Congress of the United States Washington, DC 20515

August 7, 2012

The Honorable Thomas J. Vilsack Office of the Secretary United States Department of Agriculture 1400 Independence Avenue, S.W. Washington, DC 20250

Dear Mr. Secretary:

We are writing to express our concern over USDA's continued allowance of misleading labels on poultry products. As you know, some poultry processors are continuing to engage in the misleading labeling practice of falsely claiming that poultry deliberately injected with saltwater or seaweed solutions is "100% All Natural."

We believe this labeling practice is deceptive and is misleading consumers into believing they are purchasing genuine all natural poultry when, in fact, they are paying billions more every year for the added saltwater weight. And at a time when many American families are struggling with increasing food costs, hiding the added saltwater weight behind a "100% All Natural" label sounds reminiscent of a butcher with his thumb on the scale.

A 2004 report from the National Institute of Standards and Technology found that this labeling is "ineffective at best, and misleading at worst." We strongly agree.

A <u>Consumer Reports</u> survey revealed that over 70% of consumers were unaware that some poultry companies routinely add sodium and other additives to their fresh chicken and then label the chicken "100 All Natural." And nearly 3 out of 4 consumers failed to notice the so-called "solution statement" warning of additional ingredients because USDA allows it to be printed in just one-quarter the font size of the rest of the label.

Furthermore, the health implications of this practice are serious and deserve prompt attention. A truly natural serving of chicken, without the added saltwater and seaweed extract contains about 70 mg of sodium but so-called "enhanced" chicken can contain up to 370 mg of sodium per serving. This is roughly equivalent to the sodium levels in a bag of regular potato chips. For consumers watching their sodium, this hidden salt in what should be a low-salt food is troubling.

Last summer, USDA finally proposed a rule that would address part of the problem by requiring more prominent disclosure on the label of these added saltwater solutions. We understand that over 30,000 consumers filed comments supporting the USDA proposal. Comments supporting the proposal came from the American Heart Association, the National Kidney Foundation, Consumers Union, the Center for Science in the Public Interest, the California Department of Food and Agriculture, the California Agricultural Commissioners and Sealers Association and the New York City Department of Health, among others. We strongly support the proposal as well and urge you to finalize the rule without further delay.

We are still waiting though for USDA to address the false and misleading "Natural" claims on these so-called "enhanced" products. USDA published an Advanced Notice of Proposed Rulemaking three years ago. The proposed "Natural" rule is long overdue.

Thank you for your attention to this important matter. We look forward to working with you to resolve this longstanding matter.

Sincerely, **DEVIN NUNES** JIM COSTA MEMBER OF CONGRESS MEMBER OF CONGRESS JOE BACA MICHELE BACHMANN MEMBER OF CONGRESS MEMBER OF CONGRESS KAREN BASS **HOWARD BERMAN** MEMBER OF CONGRESS MEMBER OF CONGRESS KEN CALVERT LOIS CAPPS MEMBER OF CONGRESS MEMBER OF CONGRESS LYNN WOOLSEY MEMBER OF CONGRESS MEMBER OF CONGRESS

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ELTON GALLEGLY MEMBER OF CONGRESS	JOHN GARAMENDI MEMBER OF CONGRESS
Janu tah	Monuel M. Horda
JANICE HAHN MEMBER OF CONGRESS	MICHAEL HONDA MEMBER OF CONGRESS
for Kind	Darbara Lee
RON KIND MEMBER OF CONGRESS	BARBARA LEE MEMBER OF CONGRESS
Jul Fry	My Ingren
ZOE LOFGREN MEMBER OF CONGRESS	DAN LUNGREN MEMBER OF CONGRESS
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