
August 25, 2017

Doug McKalip
Room 2612 South Building
Livestock Poultry and Seed Program
Agricultural Marketing Service
United States Department of Agriculture
1400 Independence Avenue, SW STOP 0249
Washington, DC 20250-0249

Re – Proposed Rule Questions Under Consideration; National Bioengineered Food Disclosure Standard

Dear Mr. McKalip:

The North American Meat Institute (NAMI or the Meat Institute) submits these comments about the above-referenced request for comments (request). The Meat Institute is the nation's oldest and largest trade association representing packers and processors of beef, pork, lamb, veal, turkey, and processed meat products and NAMI member companies account for more than 95 percent of United States output of these products. The Meat Institute provides legislative, regulatory, public relations, technical, scientific, and educational services to the meat and poultry packing and processing industry. NAMI's membership includes companies that are or may be subject to the above-referenced rule.

The Agricultural Marketing Service (AMS or the agency) posted questions on its website soliciting comments to aid AMS officials as they prepare proposed regulations regarding the National Bioengineered Food Disclosure Standard law (the Law). Bioengineering is a more complex issue than determining the origin of an orange, but the Law is similar in many respects to the mandatory country of origin labeling (COOL) statute, which also is administered by AMS. Neither the Law nor COOL are related to food safety, nor are they intended to prevent consumer deception. Both statutes simply mandate that companies provide a particular nugget of information about a product's characteristics, purportedly to aid consumer decision-making whether to purchase that product. Notwithstanding the complexity of bioengineering, AMS should strive to develop a regulatory program based on simplicity. Based on the COOL experience, mandatory labeling programs designed to provide a nugget of information can cost billions of dollars; a cost ultimately borne by consumers regardless of whether they value the

information. Against that background, NAMI submits below comments regarding many of the questions posed by the agency.

1. What terms should AMS consider interchangeable with “bioengineering?” (Sec. 291(1))

Context: The disclosure standard would be a mechanism to inform consumers about their food. AMS is considering the advantages and disadvantages of allowing the use of other terms to provide for disclosure.

NAMI Response: AMS should differentiate the term “bioengineering” provided in section 291 from terms such as “genetically engineered,” “genetically modified,” “GMO” or similar terms that might be used in disclosure text. The rule should also explain that the term “genetic engineering” as used in section 295 is broader than the term “bioengineering” in section 291(1).

2. Which breeding techniques should AMS consider as conventional breeding? (Sec. 291(1)(B))

Context: AMS is considering what would be defined as modifications that could otherwise be obtained through conventional breeding because these modifications would be exempt from mandatory disclosure.

NAMI Response: AMS might consider addressing this issue from the opposite perspective and ask what might not be viewed as conventional, listing those the agency does not consider “conventional” and explaining why. To answer the question asked, conventional breeding, which includes transferring genetic information within a species or between compatible species, should not be narrowly construed. That one process accelerates what could be accomplished through other, slower processes to achieve the same result should not preclude the accelerated process from being deemed conventional. AMS should write the rule to reflect that if a change in genotype can reasonably exist in nature and be passed along to viable offspring, the event should be considered a type of conventional breeding, whether the trait was introduced via bioengineering techniques or through spontaneous mutagenesis. Gregor Mendel kept an open mind concerning what was possible through breeding. Likewise, AMS should take a liberal perspective regarding what constitutes “conventional breeding” and not simply provide a limited, all-inclusive list of conventional breeding techniques.

3. Which modifications should AMS consider to be found in nature? (Sec. 291(1)(B))

Context: AMS is considering what would be defined as modifications that could otherwise be found in nature because these modifications would be exempt from mandatory disclosure.

NAMI Response: Because the agency need not list conventional breeding techniques it should look to the nature of the genetic modification and determine if such modification results in a genotype known to exist in the species of concern or a species with which it is sexually compatible, or is reasonably likely to occur in such. Satisfying these conditions means the modified genotype could have been achieved through conventional breeding methods. The 2017 National Academies of Sciences, Engineering and Medicine's publication *Preparing for the Future Products of Biotechnology* (Report) provides guidance on this issue. The Report's classification system of biotechnology products, *i.e.*, "familiar and noncomplex," "unfamiliar or complex," or "unfamiliar and complex" can be adapted by AMS. "Familiar and noncomplex" genetic modifications—those that correspond to a genotype found in the subject or a sexually compatible species, or could reasonably occur in the species through mutagenesis or a deletion—result in animals or plants with a genome indistinguishable from non-genome edited animals that share the genotype through inheritance or mutagenesis, which means they could be produced through conventional animal breeding. The proposed rule should reflect that any bioengineering process that results in a genetic modification corresponding to a genotype found in the subject or a sexually compatible species, or that could reasonably occur in the species through mutagenesis including deletion, be considered achievable through conventional breeding techniques.

4. Will AMS require disclosure for food that contains highly refined products, such as oils or sugars derived from bioengineered crops? (Sec. 291(1)(A))

Context: Many processed foods may contain ingredients derived from bioengineered crops, such as highly refined oils or sugars that contain undetectable levels of bioengineered genetic material such that they are indistinguishable from their non-engineered counterparts. AMS is considering whether to require disclosure for foods containing those derived ingredients that may be undetectable as bioengineered.

NAMI Response: AMS must consider carefully the information gathering and recordkeeping burden on the end users of ingredients that may be undetectable as bioengineered, and the information gathering and recordkeeping burden on the supply chain producing those ingredients.

5. Although the Law states that the definition of bioengineering shall not affect any other definition, program, rule, or regulation of the Federal government, could there be potential areas of confusion between the definition of bioengineering as used in the Law and other similar terms used by the Federal government? If so, what are the potential remedies that could be added to this regulation to alleviate any confusion between this definition and others by the Federal government? (Sec. 292(b))

Context: AMS recognizes that other Federal agencies have different terms to describe organisms created through recombinant DNA techniques. AMS is considering areas of potential overlap or confusion over terms, as well as potential language to add to this regulation to ensure the term bioengineering does not affect any other definition, program, rule, or regulation.

NAMI Response: The statutory language is self-explanatory. AMS need not include anything in the rulemaking because any such “rule” will not “override” or affect other statutes or rules promulgated under those statutes administered by other federal agencies. To the extent the statute directs the agency to ensure consistency between the Law and the Organic Foods Production Act of 1990, AMS is the agency that administers both and should be capable of ensuring consistency to reduce consumer confusion.

6. Meat, poultry, and egg products are only subject to a bioengineered disclosure if the most predominant ingredient, or the second most predominant ingredient if the first is broth, stock, water, or similar solution, is subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act. How will AMS determine the predominance of ingredients? (Sec. 292(c))

Context: AMS is considering how to evaluate predominance to determine how the Law will apply to multi-ingredient food products.

NAMI Response: The agency should adopt the approach taken by its sister agency, the Food Safety and Inspection Service (FSIS), in which order of predominance for ingredient declarations on meat and poultry product labels is determined based on the weight of ingredients as added to the formulation. See 9 CFR 317.2(f)(1), 9 CFR 381.118(a), and *A Guide to Federal Food Labeling Requirements for Meat, Poultry and Egg Products*. The Food and Drug Administration (FDA) follows the same approach in 21 CFR 101.4(a). To take a different approach likely would confuse consumers and be inconsistent with statutory intent.

7. How should AMS craft language in the regulations acknowledging that the Law prohibits animal products from being considered bioengineered solely because the animal consumed feed products from, containing, or consisting of a bioengineered substance? (Sec. 293(b)(2)(A))

Context: AMS is considering regulatory language similar to the wording in the Law and if the Agency should provide clarity that food derived from any animal, including invertebrates such as crickets or bee products, would not require disclosure as a bioengineered food solely because their nutrition came from food with bioengineered ingredients.

NAMI Response: The agency should adhere strictly to the language in the statute. To wander from the carefully crafted approach adopted in the Law regarding labeling of products derived from animals would contravene statutory intent. Specifically, meat or poultry products derived from animals or birds fed a bioengineered crop, or ingredient directly derived from such a crop, must be exempt from labeling. This exemption should also apply to products derived from animals or birds treated with drugs or pharmaceuticals produced through bioengineering.

8. What is the amount of a bioengineered substance present in a food that should make it be considered bioengineered? (Sec. 293(b)(2)(B))

Context: The Law authorizes the Secretary to determine the amount of a bioengineered substance present in food in order for the food to be disclosed as a bioengineered food. The amounts of a bioengineered substance that may be present in food in order for the food to be a bioengineered food might be determined in a variety of ways: if a bioengineered substance is near the top of the list of ingredients, by determining the percentage of bioengineered ingredients in a food product, or by listing any ingredient that was produced through bioengineering, among others. AMS is considering how to determine the amount of bioengineered food or ingredient needed for a product to require a bioengineered disclosure, as well as the advantages and disadvantages of various methods.

NAMI Response: The Law provides the Secretary “shall determine the amounts of a bioengineered substance that may be present in food, as appropriate, in order for the food to be a bioengineered food.” The agency again should consider the burden on those required to label products, and their suppliers, when considering what the amount of a bioengineered substance in a product triggers a labeling obligation. A “more than one percent” standard will capture more products than a “more than five percent” standard, imposing greater burdens and costs throughout the system. The agency should consider five percent for consistency with how it administers the organic program. In no circumstance, however, should the standard be less than one percent. Whatever threshold is set, it should apply on an ingredient by ingredient basis, and not be cumulative.

9. Should AMS consider more than one disclosure category? (Sec. 293(b)(2)(D))

Context: AMS is considering if it should develop various categories for disclosure and if it should differentiate between those products that a) are bioengineered, b) contain ingredients that are bioengineered, or c) contain ingredients derived from bioengineered crops or animals. Additionally, AMS is considering the creation of a set of disclosures for a category of bioengineered foods for those products that, due to changes in sourcing, include bioengineered ingredients for part of the year, and non-bioengineered ingredients for other parts of the year. AMS is considering the advantages and disadvantages, based on cost, clarity, and other factors, of using a single disclosure category or multiple disclosure categories.

NAMI Response: The question asked above is inapposite to the section of the Law cited. Section 293(b)(2)(D) directs the Secretary to promulgate a regulation “to require that the form of a food disclosure under this section be a text, symbol, or electronic or digital link,” This section has nothing to do with creating multiple disclosure categories, as explained above. Regarding the substance of the agency’s question, there should not be multiple categories. Differentiating as suggested above furthers the problems of segregation, which add complexity to the system and more complexity increases the cost associated with labeling.

10. What other factors or conditions should AMS consider under which a food is considered a bioengineered food? (Sec. 293(b)(2)(C))

Context: AMS must develop a process to help stakeholders determine whether a food is subject to bioengineered disclosure. AMS anticipates the process would include considering factors such as: whether a food contains a substance that has been modified using recombinant in vitro DNA techniques (Sec. 291(1)(A)), whether the modification could not be obtained through conventional breeding or found in nature (Sec. 291(1)(B); [Question 2 and 3](#)), , and whether a food requires disclosure based on the predominance of ingredients (Sec. 292(c); [Question 6](#)), among others. The outcomes of these determination requests might be publically (sic) posted on a Web site. The process to implement Sec. 293(b)(2)(C) is not intended to be an investigation or enforcement process (see [Questions 26-29](#)); instead, the implementation would likely be framed for manufacturers or developers of bioengineered food or ingredients who have a question on whether their food is subject to disclosure. AMS is considering the factors to be considered, the way to inform the public about the outcome of the requests, and ideas regarding the process to be used to make the determination.

NAMI Response: The agency should articulate its expectation regarding how a company determines whether a product it is making requires labeling. That expectation must be simple and straightforward. There are hundreds of thousands of ingredients, perhaps more, used to produce food and the more complicated the analytical process the more expensive it becomes, with costs ultimately borne by consumers. The agency can, however, streamline that process by exempting certain categories of ingredients. Processing aids, incidental additives, and secondary direct food additives, which do not have to be declared on labels, should be exempt. Likewise, ingredients authorized for use in certified organic foods should be exempt from disclosure. There likely are other categories the agency can exempt, simplifying the process and reducing costs.

12. If a manufacturer chooses to use text to disclose a bioengineered food, what text should AMS require for a text disclosure? (Sec. 293(b)(2)(D))

Context: Currently, some food manufacturers use language compliant with the Consumer Protection Rule 121 from the State of Vermont to identify their food products as bioengineered (“Produced with Genetic Engineering,” “Partially Produced with Genetic Engineering,” or “May be Produced with Genetic Engineering”). AMS is considering whether to allow manufacturers to continue using these disclosures under the new national bioengineered disclosure standard and if their language is appropriate. Further, AMS is considering what phrases could be used as a text disclosure for bioengineered food that consumers would find informative, truthful, and not misleading.

AMS is also considering whether there should be one standard text disclosure language, or whether manufacturers should be allowed flexibility to choose from more than one acceptable phrase and where the bioengineered food disclosure should be placed on food packages.

NAMI Response: It is imperative that AMS provide flexibility in any disclosure program. That flexibility should include allowing several phrases to accommodate differences in products and it should provide the ability to use the word “may” in some capacity for products that only sometimes include bioengineered ingredients. AMS also should not dictate where an on-package disclosure, either text or symbol, is located. Many information sources more important than this labeling requirement are not on the principal display panel, *e.g.*, ingredient declarations, nutrition facts panel, safe handling instructions.

13. If a manufacturer chooses to use a symbol to disclose a bioengineered food, what symbol should AMS require for disclosure? (Sec. 293(b)(2)(D))

Context: AMS needs to ensure that the symbol designed for the bioengineered disclosure is not disparaging toward bioengineering. As with the text disclosure, AMS must develop criteria for placement of the symbol to ensure consumers can readily locate the symbol, the symbol is scalable for different sized packages, and the symbol is a meaningful representation of bioengineered foods. AMS is considering what the symbol should look like and guidance on its use.

NAMI Response: It is imperative any symbol chosen not be viewed as disparaging the product because it contains, or may contain, a bioengineered ingredient. As with any on-package text, AMS should not dictate the location of the symbol.

15. Should AMS specify in the regulations the type of electronic or digital disclosure manufacturers, e.g. QR code, can use to disclose bioengineered food? What steps should AMS take if an electronic or digital disclosure method becomes obsolete? (Sec. 293(b)(2)(D))

Context: AMS recognizes that disclosure technologies may quickly surpass regulations. AMS is considering what terms will ensure the regulations keep pace with technological changes and how AMS can notify stakeholders about changes in technology as they occur. AMS is also considering what the most appropriate electronic or digital disclosure technologies are currently and how to deal with obsolete technologies.

NAMI Response: It would be unwise to incorporate into a regulation a specific electronic or digital disclosure that can be used. Technology changes too quickly and regulations promulgated too slowly to embed a particular technology into a rule. AMS should instead adopt a guidance document approach for this issue because it affords the agency and the affected industry flexibility.

16. What kind of text, symbol, or electronic or digital disclosure should AMS require for bioengineered food that is not purchased from a grocery store shelf, such as food for sale in bulk (such as fresh produce in a bin or fresh seafood at a fish counter), in a vending machine, or online? (Sec. 293(b)(2)(D))

Context: In some situations, disclosures may not be easily located when such products are on display for sale. AMS is considering disclosure practices for these and other non-conventional purchasing or packaging scenarios.

NAMI Response: AMS should, to the extent possible, follow the same approach it did regarding COOL.

17. The Law offers special provisions for disclosure on very small or small packages. How should AMS define very small or small packages? (Sec. 293(b)(2)(E))

Context: AMS is considering if it should mirror FDA's treatment of very small and small packages for nutrition labeling.

- a. In 21 CFR 101.9(j)(13)(i)(B), FDA defines small packages as those with less than 12 square inches in total surface area available to bear labeling.
- b. FDA also has allowances for packages that have less than 40 square inches of total surface area available to bear labeling.

NAMI Response: AMS should adopt the small package provisions adopted by FDA and FSIS for the respective products. To do otherwise could confuse consumers and would cause companies regulated by those agencies to handle small packages inconsistently.

18. What are the reasonable disclosure options AMS should provide for food contained in very small or small packages? (Sec. 293 (b)(2)(E))

Context: AMS is considering the disclosure standards for very small or small packages. FDA regulates nutrition labeling on very small or small packages differently. For example:

- a. Could disclosure requirements for very small packages be met by providing an address or phone number where consumers could obtain the information?
- b. Could disclosure requirements for small packages be met by providing abbreviated text disclosure or a Web site address where consumers could obtain disclosure information? [Follow FDA/FSIS model]

NAMI Response: AMS should adopt the disclosure requirements for small packages as provided by FDA and FSIS for nutrition labeling for the product, including individually wrapped small packages. The agency should not impose a requirement for bioengineered labeling that is "harsher" than a requirement intended to help consumers make informed decisions that might affect their health.

19. How should AMS define small food manufacturers? (Sec. 293(b)(2)(F))

Context: AMS is considering using regulatory language similar to that of other Federal government agencies that already define small businesses. For example:

- a. FSIS considers small businesses to be those with 500 or fewer employees and that produces 100,000 pounds or less of annual production of a single product, including single forms of meat such as sausage, bulk, patties, links, consumer product, etc., when determining exemptions from nutrition facts labeling (9 CFR 317.400 (a)(1)(ii)).
- b. FDA has several small business definitions with respect to food labeling rules, such as: i) retailers with total annual gross sales of \$500,000 or less, 21 CFR 101.9(j)(1) and (18); ii) food and dietary retailers with annual gross sales of foods or dietary supplement products of \$50,000 or less, 21 CFR 101.9(j)(1) and 101.36(h)(1); and iii) businesses that employ fewer than 100 full-time workers that produce a product that sells fewer than 100,000 units throughout the United States in a 12-month period, 21 CFR 101.9(j)(18) and 101.36(h)(2).

AMS is considering the advantages or disadvantages of these definitions of small food manufacturers for the bioengineered food disclosure regulations.

NAMI Response: AMS should adopt the definition used by FSIS for federally inspected establishments and choose the FDA definition most compatible with the FSIS definition.

20. For disclosures by small food manufacturers, what is the appropriate language indicating that a phone number provides access to additional information? (Sec. 293(b)(2)(F)(ii)(I))

Context: AMS is considering using language in Sec. 293(d)(1)(B) of the Law.

NAMI Response: AMS should adhere to the language in the Law.

21. The Law excludes restaurants and similar retail food establishments from disclosure requirements. How should AMS define similar retail food establishment to exclude these establishments from the requirements of the regulation? (Sec. 293(b)(2)(G)(i))

Context: AMS is considering how to treat establishments that sell food ready for human consumption, such as institutional food service, delicatessens, or catering businesses. In its regulations for Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments (21 CFR 101.11), FDA defines restaurant or similar retail food establishment and restaurant-type food. For FSIS,

the Federal Meat Inspection Act (FMIA) provides for the mandatory inspection of commercial meat and meat products. The FMIA and implementing regulations do, however, provide exemptions from the continuous inspection provisions for retail operations and restaurants (9 CFR 303.1(d)(2)).

NOP also defines retail food establishment in its regulations (7 CFR 205.2). AMS is using this information as it considers definitions for restaurants and similar retail establishments, with the understanding that these definitions will be used to determine what types of retail establishments are excluded from the requirements of the Law.

NAMI Response: AMS should exempt establishments that serve restaurant type food as FDA defines that term in 21 CFR 101.11. Given the Law's similarities to COOL, the agency could take the same approach it did for the COOL labeling program. The COOL statute defines the term food service establishment (sec. 281(4)) and exempts from COOL's labeling requirements a covered commodity "(1) prepared or served in a food service establishment; and "(2)(A) offered for sale or sold at the food service establishment in normal retail quantities; or "(B) served to consumers at the food service establishment." (Sec. 282(b)).

22. How should AMS define very small food manufacturers to exclude these manufacturers from the requirements of the regulation? (Sec. 293(b)(2)(G)(ii))

Context: See [Question 19](#). AMS could use definitions similar to how other Federal agencies define very small businesses, and is considering definitions to distinguish small food manufacturers (Question 19) and very small food manufacturers, with understanding that very small food manufacturers would be excluded from the requirements of the Law.

NAMI Response: See response to question 19.

23. Is there other equivalent on-package language that AMS should consider to accompany an electronic or digital disclosure besides "Scan here for more food information"? (Sec. 293(d)(1)(A))

Context: The word 'scan' may or may not be relevant for each type of electronic or digital disclosure in the present or in the future. AMS is considering if it should issue guidance to identify equivalent language as technology changes and what that equivalent language would be.

NAMI Response: The Law authorizes terms other than “Scan here for more food information.” AMS should allow “Scan here for more information” and should include this phrase, and others it deems appropriate, in a guidance document to preclude the problems attendant to technology moving faster than the rulemaking process.

25. How should AMS ensure that an electronic or digital disclosure can be easily and effectively scanned or read by a device? (Sec. 293(d)(5))

Context: AMS is aware that electronic or digital disclosures need to be effective, that requirements will vary for each specific type of electronic or digital disclosure, and that the technology for electronic or digital disclosure may change faster than AMS will be able to update its regulations. AMS is determining how to address these issues given the variety of electronic or digital disclosures currently available in the marketplace, along with the specifications for these disclosures to be used effectively in a retail setting.

NAMI Response: AMS should not establish specific requirements involving electronic or digital disclosure through rulemaking. Rather these concepts should be established through policy or guidance documents to allow for quicker adjustment as technology evolves.

26. What types of records should AMS require to be maintained to establish compliance with the regulations? (Sec. 293(g)(2))

Context: Each person or entity subject to the mandatory disclosure requirement would be required to maintain and make available to the Secretary records that establish compliance with the Law. Typically, record keeping requirements include those for the records required to be kept, the place of maintenance of such records, the record retention period, and what it means for AMS to have adequate access to and inspection of such records.

Under current FSIS regulations, records must be maintained at a place where business is conducted, except that if business is conducted at multiple places of business, then records may be maintained at a headquarters office. When the business is not in operation, records should be kept in accordance with good commercial practices. For FSIS, records are required to be maintained for a 2-year period. The maintenance time for FDA records vary from 6 months through up to 2 years.

AMS is considering what recordkeeping requirements for persons subject to the Law would be most appropriate.

NAMI Response: AMS should not make the recordkeeping requirements more complicated than necessary. The record maintenance periods established by FSIS and FDA often have food safety implications, which are irrelevant here. Given the similarities between the Law and COOL, AMS should consider recordkeeping requirements and options, to the extent possible, similar to the COOL program.

27. How should AMS obtain information related to potential non-compliance with these regulations? Is there information USDA should request prior to conducting an examination of non-compliance? (Sec. 293(g))

Context: AMS is considering what tools could be used to identify potential non-compliance and enforce compliance with the regulations. AMS is considering the types of information needed to verify compliance with the Law and the most optimal way to obtain such information.

NAMI Response: Unclear from the question is how AMS plans to engage in oversight and enforcement. AMS should take the same approach it did for COOL.

28. What are the rules of practice for a hearing? (Sec. 293(g)(3)(B))

Context: AMS is considering the appropriate procedures for audits and other compliance actions, including opportunities for hearing. AMS is considering this aspect for the rules of practice and other options regarding a prospective hearing and internal adjudication process.

NAMI Response: The Law amends and is part of the Agricultural Marketing Act of 1946. AMS should follow the general hearing procedures outlined in 7 CFR Part 1, Subpart H, which apply to administrative hearings under the Organic Foods Production Act, COOL, mandatory price reporting, among other programs.

29. How should AMS make public the summary of any examination, audit, or similar activity? (Sec. 293(g)(3)(C))

Context: AMS is considering if the results and findings of any examination, audit, or similar activity should be posted after the notice and opportunity for a hearing described under Sec. 293(g)(3)(B). AMS is also considering how it should make summaries of the examination, audit, or similar activity public.

NAMI Response: AMS could fulfill its statutory obligation by posting the information on the agency website, as it does with other programs. AMS also should ensure that any trade secrets or confidential commercial information is redacted before posting the summary information, as required under the Freedom of Information Act.

30. What should the requirements for imports into the United States of products covered by the Law/regulation be? (Sec. 294(a))

Context: AMS is considering how the disclosure requirements should be applied to imported products.

NAMI Response: Imported products should have to follow the same disclosure requirements as products manufactured in the United States. The U.S. should allow importers or distributors to sticker or stamp any required disclosures after import and customs clearance but before a product is introduced into commerce. AMS should ensure these requirements are administered in a manner consistent with U.S. obligations under World Trade Organization and other international trade and investment agreements.

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That bioengineering is a complex issue does not mean the labeling requirements attendant to this regulatory scheme must be complex. Unlike allergen declarations or safe handling instructions, labeling requirements involving legitimate food safety concerns, declaring “GMOs,” as consumers know this issue, is nothing more than providing another piece of information about a product’s characteristics to help consumers decide whether to purchase that product. The labeling program should be simple and based on that straightforward concept. To do otherwise, dooms this labeling scheme to expensive exercise that imposes billions of dollars of unnecessary costs ultimately borne by consumers, regardless of whether they value the information.

The Meat Institute appreciates the opportunity to provide these comments. Please contact me if you have questions about these comments or anything else regarding this matter. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark Dopp", with a long horizontal flourish extending to the right.

Mark Dopp
Senior Vice President,
Regulatory & Scientific Affairs,
and General Counsel

CC: Bruce Summers
Craig Morris
Andrea Huberty
Barry Carpenter
Janet Riley
Pete Thomson
Nathan Fretz
Susan Backus
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