



February 27, 2008

Urvashi Rangan, Ph.D.
Senior Scientist and Policy Analyst
Consumers Union, non-profit publisher *Consumer Reports*
101 Truman Avenue
Yonkers, New York 10703
914-378-2211 - phone
914-378-2928 - fax
urangan@consumer.org

Bill Sessions and Martin O'Connor
Naturally Raised Marketing Claim
Room 2607-S
Agricultural Marketing Service
US Department of Agriculture
1400 Independence Avenue, SW
Washington DC 20250-0254
202-720-1112

Re: Docket No. AMS-LS-07-0131; LS-07-16

Dear Mr. Sessions and Mr. O'Connor,

Consumers Union appreciates the opportunity to comment on the US Standards for Livestock and Meat Marketing Claims, Naturally Raised Claim for Livestock and the Meat and Meat Products Derived from Such Livestock, published in the Federal Register on November 28, 2007 (vol 72, no 228).

We appreciate the fact that Agricultural Marketing Service (AMS) is trying to impart consistency to marketing claims made on meat and also believe that consumers are looking for meat products that are labeled with truthful and meaningful claims. However, the proposed standard for the "naturally raised" claim falls significantly short of consumer expectations. This is not to say that practices such as prohibiting the use of antibiotics, hormones or animal byproducts are not valuable--in fact, they very much are. However, these terms should be used discreetly on products and not disguised under a far more general term like "naturally raised"-- which has much broader meaning including what environment the animals were raised in, whether they could exhibit natural behaviors, what they ate, how they were treated, how much space they had, and whether they had access to the outdoors. The current proposed standards are simply not comprehensive enough to qualify as "naturally raised."

Consumers Union believes that you have already established an adequate marketing claim program for these three prohibited practices and that adding an additional marketing claim of "naturally

raised" will only increase marketplace confusion. The standard behind the "Never Ever 3" marketing claim program (<http://processverified.usda.gov/LSNeverEver3Program.pdf>), established by your department in November 2007, seems to be redundant to the current proposed standards for "naturally raised." However, "Never Ever 3" is at least a more accurate claim used to describe the three prohibited practices than "naturally raised." We very much support the additional verification that seems to be required in order to use the "Never Ever 3" claim.

Consumers Union was able to capture consumer expectations of meat marketed as "natural." In a Consumer Reports National Survey Center food labeling phone-poll, of more than 1000-US adults nationwide, published in June 2007, 88 percent of consumers believed that the "natural" label on meat should mean that it came from an animal whose diet was natural, free of chemicals, drugs and other artificial ingredients. 83 percent of respondents believed that "natural" meat should come from an animal that was raised in a natural environment.

The current "natural" label maintained by FSIS also falls significantly short of consumer expectations and consumers are currently being misled. The current "natural" claim should be replaced with a far more specific claim such as "no artificial ingredients added during processing." The current proposed "naturally raised" marketing claim will only add to marketplace confusion and should be withdrawn.

Our position is shared with more than 33,000 consumers who have signed onto a petition calling for this proposed standard to be withdrawn. More than 5500 of those signatories have included their own comments that highlight the frustration in having misleading "naturally raised" claim on the market. The petition letter that was signed electronically follows this letter and the signatories and comments are being sent to the address above both in hardcopy and on CD-ROM. You can also access the petition online at <http://www.thepetitionsite.com/takeaction/954533337>.

Thank you for your consideration of these serious consumer concerns. We urge you to keep marketing claims as specific as possible as this is the best way to reduce consumer and marketplace confusion.

Sincerely,

Urvashi Rangan, Ph.D.
Senior Scientist and Policy Analyst
Consumers Union

Petition Letter signed by more than 33,000 consumers --
<http://www.thepetitionsite.com/takeaction/95453333>

Dear Mr. O'Connor,

I urge you to withdraw the "naturally-raised" label standard [Docket No. AMS-LS-07-0131; LS-07-16] that would only add to the current marketplace confusion and deception around "natural" labels on meat. The proposed standard falls significantly short of consumer expectations and does not include basic tenets of raising animals in the true natural sense such as the ability to roam freely, graze on pasture, be unconfined and be physically unaltered. The standard also only applies to some but not all meat products. These factors seriously undermine the intent of proposing a "naturally-raised" claim.

While the proposed standards address some meaningful production practices such as prohibiting the use of all antibiotics, growth promoters (including hormones), and animal byproducts, they should be specifically labeled on a product and not shrouded as "naturally-raised," which consumers expect to mean more. By the same token, the current "natural" claim should be replaced with what it really stands for, "no artificial ingredients added during meat processing."

I understand that the intent in proposing this standard was to minimize confusion around "natural" meat labels. However, this proposal does exactly the opposite. Please minimize the marketplace confusion by withdrawing these proposed standards and only allow specific and meaningful claims to be used instead that would apply to all meat products. This is the approach that will add clarity and meaning to the marketplace and allow me to spend my dollars more effectively to get the value that I am seeking.

>33,000 signatories will be sent via hardcopy and CD-ROM to
Bill Sessions and Martin O'Connor
Naturally Raised Marketing Claim
Room 2607-S
Agricultural Marketing Service
US Department of Agriculture
1400 Independence Avenue, SW
Washington DC 20250-0254