approvals must cease, and the sooner the better.

In addition, as labeling standards for animal raising claims are agreed upon following public notice and comment, fairness dictates that pre-existing labels approved by FSIS should either be held to the new standard or withdrawn. Otherwise, even if FSIS moves away from case-by-case determinations, there will continue to be multiple different definitions and meanings of the same claim as a result of grandfathering, resulting in an unfair competitive disadvantage for sustainable livestock systems and continued confusion for consumers.

In this respect, urgent FSIS review of grass-fed labels is needed. NSAC supported the final grass-fed label claim produced by AMS after public notice and comment and we urge FSIS to take all necessary steps to ensure Departmental consistency. The status quo, with the agencies in conflict, is not acceptable.

In a nutshell, we believe FSIS labeling policy with respect to animal raising claims needs to be fundamentally changed. We believe the new system should move away from case-by-case approval and instead set uniform standards, standards based on a solid understanding of what the farmers who pioneered the raising claim do in their systems and what consumers who value those products think about these terms.

The new system should be fair and transparent for both producers and consumers and should be based on verification or third-party certification of strong standards, not affidavits. Animal raising claims are too complex and too driven by ongoing, on-farm management decisions to be handled through the traditional FSIS pre-market approval process. A third-party verification or certification system is needed to instill consumer confidence and to ensure that producers who are meeting or exceeding management based raising claims are not being undercut in the marketplace by those who are not.

Thank you for considering our views.

Sincerely,



Ferd Hoefner  
NSAC Policy Director