Statement of
Rosemary Mucklow
Executive Director
National Meat Association
For
USDA/FSIS Public Meeting on "Natural"
December 12, 2006

National Meat Association appreciates the opportunity to present its views in response to the Notice published by USDA/FSIS on December 5, 2006: Product Labeling: Definition of the Term "Natural." By scheduling a public meeting seven days after notice in the *Federal Register* FSIS is responding, with unprecedented speed.

The policy in question has been in place since 1982, which was modified and clarified by an August 2005 update. It appears that the agency has now determined that the subject matter needs to be the developed through rulemaking, rather than policy interpretation. This public meeting is thus a preamble to notice and comment rulemaking.

National Meat Association strongly agrees that the use of the term "natural" is of great interest to consumers, producers and processors. Finding an effective core policy for the use of such terms in today's very complex manufacturing systems will be challenging. It is further complicated by other jurisdictions, including the recent announcement by FSIS's sister agency the Agricultural Marketing Service of meetings, and the application of this same term under the authority of the Federal Food Drug & Cosmetic Act (FDCA). Thus, agency interaction with others will be necessary to assure consistency in the federal regulatory framework. Failure to have such collaboration across government agencies will create huge confusion in the marketplace.

FSIS has received a petition from a processor of meat food products that has concerns with respect to whether the use of Sodium Lactate is appropriate in products labeled as Natural. It has reacted by withdrawing the portion of its August, 2005 clarification of Standards and Labeling Policy Memorandum (Memo) 055, which refers to "sodium lactate." NMA believes that while such a withdrawal may be one of several appropriate endpoints for the newly announced rulemaking, its precipitous, immediate withdrawal at the commencement of the rulemaking process is arbitrary and may well work to the disadvantage of firms which have relied on the August 2005 guidance in product formulation and in the purchase of labeling inventories. In the instant case, while rulemaking is proceeding, we urge that no peremptory changes in policy be made pending the process.

The agency poses several questions in its notice of public meeting. And we would respond as follows:

The term "minimally processed" which now appears on many product labels will mean hugely different things in different meat and meat food products. FSIS is to be commended for inviting comments as to what it means within the rulemaking process.

There is a plethora of implications and conflicts already at large with regard to new processing technologies. In 1904, the San Francisco Butchers' Board of Trade railed against *"refrigerated ...meats"* which they claimed concealed all the diseases which the animal may be affected with. We've come a long way in just 100 years! Refrigeration is now the "holy grail" method to extend the life of perishable foods! It behooves the industry, the government, academia and independent scientists to evaluate and incorporate new technologies that control the impact of pathogenic destruction and ensure the safety of end products. Some of these techniques will not in any way qualify for use with "natural products," but others will be just as appropriate to "natural" products as is the use of refrigeration. Considering this subject in an open, transparent manner is very important and FSIS is to be commended for its initiative to do so.

The final question posed by the agency is challenging. In a society where there is a relatively long chain from production to consumption, and where consumers have come to expect that food manufacturers will ensure the safety of the end meat/poultry product, there is an obligation to inform consumers of how this expectation can best be met for "natural" meat and poultry products. This is a question which needs to be included in the new rulemaking.

As the Agency states: It is seeking comment on how it best determines an appropriate and rational balance between the need to ensure the safety of the food supply and the need to ensure that labels are truthful and not misleading.

Again, National Meat Association looks forward to being an active participant in this regulatory dialogue on behalf of its members. In the meantime, NMA urges that the agency not take peremptory action against any particular product, but rather devote its full resources to moving forward, in conjunction with its sister federal agencies, in an orderly review and rulemaking process.

We appreciate that the comment time will remain open for written comments until January 11, 2007. An extension of this time may be appropriate.