

# United States Senate

WASHINGTON, DC 20510

January 7, 2015

The Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Avenue, S.W.  
Washington, DC 20250

Dear Secretary Vilsack,

We write today to express our serious concern that the Food Safety and Inspection Service (FSIS) is approving false and misleading labels with animal welfare claims for meat and poultry products, such as “humanely raised” or “cage free.” We strongly urge you to direct FSIS to update its labeling policy to ensure animal welfare claims are accurate. The accuracy of animal-welfare claims should be verified through substantial, direct evidence by the agency or an independent third party animal welfare auditing system. As you are aware, it is a violation of the *Federal Meat Inspection Act* and *Poultry Products Inspection Act* to label a product in a manner that is misleading or false.

FSIS has routinely approved the label claim “humanely raised” for meat and poultry products. However, “humanely raised” is not defined by the agency, and FSIS has approved this label without requiring direct evidence that the product is derived from animals that have, in fact, been treated humanely. Furthermore, the Agricultural Marketing Service (AMS) has allowed a “USDA Process Verified” seal to be applied to label claims such as “humanely raised,” but the agency only requires that a producer follow a set of animal production standards, regardless of whether these standards actually exceed common industry practice or result in good animal welfare outcomes.

It is our view that claims like “humanely raised” should only be approved by FSIS, or verified through the Process Verified Program, when there is evidence that animal welfare standards set by an independent third party, and which significantly exceed standard industry practice, are being met. It is disturbing to us that when the Animal Welfare Institute requested FSIS to provide it with the evidence used to approve 25 animal welfare label claims, FSIS could only produce documentation for five of the labels. In one case, the only animal welfare evidence was a two sentence affidavit provided by the company. We lack confidence that either FSIS or AMS can ensure that claims like “humanely raised” are accurate and not misleading.

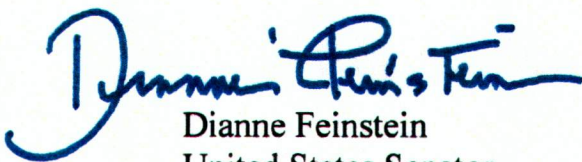


FSIS has also routinely approved “cage free” labels for chicken and turkey products. This label is misleading because it is the standard industry practice to raise chickens and turkeys in barns, while cages are only used for egg-laying hens. However, a “cage free” label leads consumers to believe that a company raised birds with exceptional animal welfare standards, when in fact this label provides a consumer no meaningful insight into how one poultry product differs from any other. Additionally, FSIS has approved “no hormones added” labels for poultry, even though no hormones are approved by the Food and Drug Administration for use in chickens or turkeys. We believe it is inconsistent with the *Poultry Products Inspection Act* to label any chicken and turkey products as “cage free” or “no hormones added.”

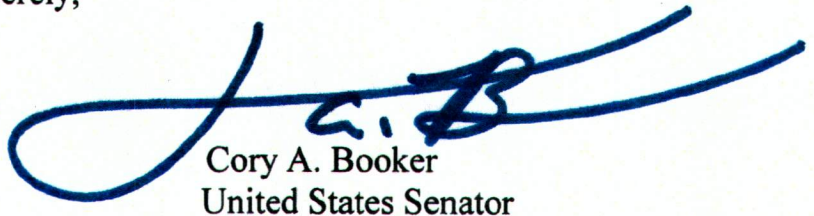
Apart from being a statutory mandate, accurate labeling is critical to ensure the integrity of interstate commerce and to provide consumers truthful information about the meat and poultry products they buy. Misleading animal welfare claims unfairly put companies and producers who are part of a valid, third party animal welfare certification program that requires animal welfare standards well above the current industry standard at an economic disadvantage. Misleading labels also undermine the ability of consumers to make effective purchasing choices in the domestic market.

Thank you for your attention to our request. If you have any questions, please do not hesitate to contact us, or have your staff contact Tristan Colonius in Senator Feinstein’s office at 202-224-2004 or Adam Zipkin in Senator Booker’s office at 202-228-3916.

Sincerely,



Dianne Feinstein  
United States Senator



Cory A. Booker  
United States Senator

DF/tc