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The Center for Science in the Public Interest (CSPI) commends USDA for reviving this proposed rule that has not been finalized for nine years. For close to a decade, consumers have been deprived of key information that could have helped them make healthier dietary choices and reduce the risk of diet-related disease. USDA’s recent attention to this issue has the potential to correct the lapse that has left consumers uninformed or misled as they shop for meat and poultry.

I. Introduction

Although CSPI is pleased that USDA is, once again, addressing this important issue, we believe that the FSIS needs to modify the proposal as follows:

Nutrition Facts labels:

- Nutrition Facts should be required on product labels for major cuts of meat; if posters remain an option, USDA should: (1) specify format and placement requirements, (2) eliminate data for meats that are "trimmed of all visible fat," and (3) conduct a survey to determine whether consumers are better served by on-pack Nutrition Facts labels;
- Nutrition Facts should be provided for the entire contents of single-serving packages that exceed 4 oz.; alternatively, such packages should carry the following disclosure: "Nutrition Facts are based on a 4-oz. serving. This package may contain a serving larger than 4 oz."
- The number of servings should be required to be listed on all product labels for packages containing two or more servings; if that is not required, packages that contain two or more servings should state: "Nutrition Facts are provided for a 4-oz. serving. This package may contain two or more servings, some or all of which may exceed 4-oz."
- Nutrition labels should be required to indicate the amount of trans fat.
Prevention of Misleading Claims including “percent-lean”:

- USDA should prohibit percent-lean claims for products that are not low in fat;
- USDA should prohibit misleading health and structure/function claims and require that nutrient content claims bear disclosure statements when appropriate.

II. Nutrition Facts should be required on product labels for “major cuts.”

A. Many companies are already using on-pack nutrition labeling.

USDA’s decision to permit producers to provide nutrition information either on the package or on a poster for major cuts of single-ingredient raw meat and poultry products ignores the fact that industry trade associations are currently promoting the use of on-package nutrition labels. Although USDA acknowledges industry research reported in 2009 (in the preamble to the supplemental proposed rule under the heading “Focus Group Key Learnings”), the Department ignores a key finding: “Consumers currently use on-pack labels most often to learn about the nutritional content of meat products because there is higher awareness for labels than for posters or take-home brochures.”


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The Guide also notes that most, if not all, case-ready chicken and turkey products shipped from a USDA-inspected processing facility bear nutrition labeling.\(^3\)

Perdue Chicken already carries on-pack nutrition labeling.

Moreover, supermarket chains such as Giant Foods (a unit of Ahold) are including nutrition labels on chicken that does not come prepackaged.

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\(^3\) *Id.* at 8.
Giant Foods is one of the growing number of supermarkets that provide nutrition labeling on meat and poultry packages.

There is no question that many companies are highly motivated to use on-pack nutrition labeling. For example, the beef industry website, infra note 4, profiles the success of Indiana’s Marsh Supermarkets’ implementation of the On-Pack Nutrition Labeling program in 2006. Over a 16-week period, Marsh conducted consumer research using consumer intercepts and sales data on the effectiveness of a Nutrition Facts panel that was incorporated into the scale-produced label. The meat industry was so excited about the positive results that it suggested to members that they implement on-pack nutrition labeling for fresh meats without waiting for the USDA to issue a rule. In addition to Marsh, the following chains are among those that use on-pack nutrition labeling on meat and/or poultry: Hannaford Brothers, Food Lion, Bloom, Ukrop’s and Giant.

Moreover, USDA has not recognized that if similar labels and labeling equipment are needed to provide Nutrition Facts labels on both ground products and major cuts, retailers would not incur substantial additional costs by adding nutrition labels to major cuts.

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In sum, USDA seems to have resurrected the 1991 proposal without addressing weaknesses in that proposal and current marketplace realities. Accordingly, we urge USDA to revise its proposal to require on-pack labeling for major cuts of meat.

B. Posters are ineffective communication tools.

1) Posters are difficult to read.

As the pictures shown on the following pages demonstrate, posters are difficult to read, particularly when detailed information must be provided for numerous cuts. Consumers need to look through a large number of rows to find the proper cut, locate the nutrition facts for a 4-oz. serving of that particular cut and then calculate the nutrition facts for the random-sized cut they are purchasing. In addition, although on-package labels for processed meats and, under the proposal, ground meat and poultry, are subject to stringent requirements to ensure legibility, point-of-purchase materials are not subject to any format requirements under the supplemental rule.\(^7\) Consumers in today’s supermarket may not even notice that the nutrition posters for fresh meat and poultry exist. Furthermore, even if they find the posters, the information is not always clear because of a lack of consistent formatting and store placement requirements.

For example, in one Giant Foods supermarket in the Washington, D.C., area, the poster is set atop a high poultry display case. As a result, the poster is one of the highest signs in the market, well out of a consumer’s line of sight. In addition, the poster uses a small font that is difficult for many to read. The sign also almost appears as an afterthought: some posters are crooked and haphazardly placed.

A Safeway store in the Washington, D.C., area posts its Nutrition Facts poster for chicken and turkey across the aisle from the case where such products are sold, decreasing the likelihood that it will be seen by consumers while they are purchasing poultry. A Harris Teeter store in the Washington area groups posters for all of its meats together on the side of one of the meat cases instead of positioning them prominently in front of the particular type of meat described on the poster. Customers may have no idea that there is any nutrition information posted in this obscure location.

Photographs of the posters as they appear in Washington, D.C., area supermarkets are shown on the next three pages.

This picture was taken at a Giant Foods supermarket in the Washington, D.C., area. The store’s Nutrition Facts sign for chicken and turkey is placed very high and in an unlit location. This particular sign is also crooked and haphazardly placed.
This Safeway provides nutrition information for chicken and turkey across the aisle from the actual case, and it is unlikely to be used by a customer purchasing poultry.
Harris Teeter's Nutrition Facts posters are virtually invisible on the side of the meat case. They are hard to find and less likely to be used than if they were placed on the front of the meat case.

The lack of consistent requirements for format and sign location is confusing for consumers. In one store, shoppers have to crane their necks to see the posters and may need glasses to read the information. In others, the location of the signs is so varied that shoppers may have to hunt for the sign that corresponds to their meat selection. All of these problems should be eliminated by including the Nutrition Facts on each package of meat or poultry.

2) Posters provide information that is difficult to comprehend.

Even if consumers are successful in locating a Nutrition Facts poster in the fresh meat/poultry section of a supermarket, they may be confused when they try to find the information that corresponds with the cut of meat or type of poultry they are purchasing. Given the vast array of cuts of meats and poultry available in the market (one store
surveyed had 16 different cuts of beef alone), a poster is likely to omit many cuts or give them a different name than what appears on the package. For example, the following cuts were sold at a Washington, D.C., supermarket but not listed on the Nutrition Facts poster in that store: beef chuck short ribs, beef chuck country style boneless ribs, beef shank cross cut, Porterhouse, New York strip steak, beef strips, beef flank steak, and beef round rump roast. (see Appendix I). Some of those cuts may be listed on the Nutrition Facts poster by another name. However, the information is useless because many consumers would not know the alternative name for that cut.

Furthermore, Nutrition Facts posters are difficult to understand in part because they provide information both for meat that is trimmed to 1/8" and for meat that is "trimmed of all visible fat." Dividing each section of the chart diagonally to make room for two sets of data makes the chart far more difficult to use. Moreover, Nutrition Facts should apply to meat as sold, not as some consumers might alter it before cooking or eating. Nutrition Facts information based on meat that is "trimmed of all visible fat" can be deceptive because the data come from analyses of meat that is trimmed by lab technicians with scalpels. Even if consumers trim their meat before eating, they would not remove as much fat as the technicians. Yet many people would assume that the trimmed meat on the poster applies to the meat that they trim at home. Finally, anyone who visits a meat counter can see that many cuts of meat have more than 1/8" of fat. Therefore, allowing Nutrition Facts posters to use data for an 1/8" trim probably underestimates the fat in many cuts of meat. If USDA rejects arguments to require Nutrition Facts on packages, the Department should simplify posters by eliminating data for meats trimmed of all visible fat.

3) Posters are not favored by consumers.

A study conducted for CSPI by Infogroup Opinion Research Corporation (ORC) during February of this year found that 86% of consumers surveyed preferred nutrition facts labels on meat packages. The telephone survey was conducted among a national probability sample of 1,015 adults comprising 502 men and 513 women 18 years and older living in private households in the continental United States during the period February 11-14, 2010.

Yet USDA has no intention of doing additional research to see if consumers would be better served by on-pack nutrition labeling.

[USDA] does not intend to conduct consumer surveys or additional research to determine whether individual nutrition labels or charts covering multiple products would best address consumer needs because most comments received on this issue supported the use of charts covering multiple products.9


Consumers want on-pack labeling, and some companies are happy to provide it. Given this new information, the administrative record demonstrates that USDA should require on-pack labeling for all major cuts.

C. USDA is incorrect in assuming that consumers can visually determine the difference in fat content between various cuts.

USDA justifies the disparate treatment of ground meat and poultry and major cuts on the unsubstantiated assertion that “Consumers have reasonable expectations as to the nutrient content of [major cuts] and can make comparative judgments about the fat content of various cuts.” But that is not the case.

The ORC survey recently conducted for CSPI revealed that nearly 80% could not correctly determine which of the following cuts of meat has the least amount of fat: ribeye steak, ground beef that’s 80% lean and 20% fat, or chuck pot roast. Only 20% knew that that chuck pot roast had the least fat.

Moreover, as demonstrated by the photographs below, it is difficult for consumers to determine whether, for example, a ribeye steak has more or less fat than a New York strip steak, especially considering that various labels cover significant areas of each item.

Which has more fat? It is often impossible for consumers to answer that question with a sufficient degree of accuracy by merely looking at the marbling and trim of each cut.

USDA cites no data to support its belief that consumers have “reasonable expectations” about the comparative nutrient content, such as the amount of fat, of different cuts of meat. Similarly, USDA appears to have no data to substantiate its view that consumers can accurately compare the fat contents of various meats through visual examination. USDA’s unsupported presumption that consumers can compare fat content by “eyeballing” different cuts of meat is not supported by the administrative record.

10 74 Fed. Reg. at 67745.

11 ORC Survey supra note 8 at Ques. F1A.
D. Optional Approaches

In the event USDA chooses to retain the poster alternative, it should conduct a study to determine whether consumers would be better served by posters or on-package labels. USDA cannot make an informed decision to forgo the use of on-package nutrition information unless it obtains the data to support that decision. In addition, if USDA requires posters, it should set specific requirements to ensure posters are displayed properly and are easy-to-read, as discussed above.

Furthermore, if the Department permits posters, it should develop criteria for format and design. The Food and Drug Administration (FDA) has format requirements for posters for fish and fresh fruits and vegetables, even though such posters are not mandatory. Thus, FDA requires that the heading “Nutrition Facts” must be in a type size larger than all other print in the nutrition label and that the required information “must be clearly presented and of sufficient type size and color contrast to be plainly legible.” Numeric values for percent of DV must be highlighted and appear in contrast to the quantitative amounts by weight. All nutrients must be separated by hairlines.\(^\text{12}\) Although we find FDA’s posters difficult to read, they are substantially better than the posters for meat and poultry currently in Washington, D.C. area supermarkets. USDA should work with FDA to update format and readability requirements for posters.

III. For single-serving packages that exceed 4 oz., Nutrition Facts should be provided for the entire package.

A. Single servings of steaks, ribs, veal, etc. that exceed 4 oz. are commonly sold in supermarkets and by mail-order.

USDA’s decision to continue using 4 oz. as the reference amount customarily consumed for meat and poultry is out of date and needs to be revised upward to reflect actual consumption. Supermarket meat cases are filled with single serving packages of steaks, ribs, veal, etc. that exceed 4 oz. For example, as shown on the next page, the typical beef steaks that Safeway sells weigh significantly more than 4 oz., but are likely to be eaten as a single serving:

Safeway sells:

- 6.4 oz. Beef eye of round steak
- 7.8 oz. Boneless rib eye steak
- 9.12 oz. Strip steak.\(^\text{13}\)


\(^{13}\) Purchased at Safeway, Washington, D.C.
Steaks typically sold in supermarkets for likely consumption by one person are significantly larger than 4 oz.
Similarly, mail-order meat companies regularly sell products that exceed 4 oz., but are likely to be eaten as single-servings. For example,

**Omaha Steak sells:**
- 5 oz. filet mignons
- 6 oz. top sirloins

**Kansas City Steak Company sells:**
- Boneless ribeye steaks ranging from 8-12 oz.
- Filet mignons ranging from 6-10 oz.
- 10 oz. top sirloin

**Chicago Steak Company sells:**
- 10 oz. boneless strip
- 8 oz. boneless pork chops

Further, the American Meat Institute website calls for recipes whose meat content significantly exceeds 4 oz. For example, a recipe for Grilled Chutney Pork Tenderloin that yields about ten entree servings calls for a three-to-four pound boneless pork loin roast. A three-pound roast for ten people yields 4.8 oz. per person, while a four-pound roast would yield a 6.4 oz. serving per person. A recipe for Chicken Lasagna for four calls for four 5-oz. boneless chicken breasts.

In brief, a quick look at the marketplace demonstrates that USDA’s 4 oz. serving size for major cuts is out of date and needs to be revised.

**B. Nutrition Facts should be provided for entire package if product can reasonably be consumed at a single eating occasion.**

USDA’s current regulations are virtually identical to the FDA’s regulations for serving size. Both agencies require that products sold individually that contain less than 200% of the reference amount customarily consumed (RACC) must be labeled as single servings unless an exemption applies. For products of 100 grams or larger, manufacturers have the option to declare one or two servings if the product is between 150 and 199% of the RACC amount. If a product is 200% or more of the RACC (for example, 8 oz.), producers may label the package as a single (8 oz.) serving if “the entire content of the package can reasonably be consumed at a single eating occasion.”


15 [www.kansascitysteaks.com](http://www.kansascitysteaks.com).

16 [www.mychicagosteak.com](http://www.mychicagosteak.com).


19 Compare 9 C.F.R. § 317.309 (b)(8) and 21 C.F.R. § 101.9(b)(6).
In 2004, FDA sent a Letter to Food Manufacturers attempting to address the problem of supersized, single-serving products being marketed as multi-serving products. The FDA encouraged them to:

[P]rove the most accurate and useful nutrition information to consumers by taking advantage of the flexibility in current regulations. . . . and label food packages as containing a single-serving if the entire contents of the package can reasonably be consumed at a single-eating occasion.20

USDA needs to update its serving sizes to reflect modern consumption habits. In the interim, it should follow FDA’s example and require companies to label meats as containing a single serving if the meat can reasonably be consumed by an individual at a single eating occasion.

If USDA chooses not to do so, it should require that packages of meat that can reasonably be consumed at a single eating occasion require the following disclosure: “Nutrition Facts are based on a 4-oz. serving. This package may contain a serving larger than 4 oz.”

IV. The number of servings must be required on product labels.

A. USDA’s decision not to require the specific number of servings to be listed is based on an outdated rationale.

In its supplemental proposal, USDA concludes that major cuts and ground beef do not need to provide the number of servings21 and, as “random weight” products, may declare the number of servings as “varied.” It remains optional to provide the typical number of servings in parentheses following the “varied” statement,” e.g., “varied (approximately 8 servings).”22 This rule is identical to FDA’s rule for random weight products.23 In a 1993 Preamble to its serving size rule, FDA explained that its reason for not requiring the listing of the actual number of servings was a technological one: “it would be difficult for retailers and manufacturers to have labels printed with the number of servings per container unless they have automated label machines that print the number of servings as they print the weight.”24 Nevertheless, FDA encouraged


companies to permit an optional declaration of “typical number of servings” with the term “varied” on random weight packages because FDA agreed with comments that “an approximate number of servings per container could help consumers determine the approximate number of servings contained in the package.”

As the meat industry has shown in its Fresh Meat On-Pack Nutrition Labeling Implementation Guide, 17 years after USDA published its serving-size rules, many retailers are now able to provide nutrition information on packages and have machinery that may be able to, or can easily be adapted to, calculate the number of servings in a package.

USDA should ascertain the feasibility of including the specific number of servings on product labels rather than assuming that technology has remained stagnant over the past 17 years.

B. The number of servings in a package reminds consumers that a package has multiple servings.

Given technological advances, there is no reason why consumers should not be shown the number of servings on single-ingredient meat and poultry products. Declaring the number of servings would remind consumers what a customary portion is. It also reminds them that if they eat more than the standard serving size, they need to multiply the declared nutrients by the number of servings they consume. It is particularly important that consumers monitor their consumption of saturated fat and cholesterol. The 2005 Dietary Guidelines for Americans states that consumers must count the amount of fat in higher-fat meats (e.g., ground beef with more than 5% fat by weight and poultry with skin) when calculating their discretionary calorie allowance. However, it is difficult for consumers to do this if they do not know the number of servings a package contains.

Retailers list the weight of packaged meat and poultry in pounds. But unless the number of servings is provided, consumers will need to take a calculator to the supermarket to figure out how many 4 oz. servings are in a package. For example, a package of two boneless ribeyes at Harris Teeter bears a label declaring a net weight of 1.79 pounds. If a consumer intended to eat one of the steaks and wanted to know its Nutrition Facts, the consumer would need to: (1) convert the number of pounds to ounces (28.64); (2) divide by two to find out the approximate weight of one steak in ounces (14.32); (3) divide by four to determine how many four-ounce servings are in that one steak (3.58); and then (5) multiply the nutrition facts by 3.58. Consumers should not be expected to go through that ordeal.

Instead, for major cuts, the USDA should require companies to list the number of servings as the number of discrete pieces of meat in a package, e.g., 2 steaks, 4 pork

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25 Id.

26 U.S. Dep’t of Health and Human Services, USDA, Dietary Guidelines for Americans 2005 at 54 note 6.
chops, etc. and compute the serving size based on the average weight of the various cuts included in the package, i.e., compute the serving size by dividing the total weight by the number of cuts in the package. For ground meats USDA should also require that the package list the number of servings.

If USDA decides not to require labels to disclose the number of servings per package, the Department should require packages that contain two or more servings to state: “Nutrition Facts are provided for a 4-oz. serving. This package may contain two or more servings, some or all of which may exceed 4 oz.”

V. Nutrition Labels should be required to indicate amount of trans fat.

In its Federal Register proposal, USDA said that it would allow meats to voluntarily list trans fat on Nutrition Facts labels. The Department should require trans fat disclosures on all foods it regulates, just as the FDA does. Studies indicate that the naturally occurring trans fat in beef and dairy products has the same detrimental impact on LDL cholesterol as the trans fat in partially hydrogenated oils.\textsuperscript{27,28,29,30} USDA has no scientific basis for treating naturally occurring trans fat differently from the industrially produced trans fat. FDA already requires the listing of trans fat on nutrition labels.\textsuperscript{31} USDA should issue nutrition labeling rules that are consistent with FDA’s requirements.

VI. USDA Should Prohibit Percent-lean/Percent-fat Claims for Products that are not Low in Fat.

CSPI strongly objects to USDA’s proposal to allow ground meat and poultry packages to use percent-lean/percent-fat claims (such as “80% lean, 20% fat”).\textsuperscript{32} The Department’s decision is inconsistent with the FDA’s policy that percent fat-free claims are deceptive on foods that are not low in fat.\textsuperscript{33} USDA’s proposal acknowledges that numerous consumer health and nutrition organizations argue that the claims are deceptive.

\textsuperscript{27} Chardigny JM, et al. Do trans fatty acids from industrially produced sources and from natural sources have the same effect on cardiovascular disease risk factors in healthy subjects? Results of the Trans Fatty Acids Collaboration (TRANSFACT) study. \textit{Am J Clin Nutr} 2008 Mar;87(3):558-66.

\textsuperscript{28} Walter Willett and Dariush Mozaffarian. Ruminant or industrial sources of trans fatty acids: public health issue or food label skirmish? \textit{Am J Clin Nutr} 2008 87: 515-516.


\textsuperscript{31} 21 C.F.R. § 101.9.

\textsuperscript{32} CSPI objects to any percent-lean claim, whether it appears before or after the percent-fat claim. Our comments use the words “percent-lean” to refer to any claim that includes “percent-lean.”

\textsuperscript{33} 21 C.F.R. § 101.62(b)(6).
and confusing to consumers.\textsuperscript{34} However, USDA takes the industry’s position, which holds that percent-lean claims are not misleading for the sole reason that they have been in use for more than 20 years. This flawed reasoning may reflect USDA’s inherent conflict of interest between its mission to protect consumers and its mission to promote the meat industry.

\textbf{A. Percent-lean claims are deceptive.}

Percent-lean claims on ground meat and poultry are misleading because they imply that the product is low in fat. FDA banned percent fat-free on all foods that were not low in fat to help prevent consumers from being misled. Health experts do not use “percent by weight” to advise the public about foods because those percentages can be misleading. Percent by weight does not tell consumers the amount of fat in a product, as it would be disclosed on a Nutrition Facts label, but rather indicates how much of the weight of the product is composed of fat. For example, butter gets 100\% of its calories from fat, but two pats of butter in a glass of water yields a liquid that is 98\% fat free by weight. In contrast, the Nutrition Facts for “butter water” would reflect 8 grams of fat.

Although “lean” means “containing little or no fat,” according to Merriam-Webster, companies use “lean” on labels to mean something entirely different: the non-fat portion of meat. That specialized use of the term lean enables companies to imply that their ground meat or poultry is low in fat. In fact, ground beef is typically one of the fattiest meats in the supermarket.

\textbf{B. Survey data demonstrate that percent-lean claims mislead consumers.}

To understand the impact of percent-lean claims, CSPI commissioned an independent survey by Infogroup/Opinion Research Corporation.\textsuperscript{35} Respondents were asked the same questions, except that for half of the sample, ground beef was described as 80\% lean and 20\% fat (Version A), while in the other half, ground beef was described as 20\% fat (Version B)(See appendix II).

\textbf{Version A}

Which of the following cuts of beef has the LEAST fat?

\textbf{01} Chuck pot roast
\textbf{02} Rib eye steak
\textbf{03} Ground beef that’s 80\% lean and 20\% fat

\textsuperscript{34} 74 Fed. Reg. at 67,741.

\textsuperscript{35} The methodology is described in Appendix II. In its \textit{Federal Register} notice, USDA argued that telephone surveys were not appropriate for evaluating the public’s knowledge about the fat content of meats because people cannot see the meats as they would in a supermarket. However, our recent telephone survey was not designed to measure the public’s ability to evaluate the fat content of meats. Whether respondents were able to identify the leanest meat (chuck pot roast) is irrelevant. This survey was designed to measure only the impact of percent-lean claims on respondents’ perceptions of the fat content of meat.
Version B

01 Chuck pot roast
02 Rib eye steak
03 Ground beef that's 20% fat

The results were as follows:

A. 28% of respondents chose ground beef as the meat with the least fat when it was described as 80% lean and 20% fat.

B. Only 18% of respondents chose the ground beef as the meat with the least fat when it was described as 20% fat.

This difference, which is significant at the 99% level, demonstrates that consumers are more likely to believe that ground beef is low in fat when it is described with a percent-lean and percent-fat claim than when it is described with only a percent-fat claim. These results indicate that percent-lean claims are not simply a statement of fact. Rather, the claims influence the public's perception of the fat content of ground beef (and poultry). That would explain why the meat industry has fought so hard to retain percent-lean claims for many years. Percent-lean claims promote the sale of fatty ground beef by misleading consumers who might be seeking to eat lean meat.

Furthermore, our survey indicates that percent-lean claims may be especially misleading among some segments of the population. Among black and Hispanic respondents, roughly 40% chose ground beef as the meat with the least fat when it was described as 80% lean and 20% fat, while only 16% of black and only 10% of Hispanic respondents chose ground beef as the meat with the least fat when it was described as 20% fat.

The results of our survey should be of great concern to USDA. If the department determines that our minority sample sizes are too small to allow firm conclusions, it should commission its own larger survey. Clearly, USDA should not allow ground beef labels to bear information that deceives consumers, and minorities in particular, simply because those labels have been in use for almost two decades. On the contrary, USDA should use these data as a basis for prohibiting deceptive percent-lean claims, just as FDA prohibited labels from making deceptive percent fat-free claims in 1993.

C. Percent-lean claims harm consumers who are seeking to eat leaner meats.

Health authorities, including USDA; the Department of Health and Human Services; the National Heart, Lung, and Blood Institute; the U.S. Surgeon General; the American Heart Association; and the Institute of Medicine have urged Americans to eat less saturated fat to reduce their risk of heart disease. The Dietary Guidelines for Americans urges consumers to make choices that are "lean, low-fat, or fat-free."

36 HHS, USDA, Dietary Guidelines for Americans 2005 viii.
selecting and preparing meat and other foods. Many consumers would assume that they are making lean choices when they purchase a package of ground beef labeled “80 percent-lean and 20% fat.” Only a fraction of consumers would understand that meat labeled “80% lean, 20% fat” is high in fat.  

All ground beef is 70% to 95% lean because the “lean” includes naturally occurring moisture. 38 However, most ground beef would not meet USDA’s requirements for a nutrient content claim for “lean” (roughly 10% fat) or a “low-fat” claim (roughly 3% fat). On the contrary, the fattiest ground beef (30% fat) contains 15 grams of fat per 3 oz. broiled. Thus, although percent-lean claims make ground meat sound low in fat, ground beef is typically among the fattiest meat products available. Moreover, the fattiest ground beef contains 6.2 grams of saturated fat per 3 oz. broiled. Ground beef that is 80% lean and 20% fat contains 5.7 grams of sat fat (half a day’s saturated fat) per 3 oz. broiled. That is roughly a third of a day’s saturated fat in one meat patty. Clearly, consumers who are trying to follow advice to eat less saturated fat should limit their intake of ground beef.

D. Nutrition Facts and percent-fat claims do not correct percent-lean claims.

USDA’s proposal contends that percent-lean claims are not deceptive if they appear next to percent-fat claims and Nutrition Facts labels. However, a percent-fat disclosure does little to correct the deception caused by the percent-lean claim, as our opinion survey showed. The percentage of fat (typically 7% to 30%) is dwarfed by the percent-lean (70% to 93%). Furthermore, consumers have no context with which to interpret the percent-fat claim. The only other food that typically lists percent fat is 1% or 2% fat milk, which few consumers would compare to ground beef. Consumers could use the percent-fat to compare one ground beef package to another, but that process would not help them understand that nearly all ground beef is high in fat compared to other meats and other foods in the supermarket.

Nor can USDA argue that Nutrition Facts labels correct the deception caused by percent-lean claims. USDA should not allow claims that are deceptive under the assumption that consumers will seek and find label information that corrects the deception. Many consumers will look no further than the seductive percent-lean claim before deciding to purchase a product. 39

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37 Ground beef that is 20% fat has 15 grams of fat per 3 oz. (broiled), according to USDA. According to the FDA, a food with more than 13 grams of fat is high in fat (because it contains at least 20% of the DV).

38 Moisture comprises 54 to 73% of the weight of ground beef according to USDA’s National Nutrient Database for Standard Reference.

Even consumers who check the Nutrition Facts would have to compare the fat content of the ground beef to a variety of other meats to realize that most ground beef is relatively high in fat. Many consumers do not use Nutrition Facts or do not have the time or ability to figure out whether the facts counter the claims. Consumers should not have to study Nutrition Facts labels to find the flaws in the deceptive claim on the package.\footnote{See Williams v. Gerber Products, Co., 523 F.3d 934 (9th Cir. 2008)}

**E. Percent-lean claims are redundant.**

USDA’s proposal would allow percent-lean claims in part because “[p]roducers, according to industry, have been using lean-percentage statements on the labeling of ground beef and hamburger products for over 20 years.”\footnote{74 Fed. Reg. at 67,752.} However, producers have also been using percent-fat statements for 20 years. Furthermore, USDA states that “interested consumers use this information [lean and fat percentages] as a quick way to compare ground beef products . . .”\footnote{Id.}

However, consumers could also use only fat percentages as a quick way to compare ground meat and poultry products. Moreover, percent-fat claims convey all the necessary information to consumers—that is, some packages of ground meat and poultry contain more fat than others—without misleading consumers with percent-lean claims. Neither industry nor USDA appears to have any survey data or other evidence indicating that combined percent-lean/percent-fat claims offer any advantages over percent-fat claims for consumers. The sole advantage to industry is that percent-lean claims imply that fatty ground meat is lean.

**F. USDA’s policy, which is inconsistent with FDA’s policy on percent fat-free claims, is not supported by the administrative record.**

The FDA has concluded that percent fat-free claims are deceptive unless they appear on a food that meets the definition of “low-fat.” It is surprising that USDA would propose a policy that is inconsistent with FDA’s policy without evidence that FDA’s policy is wrong or inappropriate for ground meat and poultry products. Instead, USDA cites industry surveys that purportedly show that consumers interpret percent-lean claims as statements about the fat content of the meat (rather than as a percent daily value (DV) or percent of calories from fat). Significantly, USDA does not provide evidence that percent-lean claims enable consumers to reach accurate conclusions about the fat content of ground meat. Instead, USDA concludes that percent-lean claims are not misleading because the claims have appeared on labels for over 20 years. It is bad enough that the Department failed to protect consumers for almost two decades by putting the issue on a back burner, but now USDA argues that its very failure to act is the rationale for issuing a formal rule that fails to protect consumers. That reasoning is flawed.
When Congress passed the Nutrition Labeling and Education Act, it required FDA to prohibit deceptive claims without regard to their history of use. That is why FDA issued a rule renaming 2% low-fat milk as 2% reduced-fat milk, because 2%-fat milk did not meet the agency’s criterion for a low-fat food. At that time, 2%-fat milk had been called “low-fat” for many years. The history of that claim did not persuade FDA to continue allowing a misleading claim on milk. Similarly, USDA should not permit the meat and poultry industries to continue the deception.

G. USDA’s proposal illustrates the Department’s favoritism to the meat industry.

USDA’s proposal may reflect the inherent conflict that sometimes exists between the Department’s obligation to protect consumers and its obligation to promote the meat industry. The proposal acknowledges that:

[Ilindividuals and consumer and nutrition organizations generally did not
support the use of statements of lean percentages on the label or in
labeling of ground or chopped products that do not meet the regulatory
criteria for ‘low fat.’ A coalition of consumer and health and nutrition
organizations stated that permitting such claims on packages of ground
meat and poultry is inherently deceptive and will confuse consumers about
the healthfulness of fresh ground meat and poultry products compared to
other fresh meat, processed meat, and other foods.\[^{43}\]

However, USDA ignores the views of consumer and health organizations and
instead accepts the industry’s position. USDA states that “although individuals, consumer
commenters and nutrition organizations generally did not support this provision, most
industry commenters did.”\[^{44}\] In other words, USDA rejected the arguments of consumer
and health organizations, medical schools, and medical organizations, and others
and/instead accepted the industry’s position based largely on the argument that labels
have used percent-lean claims for more than 20 years, which, in USDA’s view, is
evidence that the claims are not misleading. USDA should revise its view in light of the
CSPI survey indicating that, despite the fact that the “percent-lean” labeling has been
used for 20 years, consumers are still confused.

VII. USDA should prohibit misleading health and structure/function claims and
should prohibit any claims on nutrition facts labels.

The consumer education component of the meat industry’s on-pack nutrition
labeling program encourages companies to make health claims that have not been
authorized by the FDA or USDA. For example, one such health claim states: “Beef is an
excellent source of zinc to help your body fight colds and flu.” FSIS has stated that it will
consider on a case-by-case basis the use of an FDA regulated health claim or such a


[^{44}]: Id. at 67,752.
health claim in conjunction with a third-party certification program such as the American Heart Association’s heart-check mark. The Meat Industry’s Fresh Meat-On Pack Nutrition Labeling Implementation Guide funded by the Beef Checkoff promotes the health benefits of meat without notifying consumers about the health consequences also associated with certain meats. Thus, a label for eye of round states that “Iron helps give you energy for daily activities. Beef is a good source of iron.” But the label fails to tell consumers to see nutrition information for saturated fat and cholesterol content. Permitting such statements without appropriate disclosures contradicts the approach taken by the FDA under which it requires disclosure statements if a nutrient content claims is made for a product that exceeds disqualifying levels of fat, saturated fat, cholesterol and sodium. USDA should adopt similar requirements.

Other promotional materials advocate the use of misleading structure/function claims. For example, suggested structure/function claims about protein include: “helps you maintain healthy muscle,” “helps build and maintain healthy muscles and bones,” “helps your body maintain a healthy weight,” and “acts as a building block for muscles, which helps your metabolism.” Companies are making structure/function claims for lean, iron, B vitamins, and zinc. USDA needs to develop a list of permissible claims and ensure that they do not undermine the mandatory disclosure of nutrition information.


46 We recognize that such promotional materials are developed by the industry with oversight by the Agricultural Marketing Service. We urge FSIS to work closely with the AMS to ensure that Beef Check Off funds are used for purposes consistent with the Department’s overall nutrition education priorities and FSIS’s food labeling policies.


50 See Alan S. Levy et al., supra note 39.
For the reasons stated above, USDA should take the actions requested herein.

Respectfully submitted,\textsuperscript{51}

\begin{center}
Ilene Ringel Heller \\
Senior Staff Attorney
\end{center}

\begin{center}
Bonnie Liebman \\
Director of Nutrition
\end{center}

\textsuperscript{51} We wish to acknowledge Hayley Reynolds, CSPI Office of Legal Affairs, for her contributions to this comment, including research, analysis, and writing.
APPENDIX I

Nutrition Facts posters omit many common cuts of meat sold in supermarkets. For example, below is a list of cuts of beef sold at a Safeway supermarket in the Washington, D.C., area on Feb. 22, 2010. The items available in the store that are not found on the Nutrition Facts chart in the store are noted with an asterisk (*). These cuts represent roughly half of the beef cuts sold in the store.

- Beef chuck short ribs *
- Beef chuck country style boneless ribs *
- Beef shank cross cut *
- Beef loin top sirloin steak boneless
- Beef ribeye steak bone-in
- Beef porterhouse *
- Beef ribeye bone-in

- Beef loin top sirloin
- Beef NY strip steak *
- Beef strips *
- Beef flank steak *
- Beef top round London broil
- Beef top round steak
- Beef chuck pot roast
- Beef round rump roast *
- Ground beef

(Note: Some cuts marked with an asterisk may be listed on the Nutrition Facts poster with a different name. However, the information is useless because many consumers would not know the alternative name for that cut.)
GROUND BEEF
CONTENT DESCRIPTION
SURVEY

Prepared for:
CSPI

February 11 - 14, 2010
GROUND BEEF CONTENT DESCRIPTION SURVEY

Prepared for:  
CSPI

February 11 - 14, 2010

Sebring, New Jersey

STUDY #
719068
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<th>Section</th>
<th>Page</th>
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<tr>
<td>Introduction</td>
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<td>Technical Information</td>
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<td>CARAVAN Telephone Sampling Methodology</td>
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<tr>
<td>Detailed Tabulations</td>
<td>10</td>
</tr>
<tr>
<td>Questionnaire</td>
<td></td>
</tr>
</tbody>
</table>
INTRODUCTION

This report presents the findings of a telephone survey conducted among a national probability sample of 1,015 adults comprising 502 men and 513 women 18 years of age and older, living in private households in the continental United States. Interviewing for this CARAVAN® Survey was completed during the period February 11-14, 2010.

All CARAVAN interviews are conducted using Infogroup/ORC's computer assisted telephone interviewing (CATI) system. The system is state-of-the-art and offers several distinct advantages such as: full-screen control which allows multi-question screens, fully-programmable help and objection screens to aid interviewing, an extremely flexible telephone number management system and powerful data checking facilities. CATI ensures that interviews are conducted in the most efficient manner and allows interviewers easy response recording. This interviewing method also allows for the most accurate form of data entry by guiding the interviewer through the programmed question flow and by providing on-screen interviewer instructions.

The most advanced probability sampling techniques are employed in the selection of households for telephone interviewing. ORC utilizes an unrestricted random sampling procedure that controls the amount of serial bias found in systematic sampling to generate its random-digit-dial sample. The sample is fully replicated and stratified by region. Only one interview is conducted per household. All sample numbers selected are subject to up to four attempts to complete an interview.
Completed interviews are weighted by four variables: age, sex, geographic region, and race, to ensure reliable and accurate representation of the total population, 18 years of age and older. The raw data are weighted by a custom designed program which automatically develops a weighting factor for each respondent. Each respondent is assigned a single weight derived from the relationship between the actual proportion of the population with its specific combination of age, sex, geographic characteristics and race and the proportion in our CARAVAN sample that week. Tabular results show both weighted and unweighted bases.

The use of replicable sampling, standardized interviewing procedures and representative weighting provides that all CARAVAN studies are parallel to one another. Thus, CARAVAN usage is appropriate both for point-in-time analysis as well as tracking and trend comparisons.

Included in the Technical Information which follows are tables of sampling tolerances of survey results, and a copy of the question series as it appeared in the survey questionnaire.

As required by the Code of Standards of the Council of American Survey Research Organizations, we will maintain the anonymity of our respondents. No information will be released that in any way will reveal the identity of a respondent. Our authorization is required for any publication of the research findings or their implications.

ORC's CARAVAN is a shared-cost data collection vehicle. ORC has exercised its best efforts in the preparation of this information. In any event, ORC assumes no responsibility for any use which is made of this information or any decisions based upon it.
CARAVAN Telephone Sampling Methodology

ORC's national probability telephone sample is an efficient form of random-digit-dialing. Unlike published directories, ORC's national probability telephone sample includes both unlisted numbers and numbers issued after publication of the directories. The following procedure was used to create the sample:

- ORC has an annual license for GENESYS, a custom RDD sample generation system developed by Marketing Systems Groups.

- The methodology for generating random digit dialing (RDD) telephone samples in the GENESYS system provides for a sample of residential telephone numbers. It is updated twice a year.

- When a national probability sample is needed, a random selection is made from approximately 62,000 exchanges and about 2.6 million working banks.

- Each telephone number is transferred to a separate call record. The record shows the computer-generated telephone number to be called, as well as the county, state, MSA (if applicable), band and time zone into which the telephone number falls. Our computerized interviewing system (CATI) uses this information to keep track of regional quotas. The CATI interviewing program also keeps track of the disposition categories for each call attempt.
Reliability Of Survey Percentages

Results of any sample are subject to sampling variation. The magnitude of the variation is measurable and is affected by the number of interviews and the level of the percentages expressing the results.

The table below shows the possible sample variation that applies to percentage results reported from ORC's CARAVAN sample. The chances are 95 in 100 that a CARAVAN survey result does not vary, plus or minus, by more than the indicated number of percentage points from the result that would be obtained if interviews had been conducted with all persons in the universe represented by the sample.

| Size of Sample on Which Survey Results Are Based | Approximate Sampling Tolerances Applicable to Percentages At or Near These Levels |
|------------------------------------------------|--|--------------------------------------------------|
| 2,000 interviews | 1% | 2% | 2% | 2% | 2% |
| 1,000 interviews | 2% | 2% | 3% | 3% | 3% |
| 500 interviews | 3% | 4% | 4% | 4% | 4% |
| 250 interviews | 4% | 5% | 6% | 6% | 6% |
| 100 interviews | 6% | 8% | 9% | 10% | 10% |

Additional Sampling Tolerances for Samples of 1,000 Interviews

<table>
<thead>
<tr>
<th>9% or 91%</th>
<th>8% or 92%</th>
<th>7% or 93%</th>
<th>6% or 94%</th>
<th>5% or 95%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2%</td>
<td>2%</td>
<td>2%</td>
<td>1%</td>
<td>1%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4% or 96%</th>
<th>3% or 97%</th>
<th>2% or 98%</th>
<th>1% or 99%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1%</td>
<td>1%</td>
<td>1%</td>
<td>.2%</td>
</tr>
</tbody>
</table>
Sampling Tolerances When Comparing Two Samples

Tolerances are also involved in the comparison of results from independent parts of any one ORC's CARAVAN sample and in the comparison of results between two independent CARAVAN samples. A difference, in other words, must be of at least a certain number of percentage points to be considered statistically significant. The table below is a guide to the sampling tolerances in percentage points applicable to such comparisons, based on a 95% confidence level.

<table>
<thead>
<tr>
<th>Size of Samples Compared</th>
<th>Differences Required for Significance At or Near These Percentage Levels</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10% or 90%</td>
</tr>
<tr>
<td>1,000 and 1,000</td>
<td>3%</td>
</tr>
<tr>
<td>1,000 and 500</td>
<td>3%</td>
</tr>
<tr>
<td>1,000 and 250</td>
<td>4%</td>
</tr>
<tr>
<td>1,000 and 100</td>
<td>6%</td>
</tr>
<tr>
<td>500 and 500</td>
<td>4%</td>
</tr>
<tr>
<td>500 and 250</td>
<td>5%</td>
</tr>
<tr>
<td>500 and 100</td>
<td>6%</td>
</tr>
<tr>
<td>250 and 250</td>
<td>5%</td>
</tr>
<tr>
<td>250 and 100</td>
<td>7%</td>
</tr>
<tr>
<td>100 and 100</td>
<td>8%</td>
</tr>
</tbody>
</table>
INTRODUCTION TO DETAILED TABULATIONS

How To Read The Tables

The following pages present the detailed tabulations of survey results. The data are percentaged vertically and, therefore, should be read from top-to-bottom. The total number of interviews, both weighted and unweighted, appears at the top of each column. Percentages are calculated on the weighted bases. Percentages may not add to 100% due to weighting factors or multiple responses. Where an asterisk (*) appears, it signifies any value of less than one-half percent.

Definition Of Classification Terms

The following definitions are provided for some of the standard demographics by which the results are tabulated. Other demographics are self-explanatory.

Income

The income groupings refer to the total household income for 2009 before taxes.

Metro Size

<table>
<thead>
<tr>
<th>Metro --</th>
<th>In Center City of Metropolitan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Outside Center City, Inside Center City County</td>
</tr>
<tr>
<td></td>
<td>Inside Suburban County of Metropolitan Area</td>
</tr>
<tr>
<td></td>
<td>In Metropolitan Area with No Center City</td>
</tr>
<tr>
<td>Non-Metro --</td>
<td>In Non-Metropolitan Area</td>
</tr>
</tbody>
</table>

Children in Household

| None -- | No children under 18 years of age living in household |
| Total -- | Have children under 18 years of age living in household |
| Under 12 -- | Have children under 12 years of age living in household |
| 12 - 17 -- | Have children ages 12 to 17 living in household |
Geographic Region

The continental states are contained in four geographic regions as follows:

North East
- **New England**: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut
- **Middle Atlantic**: New York, New Jersey, Pennsylvania

Midwest
- **East North Central**: Ohio, Indiana, Illinois, Michigan, Wisconsin
- **West North Central**: Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas

South
- **South Atlantic**: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida
- **East South Central**: Kentucky, Tennessee, Alabama, Mississippi
- **West South Central**: Arkansas, Louisiana, Oklahoma, Texas

West
- **Mountain**: Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada
- **Pacific**: Washington, Oregon, California

Occupation (Optional)

The occupation classification refers to the occupation of the respondent. The types of positions included in each category are:

- **Professional/Manager/Owner**: Executives, Professionals, Technical and Kindred Workers, Managers, Officials, and Proprietors
- **White Collar - Sales/Clerical**: Clerical, Office and Secretarial Workers, and Sales Agents and Workers
- **Blue Collar - Craftsmen/Foremen**: Craftsmen, Foremen, Kindred Workers, Carpenters, Plumbers, Electricians, Mechanics, and Bakers
- **Blue Collar - Semi-Skilled/Unskilled**: Apprentices, Laborers, Assembly Line Workers, Motormen and Fishermen
- **Service Workers**: Housekeepers in Private Households, Police, Beauticians, Barbers, Security Guards, Waitresses and Waiters
Significance Testing

When results from sub-groups of a CARAVAN sample appear in the detailed tabulations, an indicator of statistically significant differences is added to the tables run on our standard demographic banners. The test is performed on percentages as well as mean values. Each sub-sample is assigned a letter. When the percentage of one sub-sample is significantly different from the percentage of another sub-sample, the letter representing one of the two samples appears next to the percentage (or mean) of the other sample.

For instance the percentage of males answering yes to a particular question may be compared to the percentage of females answering yes to the same question. In the example on the next page, the male sample is assigned the letter B, and the female sample is assigned the letter C. Here, respondents were asked whether a certain business practice is acceptable. 67% of women said that it was -- a proportion significantly greater than the 57% of males who believe that the practice is acceptable. To indicate that women are significantly more likely to find the practice acceptable than are men, the letter B -- the letter assigned to the male sub-sample -- appears next to the "67%" in the female column. Similarly, the 37% of men that find the practice unacceptable is significantly greater than the 29% of women who do so and, therefore, the letter C -- the letter assigned to the female sub-sample -- appears next to the "37%" in the male column.
Significance Testing (continued)

<table>
<thead>
<tr>
<th>Acceptability of [practice]</th>
<th>Sex</th>
<th></th>
<th></th>
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<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>977</td>
<td>488</td>
<td>489</td>
</tr>
<tr>
<td>Weighted Total</td>
<td>967</td>
<td>464</td>
<td>503</td>
</tr>
<tr>
<td>Acceptable</td>
<td>611</td>
<td>274</td>
<td>337</td>
</tr>
<tr>
<td></td>
<td>63%</td>
<td>59%</td>
<td>67%B</td>
</tr>
<tr>
<td>Not Acceptable</td>
<td>319</td>
<td>171</td>
<td>148</td>
</tr>
<tr>
<td></td>
<td>33%</td>
<td>37%C</td>
<td>29%</td>
</tr>
<tr>
<td>Don’t Know</td>
<td>37</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>4%</td>
<td>4%</td>
<td>4%</td>
</tr>
</tbody>
</table>

Significance testing is done to the 95% confidence level. The columns compared are listed at the bottom of each table.

A number of factors need to be considered when determining which type of t-test should be applied, such as whether the samples being compared overlap, whether they are means or percentages, etc. ORC’s software has the capability to perform the appropriate test.

Note that any statistical test becomes less reliable when the sample sizes are small. Even though the test mathematically can be performed on samples as low as thirty, sixty respondents is the reasonable lower bound on the size of the sample.
## DETAILED TABULATIONS

### Question FlA

Which of the following cuts of beef has the LEAST fat?

**Base = Asked Version A** (Ground beef that's 80% lean and 20% fat)

<table>
<thead>
<tr>
<th></th>
<th>Sex</th>
<th>Age 18-34</th>
<th>Age 35-44</th>
<th>Age 45-54</th>
<th>Age 55-64</th>
<th>Age 65+</th>
<th>Region North-East</th>
<th>Region North-West</th>
<th>Region South</th>
<th>Region West Metro</th>
<th>Non-Metro Hispanic Only</th>
<th>Non-Metro Hispanic Only</th>
<th>Hispanic Only</th>
<th>White Black Only</th>
<th>Hispanic</th>
<th>Hispanic</th>
<th>Any Race</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>Male</td>
<td>Female</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>E</td>
<td>F</td>
<td>G</td>
<td>H</td>
<td>I</td>
<td>J</td>
<td>K</td>
<td>L</td>
<td>M</td>
<td>N</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>472</td>
<td>246</td>
<td>226</td>
<td>60</td>
<td>71</td>
<td>82</td>
<td>121</td>
<td>135</td>
<td>90</td>
<td>100</td>
<td>102</td>
<td>356</td>
<td>116</td>
<td>355</td>
<td>49</td>
<td>33</td>
<td></td>
</tr>
<tr>
<td>Weighted Total</td>
<td>500</td>
<td>242</td>
<td>258</td>
<td>152*</td>
<td>92*</td>
<td>96*</td>
<td>73</td>
<td>82</td>
<td>93*</td>
<td>110</td>
<td>113*</td>
<td>377</td>
<td>123*</td>
<td>340</td>
<td>57*</td>
<td>66**</td>
<td></td>
</tr>
<tr>
<td>Rib eye steak</td>
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<td>85</td>
<td>93</td>
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<td>31%</td>
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<td>37%</td>
<td>43%</td>
<td>33%</td>
<td>34%</td>
<td>39%</td>
<td>31%</td>
<td>41%</td>
<td>37%</td>
<td>31%</td>
<td>38%</td>
<td>20%</td>
</tr>
<tr>
<td>Ground beef that's 80% lean and 20% fat</td>
<td>139</td>
<td>61</td>
<td>78</td>
<td>46</td>
<td>21</td>
<td>28</td>
<td>17</td>
<td>27</td>
<td>33</td>
<td>27</td>
<td>49</td>
<td>30</td>
<td>103</td>
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<td>79</td>
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<td></td>
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<td>33%</td>
<td>36%</td>
<td>24%</td>
<td>27%</td>
<td>27%</td>
<td>27%</td>
<td>30%</td>
<td>23%</td>
<td>39%</td>
</tr>
<tr>
<td>Chuck pot roast</td>
<td></td>
<td>92</td>
<td>56</td>
<td>36</td>
<td>25</td>
<td>15</td>
<td>21</td>
<td>14</td>
<td>15</td>
<td>12</td>
<td>19</td>
<td>43</td>
<td>18</td>
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<td></td>
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<td>23%</td>
<td>14%</td>
<td>16%</td>
<td>17%</td>
<td>22%</td>
<td>20%</td>
<td>19%</td>
<td>13%</td>
<td>17%</td>
<td>24%</td>
<td>16%</td>
<td>18%</td>
<td>20%</td>
<td>20%</td>
<td>14%</td>
</tr>
<tr>
<td>Don't know</td>
<td></td>
<td>87</td>
<td>38</td>
<td>49</td>
<td>35</td>
<td>17</td>
<td>10</td>
<td>10</td>
<td>13</td>
<td>16</td>
<td>19</td>
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<td>65</td>
<td>23</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>17%</td>
<td>16%</td>
<td>19%</td>
<td>23%</td>
<td>18%</td>
<td>10%</td>
<td>14%</td>
<td>15%</td>
<td>18%</td>
<td>17%</td>
<td>18%</td>
<td>17%</td>
<td>17%</td>
<td>19%</td>
<td>26%</td>
<td>13%</td>
</tr>
<tr>
<td>Refused</td>
<td></td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>1</td>
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<td>2</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
<td>0</td>
<td>2%</td>
<td>1%</td>
<td>1%</td>
<td>0</td>
<td>2%</td>
<td>1%</td>
<td>0</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
</tr>
</tbody>
</table>
Proportions/Means: Columns Tested (5% risk level) - B/C - D/E/F/G/H - I/J/K/L - M/N - G/P/G
Overlap formulae used. * small base; ** very small base (under 30) ineligible for sig testing
Which of the following cuts of beef has the LEAST fat?

Base = Asked Version A (Ground beef that's 80% lean and 20% fat)

<table>
<thead>
<tr>
<th>Household Income</th>
<th>H.H. Size</th>
<th>Children In H.H.</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$35K-</td>
<td>$50K- $75K- $100K</td>
<td>Or More</td>
</tr>
<tr>
<td></td>
<td>LT (A)</td>
<td>LT (B)</td>
<td>LT (C)</td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>472</td>
<td>119</td>
<td>56</td>
</tr>
<tr>
<td>Weighted Total</td>
<td>500</td>
<td>131*</td>
<td>48*</td>
</tr>
<tr>
<td>Rib eye steak</td>
<td>177</td>
<td>38</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>35%</td>
<td>29%</td>
<td>34%</td>
</tr>
<tr>
<td>Ground beef that's 80% lean and 20% fat</td>
<td>139</td>
<td>45</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>28%</td>
<td>34%</td>
<td>27%</td>
</tr>
<tr>
<td>Chuck pot roast</td>
<td>92</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>18%</td>
<td>15%</td>
<td>27%</td>
</tr>
<tr>
<td>Don't know</td>
<td>87</td>
<td>28</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>17%</td>
<td>21%</td>
<td>10%</td>
</tr>
<tr>
<td>Refused</td>
<td>4</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>1%</td>
<td>0</td>
<td>1%</td>
</tr>
</tbody>
</table>

Proportions/Means: Columns Tested (5% risk level) - B/C/D/E/F - G/H/I - J/K - N/O/P/Q
**Question F18**

Which of the following cuts of beef has the LEAST fat?

**Base = Asked Version B (Ground beef that's 20% fat)**

<table>
<thead>
<tr>
<th>Sex</th>
<th>Age</th>
<th>Region</th>
<th>Race</th>
<th>Only White</th>
<th>Only Black</th>
<th>Hispanic Any</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Male</td>
<td>Female</td>
<td>18-34</td>
<td>35-44</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(A)</td>
<td>(B)</td>
<td>(C)</td>
<td>(D)</td>
<td>(E)</td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>543</td>
<td>256</td>
<td>287</td>
<td>74</td>
<td>59</td>
<td>116</td>
</tr>
<tr>
<td>Weighted Total</td>
<td>500</td>
<td>242</td>
<td>258</td>
<td>151*</td>
<td>94*</td>
<td>97</td>
</tr>
<tr>
<td>Rib eye steak</td>
<td>199</td>
<td>91</td>
<td>108</td>
<td>55</td>
<td>41</td>
<td>39</td>
</tr>
<tr>
<td>Chuck pot roast</td>
<td>142</td>
<td>81</td>
<td>61</td>
<td>49</td>
<td>22</td>
<td>26</td>
</tr>
<tr>
<td>Ground beef that's 20% fat</td>
<td>89</td>
<td>38</td>
<td>51</td>
<td>28</td>
<td>21</td>
<td>17</td>
</tr>
<tr>
<td>Don't know</td>
<td>69</td>
<td>32</td>
<td>37</td>
<td>21</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td>Refused</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*Proportions/Means: Columns Tested (5% risk level) - B/C - D/E/F/G/H - J/K/L - M/N - O/P/Q
Overlap formulae used. * small base; ** very small base (under 30) ineligible for sig testing
Which of the following cuts of beef has the LEAST fat?

**Base = Asked Version B (Ground beef that's 20% fat)**

<table>
<thead>
<tr>
<th>Household Income</th>
<th>H.H. Size</th>
<th>Children In H.H.</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$35K-</td>
<td>$50K- $75K-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LT LT</td>
<td>LT LT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) (B)</td>
<td>(C) (D)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$100K Or</td>
<td>More</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(E) (F)</td>
<td>(G) (H)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1 Or</td>
<td>2 Or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(I) (J)</td>
<td>(K) (L)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>None Total</td>
<td>Under 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(M) (N)</td>
<td>(O) (P)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>17</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>543</td>
<td>162</td>
<td>103</td>
</tr>
<tr>
<td>Weighted Total</td>
<td>500</td>
<td>150*</td>
<td>62*</td>
</tr>
</tbody>
</table>

Rib eye steak

- 40%

Chick pot roast

- 29%

Ground beef that's 20% fat

- 15%

Don't know

- 16%

Refused

- * small base; ** very small base (under 30) ineligible for sig testing
When it comes to nutrition information for meat, would you prefer to have...

<table>
<thead>
<tr>
<th>Sex</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
<th>18-34</th>
<th>35-44</th>
<th>45-54</th>
<th>55-64</th>
<th>65+</th>
<th>North-east</th>
<th>Mid-west</th>
<th>South</th>
<th>West Metro</th>
<th>Non-Metro</th>
<th>Black</th>
<th>Hispanic</th>
<th>White</th>
<th>Only</th>
<th>Only</th>
<th>Hispanic</th>
<th>Any</th>
<th>Race</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unweighted Total</td>
<td>1015</td>
<td>502</td>
<td>513</td>
<td>134</td>
<td>130</td>
<td>198</td>
<td>241</td>
<td>308</td>
<td>182</td>
<td>225</td>
<td>370</td>
<td>238</td>
<td>766</td>
<td>249</td>
<td>754</td>
<td>108</td>
<td>64</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weighted Total</td>
<td>1000</td>
<td>484</td>
<td>516</td>
<td>305</td>
<td>186</td>
<td>194</td>
<td>147</td>
<td>164</td>
<td>186</td>
<td>221</td>
<td>367</td>
<td>226</td>
<td>757</td>
<td>243</td>
<td>676</td>
<td>111*</td>
<td>135*</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nutrition Facts labels on meat PACKAGES</td>
<td>857</td>
<td>388</td>
<td>468</td>
<td>265</td>
<td>161</td>
<td>162</td>
<td>125</td>
<td>141</td>
<td>163</td>
<td>175</td>
<td>328</td>
<td>190</td>
<td>651</td>
<td>206</td>
<td>569</td>
<td>101</td>
<td>117</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nutrition information on wall posters or signs</td>
<td>97</td>
<td>66</td>
<td>31</td>
<td>26</td>
<td>21</td>
<td>24</td>
<td>16</td>
<td>10</td>
<td>14</td>
<td>34</td>
<td>24</td>
<td>25</td>
<td>69</td>
<td>28</td>
<td>68</td>
<td>9</td>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Don't know</td>
<td>31</td>
<td>19</td>
<td>12</td>
<td>10</td>
<td>7</td>
<td>10</td>
<td>7</td>
<td>10</td>
<td>7</td>
<td>25</td>
<td>6</td>
<td>28</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refused</td>
<td>16</td>
<td>11</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>5</td>
<td>6</td>
<td>4</td>
<td>12</td>
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<td>0</td>
<td>0</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Proportions/Means: Columns Tested (5% risk level) - B/C - D/E/F/G/H - I/J/K/L - M/N - O/P/Q
Overlap formulae used. * small base
Question F2

When it comes to nutrition information for meat, would you prefer to have...

<table>
<thead>
<tr>
<th>Household Income</th>
<th>H.H. Size</th>
<th>Children In H.H.</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total (A)</td>
<td>$35K- $50K (B)</td>
<td>$50K- $75K (C)</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------</td>
<td>-----------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>1015</td>
<td>281</td>
<td>109</td>
</tr>
<tr>
<td>Weighted Total</td>
<td>1000</td>
<td>288</td>
<td>92*</td>
</tr>
</tbody>
</table>

- Nutrition Facts labels on meat PACKAGES:
  - 86\% 87\% 85\% 88\% 88\% 82\% 83\% 84\% 88\% 83\% 90\% 89\% 89\% 81\% 86\% 84\%

- Nutrition information on wall posters or signs:
  - 97 25 12 13 7 24 15 31 47 55 38 30 19 14 24 23 35
  - 10\% 9\% 13\% 9\% 6\% 14\% 12\% 10\% 9\% 10\% 9\% 9\% 10\% 15\% 9\% 9\%

- Don't know:
  - 31 11 * 3 6 2 5 14 10 28 2 2 1 3 11 10 6
  - 3\% 4\% * 2\% 5\% 1\% 4\% 4\% 2\% 5\% 1\% 1\% 1\% 4\% 4\% 4\%

- Refused:
  - 16 2 1 0 0 6 3 6 7 12 4 4 1 0 2 7 7
  - 2\% 1\% 1\% 0 0 3\% 2\% 2\% 1\% 2\% 1\% 1\% 1\% 0 1\% 3\%

Proportions/Means: Columns Tested (5\% risk level) - B/C/D/E/F - G/H/I - J/K - N/O/P/Q
Overlap formulae used. * small base
Question SF

Do you have primary or equally shared responsibility for grocery shopping for your household?

| Race                  | White Black Only | Black Only | Hispanic Only | Any Hispanic | Hispanic | Asian | Other | Native American | Alaska Native | Other Race | Total | Male | Female | 18-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65+ | North-East | South-East | Midwest | South-West | West-Metro | Non-Metro | Total | Male | Female | 18-24 | 25-34 | 35-44 | 45-54 | 55-64 | 65+ | North-East | South-East | Midwest | South-West | West-Metro | Non-Metro |
|-----------------------|------------------|------------|---------------|--------------|-----------|-------|-------|----------------|--------------|------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Unweighted Total      | 1015             | 502        | 513           | 134          | 130      | 198   | 241   | 308             | 182          | 225       | 370   | 238   | 766   | 249   | 754   | 108   | 64   |
| Weighted Total        | 1000             | 494        | 516           | 305          | 186      | 194   | 147   | 164             | 186          | 221       | 367   | 226   | 757   | 243   | 676   | 111   | 135* |
| Yes, primary          | 405              | 156        | 329           | 102          | 81       | 109   | 89    | 100             | 91           | 121       | 178   | 95    | 369   | 116   | 335   | 58    | 58   |
|                       | 49%              | 32%        | 64%           | 34%          | 34%      | 43%   | 38%   | 43%             | 56%          | 61%       | 54%   | 49%   | 49%   | 49%   | 49%   | 49%   | 43% |
| Yes, equally shared   | 401              | 244        | 157           | 158          | 90       | 67    | 44    | 42              | 69           | 73        | 151   | 108   | 300   | 101   | 263   | 39    | 66   |
|                       | 40%              | 50%        | 40%           | 30%          | 26%      | 37%   | 33%   | 41%             | 40%          | 41%       | 41%   | 36%   | 49%   | 49%   | 49%   | 49%   | 43% |
| No, not responsible for grocery shopping | 107              | 80         | 28            | 40           | 16       | 17    | 14    | 21              | 26           | 25        | 34    | 22    | 84    | 23    | 74    | 13    | 11   |
|                       | 11%              | 15%        | 5%            | 13%          | 9%       | 9%    | 9%    | 13%             | 16%          | 13%       | 9%    | 10%   | 11%   | 10%   | 12%   | 12%   | 8%  |
| Don't know/Refused    | 6                | 4          | 2             | 4             | 0        | 1     | *     | *              | 0            | 1         | 1     | 0     | 2     | 2     | 1     | 1     | 0   |
|                       | 1%               | 1%         | *             | 1%            | 0        | *     | *     | *              | 0            | *         | 1%    | 1%    | 1%    | 1%    | 1%    | 1%    | 0   |

Proportions/Means: Columns Tested (5% risk level) - B/C - D/E/F/G/H - I/J/K/L - M/N - O/P/Q
Overlap formulae used. * small base
### Question SF

Do you have primary or equally shared responsibility for grocery shopping for your household?

<table>
<thead>
<tr>
<th></th>
<th>Household Income</th>
<th>H.H. Size</th>
<th>Children In H.H.</th>
<th>Education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$35K- $50K</td>
<td>$50K-$75K</td>
<td>$75K-$100K</td>
<td>$100K+</td>
</tr>
<tr>
<td>Total (A)</td>
<td>(B)</td>
<td>(C)</td>
<td>(D)</td>
<td>(E)</td>
</tr>
<tr>
<td>Unweighted Total</td>
<td>1015</td>
<td>281</td>
<td>109</td>
<td>142</td>
</tr>
<tr>
<td>Weighted Total</td>
<td>1000</td>
<td>280</td>
<td>92*</td>
<td>143*</td>
</tr>
<tr>
<td>Yes, primary</td>
<td>485</td>
<td>164</td>
<td>48</td>
<td>70</td>
</tr>
<tr>
<td>49%</td>
<td>49%</td>
<td>57%</td>
<td>53%</td>
<td>49%</td>
</tr>
<tr>
<td>Yes, equally shared</td>
<td>401</td>
<td>104</td>
<td>36</td>
<td>63</td>
</tr>
<tr>
<td>37%</td>
<td>40%</td>
<td>35%</td>
<td>39%</td>
<td>44%</td>
</tr>
<tr>
<td>No, not responsible</td>
<td>107</td>
<td>20</td>
<td>6</td>
<td>11</td>
</tr>
<tr>
<td>13%</td>
<td>11%</td>
<td>7%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>Don't know/Refused</td>
<td>6</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>1%</td>
<td>1%</td>
<td>2%</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Proportions/Means: Columns Tested (5% risk level) - B/C/D/E/F - G/H/I - J/K - N/O/P/Q
Overlap formulae used. * small base
On another subject . . .

VERSION A
F1A Which of the following cuts of beef has the LEAST fat?
(READ ENTIRE LIST BEFORE RECORDING ONE ANSWER)
[RANDOMIZE]

04 Chuck pot roast
05 Rib eye steak
06 Ground beef that’s 80% lean and 20% fat
98 DON’T KNOW
99 REFUSED

VERSION B
F1B Which of the following cuts of beef has the LEAST fat?
(READ ENTIRE LIST BEFORE RECORDING ONE ANSWER)
[RANDOMIZE]

04 Chuck pot roast
05 Rib eye steak
06 Ground beef that’s 20% fat
98 DON’T KNOW
99 REFUSED

F2 When it comes to nutrition information for meat, would you prefer to have . . .
(READ ENTIRE LIST BEFORE RECORDING ONE ANSWER)
[ROTATE]

01 Nutrition Facts labels on meat PACKAGES (OR)
02 Nutrition information on wall posters or signs (OR)
98 DON’T KNOW
99 REFUSED
Please tell me . . .

SF  Do you have primary or equally shared responsibility for grocery shopping for your household?

01  YES, PRIMARY
02  YES, EQUALLY SHARED
03  NO, NOT RESPONSIBLE FOR GROCERY SHOPPING
99  DON'T KNOW/REFUSED