

ConAgra Foods, Inc.  
Six ConAgra Drive - P.O. Box 1  
Omaha, NE 68102

TEL: 402-595-6566  
TEL: 201-612-7164  
FAX: 402-595-6759

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Pat Verduin, Ph.D.  
Senior VP and Director  
Product Quality and Development  
pat.verduin@conagrafoods.com

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FSIS Docket Clerk  
Room 102  
Cotton Annex Bldg.  
300 12 St., S.W.  
Washington, DC 20250-3700

00-046P  
00-046P-2  
Patricia Verduin

RE: Docket No: 00-046P, Nutrition Labeling: Nutrient Content Claims on Multi-Serve Meal-Type Meat and Poultry Products

Dear FSIS Docket Clerk:

ConAgra Foods, Inc. (CAF) is a diversified food company with approximately \$25 billion in annual sales in a wide variety of product categories, including: frozen meals and entrees, fresh and processed meats and pizzas. Our major brand names include: *Healthy Choice*, *Banquet*, *Armour*, *Chef Boyardee*, and *Butterball*.

CAF appreciates the opportunity to comment on FSIS's Proposal regarding Nutrient Content Claims on Multi-Serve Meal-Type Meat and Poultry Products.

**Position Summary:**

CAF agrees with the FSIS proposal which will allow similar nutrient content claim criteria for both single serve and multiple serving meals, and we commend the agency for proposing to amend the meal definition in 9 CFR 317.309 and 9 CFR 381.409 to match FDA's meal and main dish definitions. CAF strongly believes that the nutritional claim criteria uniformity will provide key benefits to consumers. We agree that in addition to providing tools and simplistic guidance on nutrition, it also provides families with nutritious low fat and healthier multiple serving meal options at a favorable price.

ConAgra fully supports the proposed modifications and has the following comments:

**Regulatory and Nutritional Consistency**

- **Nutritional Consistency:** By allowing multiple serving meal product nutrient content claims to be based on a per 100g basis, FSIS positions its meat and poultry meals as being equally as nutritious as similar products regulated by FDA. The expansion of the per 100g claim criteria to multiple serving meals is logical, since these products, just as their single serve counterparts, are more complex and play a more overall vital role in the diet than individual foods. The nutrient content claim criteria for a 10 oz. meal serving, whether from a single serve or multiple serving container, should be identical, but not the same as claim criteria for a 2 oz. portion of lunchmeat.

- The current FSIS regulations, which do not have consistent nutrient content claim criteria for a single serve and multiple serving meals, strongly promotes the concept of “good versus bad food.” Consumers are very accustomed to seeing numerous nutrient content claims on meals packed in single serve packages, however, these same claims are virtually non-existent on identical products sold in multiple serving containers. Consumers can only assume that the multi-serve products are nutritionally inferior due to the lack of claims. It is highly illogical and extremely confusing to the consumer to have nutrient content eligibility based on the packaging format instead of the product formulation.
- **Regulatory Consistency:** Consumers are unaware that the two Agencies have different nutrient content claim criteria for multiple serving meal products, and so erroneously believe that healthier options simply do not exist for meal based family serve products. By adopting the FDA main dish and meal product definitions, consumers will be presented with consistent product package information on similar products regulated by both FSIS and FDA. The proposed modifications will greatly assist to eliminate any consumer confusion that exists due to the existing claim criteria.

### **Consumer Benefits**

The modifications presented in this proposal will allow food manufacturers to significantly expand the healthful multiple serving meal opportunities which they can provide to consumers. Specifically, the proposal serves the consumer’s best interest in the following manner:

- **Economic:** Multiple serving meal products are a less expensive choice for consumers vs. purchasing multiple single serve meals. A low fat or healthy multi-serve meal can be provided for \$7 vs. the comparative cost of at least \$11 for purchasing four individual low fat meals. This is more economically feasible for families, and would contribute to the adoption of more healthful diets.

Manufacturers will now be able to present consumers with these same products in a multi-serve format containing the same nutritional claims as their single serve counterparts. This proposal will greatly diminish label confusion and can only result in the consumer having more choices and help to achieve a more healthful dietary plan.

**Healthful Meal Choices for Families:** Since March, 2002, the premium multi-serve entrees in the family serve segment has increased by 51.9% (“lean” designation only). This growth rate is more than ten times that of the non-healthy or non-calorie controlled multi-serve meals, which declined at a rate of 3.2% (economy family serve). This demonstrates that there is consumer demand for healthy meals in a multi-serve format, but the choices are currently very limited.

The current FSIS nutrient content regulations make it virtually impossible for food manufacturers to develop multi-serve meal products that comply with low fat or healthy criteria and taste acceptable to consumers. The current regulations have established different nutrient content claim criteria for single serve and multiple serving meals. The current criteria determining claim eligibility is based on packaging format; single serve meal criteria is on a per 100 grams of product basis (formula), while that for multiple serving meals is based on the standard serving size (RACC). The FDA regulations allow for both single serve and multiple serving meals to use the per 100 gram basis to determine claim eligibility. By adopting the FDA’s definition for “main dish” and “meal product”, manufacturers will be able to provide families with many more low fat and healthful meal options. The change will also enable consumers, who are concerned with obesity or other health related issues, to more readily identify nutritious meals and make better choices which they can incorporate into a healthier family diet plan.

In summary, ConAgra Foods, Inc., fully supports the changes proposed in this rulemaking. We strongly believe that these modifications will reduce label confusion, will be beneficial to families, and provide consumers with additional tools for maintaining healthier eating habits. The proposal

also promotes regulatory harmonization between the FDA and USDA, which will assist the manufacturer's ability to provide multiple serving meal products containing nutrient content claims that are acceptable to consumers. ConAgra Foods, Inc., appreciates the opportunity to comment on this and future FSIS proposals.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pat Verduin". The signature is written in a cursive style with a large, prominent initial "P".

Patricia Verduin, PhD  
Senior Vice President  
Product Quality and Development