



United Egg Association

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March 5, 2007

Docket Clerk
U.S. Department of Agriculture
Food Safety and Inspection Service
300 12th Street, S.W.
Room 102 Cotton Annex
Washington, DC 20250

Docket No. 2006-0040

Dear Sir or Madam:

These comments are submitted with respect to the Food Safety and Inspection Service's (FSIS) December 5, 2006, request for comments on a petition received by the Agency that would establish a definition for the voluntary claim "natural" and that would delineate the conditions under which the claim can be used on the labels of meat and poultry products.

The Further Processors Division of United Egg Association (UEA) represents companies who manufacture and sell processed egg products for use in the retail, food service and institutional markets. The December 5 Notice does not address the labeling of liquid, frozen and dried egg products that are subject to FSIS inspection under the Egg Products Inspection Act. However, in the absence of policies specifically developed for egg product labels, FSIS sometimes applies policies otherwise developed for red meat and poultry to such labels. We believe that a restriction the Agency currently applies to use derivatives of the word natural on product labels has denied our members an opportunity to convey information on labels that is afforded other entities in the food industry.

Unlike labels for red meat and poultry and food products regulated by the Food and Drug Administration (FDA), all labels used on inspected egg products are required to receive FSIS review and approval before they may be used. In some situations this has caused inequities between the regulatory burden placed upon processors of egg products as compared to other foods regulated by FSIS and FDA. Use of the word "natural" and its derivatives is one of those inequities.

UEA is not submitting comments on the definition of natural as proposed in the Hormel petition, but rather on how the term is used on other than the principal display panel of egg products packaging. Our members believe that the term should be used to identify only those products that fully comply with official FSIS and FDA definitions for the terminology.

Gene Gregory*
President

Chad Gregory*
Sr. Vice President

Howard Magwire**
Vice President of
Government Relations

Michael McLeod**
Washington Counsel

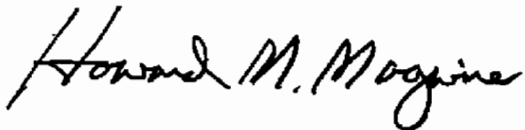
Randy Green**
Sr. Government Relations Rep.

Many food processors in the United States have and continue to use the side panels of cartons and other packaging materials to advertise other products marketed by the processor. Obviously, any claims on these side panels should be truthful and in compliance with regulatory requirements. Further, they should not imply something about the packaged product that could mislead consumers about the attributes of that product.

Egg product companies or companies for which they pack should, however, be permitted to make truthful statements about other products they sell, similar to statements made on foods marketed every day under FDA's authority. For example, a member packaging product for a supplier of more than 100 other foods was denied label approval because side panels on the egg products label referred to other products marketed by the supplier under a brand name that includes a derivative of natural. The proposed label did not state or imply that the egg product was natural (the product is organic); however, labeling policy dictated that the brand name could not appear anywhere on the label. The "advertising" was permitted on some 130 other products marketed by the supplier.

As FSIS enters the rule making process on the definition and use of natural, we urge the Agency to reconsider its position on the advertising of other product lines on other than the primary display panel when such advertising is truthful and does not discuss the labeled product.

Sincerely,

A handwritten signature in black ink that reads "Howard M. Magwire". The signature is written in a cursive style with a large, prominent initial 'H'.

Howard M. Magwire
Vice-President, Government Relations