



March 18, 2010

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
FSIS Docket Room
1400 Independence Avenue, SW
Room 2534
Washington, DC 20250-2534

RE: Docket No. FSIS 2005-0018

Supplemental Proposed Rule: "Nutrition Labeling of Single-Ingredient Products and Ground or Chopped Meat and Poultry Products"

The National Cattlemen's Beef Association (NCBA) appreciates this opportunity to provide comments to the request for the supplemental proposed rule published in the Federal Register on December 18, 2009, (Volume 74, No. 242 Pages 67736-67800) titled "Nutrition Labeling of Single-Ingredient Products and Ground or Chopped Meat and Poultry Products" Docket No. FSIS 2005-0018. NCBA recognizes and supports the agency's efforts to better understand consumer perceptions and use of nutrition labeling for meat products.

NCBA is the nation's oldest and largest national trade association for cattlemen and represents over 230,000 cattle producers through direct membership and our state and breed affiliates. NCBA is producer-directed and consumer-focused, and our top priority is to produce the safest, most nutritious and affordable beef products in the world. This has been consistent throughout our industry's history and in our long-term efforts to continually improve our knowledge and ability for beef products to meet consumer preferences.

Cattle producers have a long history of supporting transparent nutrition information for beef products so consumers can make educated purchasing decisions. In fact, in the mid 1980s the beef industry, in partnership with other organizations, led the charge in developing the original Nutri Facts program for the grocery meat case well before it was required even on a voluntary basis. Beef producers have continued their leadership in this area in a variety of ways including investing significant resources in retail meat case nutrition labeling projects to further understand effective methods for retailers to share beef nutrition information with consumers. This research helps better equip beef producers to assist retailers when proposed mandatory nutrition labeling takes effect. For more background on some of this research, refer to the attached White Paper entitled, "The Journey Towards Retail Meat Case Nutrition Labeling," funded by The Beef Checkoff.

In 2001, NCBA submitted comments in support of this proposed rule (Docket Number: 98-005P). Today, our producers continue to support the proposed rule and look forward to working with USDA moving forward with the implementation of the final rule. Our comments below address the following specific questions posted by FSIS:

- FSIS requests comment on the potential effects of disallowing a statement of lean percentage on ground or chopped products.
- FSIS is requesting comments on whether nutrition information should be allowed on point-of-purchase materials for ground or chopped products, as an alternative to requiring nutrition information on the product labels.
- FSIS is also requesting comments on the use of statements of lean percentages on the label or in labeling of ground or chopped products that do not meet the regulatory criteria for “low fat.”

We support the usage of both % lean/% fat nomenclature on all ground meat, regardless of total fat content and our research indicates that disallowing a statement of lean percentage on ground meat will omit key information consumers use to choose ground meat. Since 2001, The Beef Checkoff has conducted significant consumer research to better understand how consumers utilize the nutrition information on food labels. Multiple surveys including one recently conducted online with 889 adult ground beef eaters in January 2010 indicates that information about both lean and fat designations are key information used to help determine what type of ground beef to buy.

For example, when given a range of lean percentages that ranged from 70% lean to 94% lean, 63% of consumers correctly identified 94% lean ground beef as having the lowest fat content. By comparison, only 3% identified 70% lean as the lowest fat content. Also, a solid majority, 54% of respondents, mentioned fat and/or lean content information on the package (fat content designation, lean designation, and %lean/% fat designation) as important information when choosing which ground beef products to purchase. The overwhelming majority of consumers (86%) in the same survey indicated the % lean/% fat designation informs them about the leanness and or the “lean meat/beef to fat ratio.”

Taken together these data show that consumers utilize both the %fat and %lean nomenclature as a key information source when choosing which ground beef to purchase. Just as important, the data reveals that consumers are not misled by the %lean/%fat nomenclature, with a solid majority understanding the higher %lean as the leanest. This data is consistent with earlier consumer data submitted in 2001 and continues to support the marriage of the %lean/% fat nomenclature with a Nutrition Facts Panel (NFP). The addition of the NFP will allow consumers to determine the specific nutrient content, grams of fat for instance, the product provides. These two key pieces of information together will benefit consumers by helping them to simply and quickly differentiate between ground meats and identify leaner choices as recommended by the U.S. Dietary Guidelines for Americans.

NCBA does not support allowing point-of-purchase nutrition information for ground meat products. Given that fat content is difficult to visualize in ground products, and the amount of fat is controlled, we believe it is most beneficial to consumers to have the nutrient content easily accessible on the package. This also ensures the nomenclature of %lean/%fat is appropriately connected to the grams of fat the product provides as declared on the NFP.

While we recognize that FSIS has stated they will not be addressing our previous request to include all nutrients found in meat products in their final ruling, we urge FSIS to take this under consideration as soon as possible; in order to provide consumers with the complete information research has shown they desire. Also, we recognize that a list of mandatory cuts has been identified, we encourage FSIS to review these cuts based on market share and availability of nutritional data. The Beef Checkoff is currently investing significant resources through collaboration with USDA to ensure that up-to-date beef nutrient composition information is available for the retail industry to use. There are still cuts on the mandatory list for which data reflective of trim levels sold at retail is currently unavailable. For example, USDA Nutrient Database for Standard Reference does not have data for raw beef round, eye round steak at either 1/8" or 0" trim. Although this cut is slated to be analyzed as part of the Nutrient Database Improvement project funded by The Beef Checkoff and managed by NCBA, it is part of a multi-phased project and is not expected to be available until late 2012.

In conclusion, beef producers continue to believe that it is the consumers' right to know and the industry's responsibility to provide, accurate nutrition information about the product. NCBA believes consumer research should guide implementation and we will continue our longstanding history of working with retailers, consumers and the agency on the implementation of the final rule. We urge USDA to work with the meat and retail industry to find the least disruptive and most cost-efficient way to achieve nutrition labeling and we request at least an 18-24 month period for implementation.

Cattlemen and the beef industry are committed to meeting consumer expectation for nutritious, high-quality, safe and affordable beef products. We appreciate the opportunity to review and comment on this supplemental proposed rule and we look forward to working with USDA during implementation. Should you have any questions or concerns please contact Kristina Harris Butts, NCBA's Director of Legislative Affairs at 202-879-9106 or kbutts@beef.org.

Sincerely,



Steve Foglesong
President

Attachments: "The Journey Towards Retail Meat Case Nutrition Labeling", funded by The Beef Checkoff.