CSPI CENTER FOR SCIENCE IN THE PUBLIC INTEREST

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March 25, 2003

J. Howard Beales III, Director
Bureau of Consumer Protection
Federal Trade Commission
CRC-240
Washington, DC 20580

Dear Director Beales:

We would like to apprise you of a brand of nationally marketed meat that is deceptively advertised. CSPI commissioned analyses of the two most popular steaks – ribeye and strip – marketed by the Laura's Lean Beef Company (Lexington, Kentucky). We found that the calorie, fat, and saturated-fat content of those two steaks is approximately twice what is stated in advertising and on labels. (Attachment 1) Thus, each advertisement constitutes a "false advertisement" as defined by Section 12 and 15 of the Federal Trade Commission Act (FTCA), 15 U.S.C. secs. 52,55, and hence is "unfair or deceptive" under Section 5 of the FTCA, 15 U.S.C. sec. 45. The advertisements appear to be in violation of section 5 of the Federal Trade Commission Act.

Ribeye steaks: Laura's advertisements and labels and website state that 4-ounce servings of ribeye steaks provide 5 grams of fat, 2 grams of saturated fat, and 145 calories. We tested 16 ribeye steaks purchased at 16 different supermarkets in five cities.[1] (We did not instruct our buyers to choose obviously fattier or leaner meat or tell them the purpose of our study.) Our tests found that a 4-ounce serving of ribeye steak contained 11.4 grams of fat, more than twice the stated amount; 5.6 grams of saturated fat, almost three times the stated amount; and 211 calories, almost 50 percent more than the stated amount.

Strip steaks: Laura's labels, print advertisements (Attachment 2) and web site (Attachment 3) state that a 4-ounce serving of strip steak provides 4 grams of fat, 2 grams of saturated fat, and 140 calories. We tested 14 strip steaks purchased at 14 different supermarkets in five cities. Our tests found that the average strip steak contained 9.7 grams of fat, almost two and a half times

[1] Tests were conducted by Intertek Testing Services, Metairie, Louisiana, in January 2003.

the stated amount; 4.4 grams of saturated fat, more than twice the stated amount; and 200 calories, almost 50 percent more than the stated amount.[2]

Providing inaccurate nutrition information about meat could endanger the health of consumers who are consciously choosing a brand advertised to contain certain levels of fat, saturated-fat, and calories. We urge the FTC to stop Laura's Lean Beef Company from misleading consumers through its inaccurate advertising and to require appropriate corrective advertising. (We have urged the U.S. Department of Agriculture to examine the labels on ribeye steaks, as well as associated Laura's Lean Beef print and electronic information. (Attachment 4) Because the company also deceives consumers through its apparent misuse of the American Heart Association's food-certification logo, we have written a separate letter to that association (Attachment 5)).

Sincerely,

Michael F. Jacobson, Ph.D.
Executive Director

cc: Laura Freeman, Laura's Lean Beef Company

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[2] While the steaks are deceptively advertised and labeled, they do meet USDA's definition for "lean" and contain less fat than the average ribeye or strip steak. Nevertheless, the average Laura's ribeye or strip steak provides much more fat and calories than the average consumer might think a "lean" product would provide. The average ribeye steak weighs 9.5 ounces raw and probably about 7 to 7.5 ounces cooked. We suspect that the average consumer would eat the entire steak – notwithstanding the "official" 4-ounce serving size (CSPI's tests of cooked steaks served at popular steak houses found that the average ribeye steak weighed 9.7 ounces and the average strip steak weighed 9.4 ounces). That ribeye steak would provide 27 grams of fat (42 percent of the DV for a 2,000-calorie diet), 13 grams of saturated fat (66 percent of the DV), and 500 calories. Likewise, the average Laura's strip steak weighed 9 ounces raw (probably about 7 ounces cooked) and provides 22 grams of fat, 10 grams of saturated fat, and 450 calories. Those are shockingly high numbers for a "lean" product and reflect a basic flaw in USDA's approach to nutrition claims.