



660 PENNSYLVANIA AVE., SE , SUITE 302, WASHINGTON, DC 20003  
(202) 547-9359 • FAX (202) 547-9429  
2601 MISSION ST., SUITE 803, SAN FRANCISCO, CA 94110  
(415) 826-2770 • FAX (415) 826-0570  
WWW.CENTERFORFOODSAFETY.ORG

3 March 2008

Naturally Raised Marketing Claim  
Agricultural Marketing Service  
USDA, Room 2607-S  
1400 Independence Ave., SW  
Washington, DC 20250-0254

CC via: [www.regulations.gov](http://www.regulations.gov)

To Whom It May Concern:

Pursuant to the USDA, Agricultural Marketing Services' (AMS) November 28, 2007, notice, the Center for Food Safety (CFS) submits the following information and comments concerning the proposed "United States Standards for Livestock and Meat Marketing Claims, Naturally Raised Claim for Livestock and the Meat and Meat Products Derived From Such Livestock." See 72 Fed. Reg. 67266 (Nov. 28, 2007); see also 73 Fed. Reg. 5789 (Jan. 31, 2008)(extending the public comment period until March 3, 2008). CFS is a non-profit, consumer and environmental organization that works to protect human health and the environment by curbing the proliferation of harmful food production technologies and by promoting organic and other forms of sustainable agriculture. See generally <http://www.centerforfoodsafety.org>.

In the past few years, dozens of new eco-labels have flooded the market, most without verifiable standards or third-party certification. The development of a "naturally raised" marketing claim will only add to existing consumer confusion in the marketplace. The claim "naturally raised" is amorphous and fails to provide consumers with clear language describing how a particular meat product was raised and produced. In contrast, more specific labeling language and claims, such as "derived from an animal produced without the use of antibiotics" or "derived from an animal produced without the use of synthetic or supplemental hormones," would provide consumers with clear and direct information concerning standards of production and be much easier for consumers to interpret. As such, CFS does not believe that the development of a voluntary livestock and meat marketing claim allowing the use of the term "naturally raised" is necessary or useful to consumers. In fact, CFS believes the claim will substantially mislead consumers.

CFS further asserts that the existing standards governing the production of organic livestock already accurately and best reflect the qualities consumers associate with the "natural" raising of

livestock. As AMS administers the National Organic Program, it would seem logical that the agency strive to establish a consistent hierarchy for all standards related to voluntary meat and meat product marketing claims. Unfortunately, the proposed standard does not do so.

For a number of reasons, the Organic Foods Production Act (OFPA), the National Organic Program regulations, and the National Organic Standards Board recommendations combine to provide production standards for livestock that are most equivalent to the “natural raising” of livestock. First, livestock raised to be marketed under the organic label cannot be administered hormones or antibiotics. See e.g. 7 U.S.C. §6509(c)(3). Second, the OFPA specifically created production systems based upon an allowance of natural substances and a prohibition on synthetic substances. See 7 U.S.C. § 6517 (National List). In applying this dichotomy to livestock production system, organic production directs livestock systems to be as “natural” as possible. Third, the National Organic Program regulations contain other important components critical to consumer expectations of “natural raising.” The animals are required to be fed 100% organic feeds - i.e. feeds grown without the use of synthetic pesticides, fertilizers, or genetic engineering. See 7 C.F.R. § 205.237. Livestock producers must also establish and maintain living conditions for the animals that accommodate “the health and natural behavior” of the animal and include access to the outdoors, pasture, and shelter designed for “natural maintenance, comfort behaviors, and opportunity to exercise.” See 7 C.F.R. §205.270.

Thus, CFS believes that AMS would be best served by tiering all voluntary livestock and meat marketing claims from the existing National Organic Program regulations and allow only specific production method claims and not additional vague conceptual terminology like “naturally raised.” For example, if a producer cannot (or chooses not to) meet the entire organic standard, but rather one attribute of the national standard - say, no use of antibiotics - the producer should be able to use an appropriate labeling claim describing this production method. Further, the labeling claim relating to non-use of antibiotics, therefore, should be allowed only if the production standard identical to those for no antibiotic use contained in the National Organic Program regulations is met. See 7 C.F.R. §§ 205.238(c)(1); 205.603(a)(5); 205.603(c) (provisions concerning antibiotic use).

Moreover, as described in the Federal Register notice, the proposed “naturally raised” standard omits numerous practices that consumers acquaint with the descriptive terms “natural” or “naturally.” First, the standard does not provide requirements for accommodating the natural behaviors of animals including requirements for outdoor access for animals and the pasturing of animals. Second, the standard’s allowable feeding practices omit restrictions that many consumers would find necessary to consider an animal “natural raised.” For example, the proposed standard would allow the use of feed derived from genetically engineered crops. Third, the standard does not restrict reproduction technologies and would allow livestock derived from animals bred through techniques that many consumers consider unnatural, such as somatic cell nuclear transfer (cloning) or genetic engineering, to be “naturally raised.” See e.g. Pew Initiative on Food and Biotechnology Poll (Nov. 2006) (finding 64% of Americans are “uncomfortable” with cloning and 46% “strongly uncomfortable” with cloning of animals). Fourth, the proposed standard is silent as to ensuring the physical characteristics of animals. The standard, therefore, would allow practices that many consumers find as “unnatural” including dehorning and tail docking. In sum, these omissions further exemplify that the proposed “naturally raised” label does not serve consumer interests and would be misleading.

Accordingly, CFS requests that AMS abandon setting standards for the allowance of a “naturally raised” marketing claim and instead focus on specific production standard claims surrounding issues such as antibiotic and synthetic and supplemental hormone use.

Respectfully submitted,

/s/

Joseph Mendelson III  
Legal Director