

# Labeling Policies for Meat and Poultry Products: Lean, Lite, and Natural

Kathleen F. Leddy\*, Leader  
Jimmy W. Wise, Coordinator

## Introduction

The U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) is responsible for the safety and wholesomeness of meat and poultry products. Among other things, the Agency ensures that these products are free from adulteration, properly identified and truthfully labeled before leaving a federally-inspected establishment or entering interstate commerce.

Label approval is a critical regulatory function because, in effect, it licenses a processor to market an approved product with approved labeling materials. Therefore, it is of utmost importance to carefully review labels before approval is granted. The authority to approve labels of meat and poultry products originates from the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and Poultry Products Inspection Act (21 U.S.C. 451 *et seq.*). The U.S. Code of Federal regulations (9 CFR 317, 318 and 381) interprets and codifies the authority of these Acts.

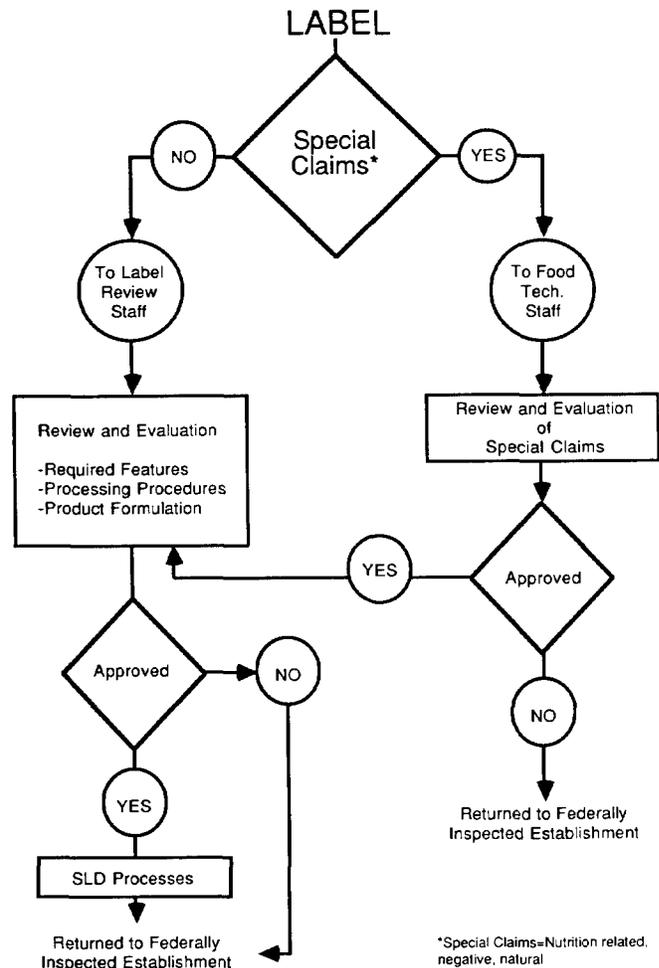
The primary responsibility of the Labeling Policy and Approval Branch (Standards and Labeling Division, FSIS) is to review and approve labels for meat and poultry products prior to their use. However, we are also responsible for proposing and writing federal regulations and policies, and responding to public inquiries pertinent to the labeling of meat or poultry products.

When a label is submitted to our office for approval, it is carefully examined to ensure that none of the labeling claims is false or misleading. Any nutritional or special claims are reviewed for accuracy. The product name, ingredient statement, inspection legend, name and address of the manufacturer or distributor and a net weight and handling statement are reviewed to confirm that they comply with federal regulations. Product formulations and processing procedures are also reviewed to ensure that they describe a safe, wholesome product which adequately meets the composition and processing standards established (Figure 1).

Technological advances, competition in the marketplace and the imagination of the industry's marketing representatives produce a wide variety of potential labeling claims which

must be addressed by the Standards and Labeling Division (SLD) on a regular basis. Unfortunately, federal regulations are often insufficient and the procedures for regulatory change are too slow and cumbersome to accommodate the needs of such a dynamic industry. For that reason, additional guidelines for the review and approval of labeling claims have been set forth in the form of published policy memoranda. The labeling issue, the circumstances under which a particular labeling claim may be made and a brief summary of the Division's rationale are included in each policy memorandum. Policy memos are not intended to alter existing policies established by the Agency, but rather to clarify and interpret current Agency policies or establish unprecedented

Figure 1



\*K.F. Leddy, Standards and Labeling Division, Technical Services, FSIS, USDA, 300 12th St., S.W., Washington, DC 20250

J.W. Wise, Standardization and Review Branch, Livestock and Seed Division, AMS, USDA.

Reciprocal Meat Conference Proceedings, Volume 41, 1988.

policies for new labeling concepts. Furthermore, policy memos are published in a format which is relatively easy to revise, should a particular labeling policy change over a period of time. As a result, the industry's numerous requests can be accommodated in a timely and consistent manner.

Over the past few years, an increasing number of companies have elected to make nutrition, nutrition-related and natural claims on the labels of their meat or poultry products in an effort to capture the market for the "health-conscious" or "active-lifestyle" consumer. These kinds of labeling claims have inevitably led to numerous consumer, industry and media inquiries about the labeling policies which regulate the use of special claims on the labels of meat and poultry products.

Therefore, the purpose of this presentation is to explain the circumstances under which popular descriptive labeling terms, such as "lean," "lite," and "natural," may be used on the labels of meat and poultry products.

### Lean

Labeling information about a product's fat or lean content can be useful to a consumer or processor when selecting a product. However, if a descriptive term such as "lean" is to be meaningful, it must have a quantitative definition. The term "lean" or "low fat" may be used on the labels of meat or poultry products which possess no more than 10% fat, by weight. Correspondingly, the term "extra lean" is permitted

on products which contain no more than 5% fat, by weight (Table 1). Products are not permitted to become lean by dilution with water. Therefore, "lean" and "extra lean" claims for processed meat or poultry products which contain added water are carefully evaluated to confirm that the product contains no more than 10% or 5% fat, respectively, before the addition of water. In each case, the actual fat percentage must be disclosed on the label (FSIS, SLD, Policy Memo 70B, 1987).

Ground beef and hamburger may be labeled either "lean" or "extra lean" provided the product contains no more than 22.5% fat (Table 1). This figure represents a 25% reduction in fat from that which is permitted by the regulatory standard of composition for ground beef and hamburger. In addition, the actual percentage of fat and lean must be disclosed on the label of ground beef and hamburger products (FSIS, SLD, Policy Memo 70B, 1987). The stricter guidelines imposed on solid-muscle cuts of beef were determined to be inappropriate for ground beef and hamburger in light of the state and local government's successful history of regulating "lean" and "extra lean" labeling for ground beef and hamburger.

### Lite

The term "lite," (light, lightly, etc.) is frequently used as a comparative term. It implies that a product contains significantly fewer calories, less fat, breading, salt or sodium than a comparable product. (A significant reduction is considered to

**Table 1. Requirements for Permitted Claims.**

<i>Claim</i>	<i>Lean</i>	<i>Extra Lean</i>	<i>Lite</i>	<i>Lower Fat</i>	<i>Natural</i>
Emphatic	≤10% fat	≤5% fat	≤40 cal/100g ≤10% fat ≤10% breading ≤35mg Na/100g	–	No artificial ingredients No more than minimal processing
Comparative	–	–	≥25% reduction in calories, fat, breading or sodium from comparison	≥25% reduction in fat from comparison	–
<b>Special Situations</b>					
Ground beef	≤22.5% fat	≤22.5%	–	–	
Fanciful Name-Frozen Dinner/Entrees	Nutrition Labeling	–	Nutrition Labeling	–	
Trade Name of other products	≥10% fat or ≥25% reduction in fat from comparison	–	Meet emphatic criteria or ≥25% reduction in calories, fat, breading or Na from comparison	≥25% reduction in fat from comparison	

**Table 2. Permitted Sources of Comparison.**

Regulatory standard
Data from an appropriate reference source
Marketbasket Survey

be a minimum of 25%). However, "lite" may also be used for products which are unquestionably low in these components (Table 1).

In any event, the term "lite" must be fully explained on the label, either adjacent to the term, or, if placed elsewhere on the label, the explanation must be linked to the term by means of an asterisk. If the product meets the guidelines established for products which are unquestionably low in calories, fat, breading, and/or sodium (Table 1), the explanation need only include a quantitative disclosure of the amount of the component(s) contained in the product. Alternatively, the explanation must include quantitative information demonstrating at least a 25% reduction in calories, fat, breading, salt or sodium from the amount contained in an appropriate comparison. Comparisons are permitted with: an appropriate regulatory standard; data for a similar product published in a recognized reference source; or data acquired from a market basket survey of analogous products (Table 2).

Similarly, the term "lower fat" implies that a product contains significantly less fat than a comparable product. Therefore, the explanation for this term must also include a quantitative declaration of the product's fat content, demonstrating at least a 25% reduction in fat from a suitable comparison (Table 2), as well as an appropriate comparative statement. In all cases, the explanation on the label must provide the purchaser with adequate information to make a knowledgeable comparison among products in the marketplace (FSIS, SLD Policy Memo 71A, 1986).

When the terms "lean" or "lite" are used in the fanciful brand or trade names of frozen dinners or entrees (e.g., "Lean Cuisine" or "Dining Lite"), it is assumed that the product is useful for weight reduction or maintenance. Under these circumstances, the product must be nutritionally labeled (FSIS, SLD, Policy Memo 39, 1982). The nutrition information on the label must include: serving size; servings per container; calories, grams of protein, carbohydrate and fat per serving (FSIS, SLD, Policy Memo 86, 1986).

In other situations, when the terms "lean" or "lite" are included in a trade name to imply that a product is leaner or lower in fat than a similar product (e.g., "Lyke it Lean") the processor is obligated to meet the requirements established for "lean" or "lite" (Table 1).

### **Nutritional Substantiation**

A label bearing nutritional claims must be accompanied by analytical data which substantiates the claims at the time the label is submitted to our office for approval. A minimum of three laboratory analyses must be submitted for the ready-to-sell product. Furthermore, the label may only be used in conjunction with an approved Nutrition Labeling Verification (NLV) procedure at the federally-inspected establishment. The NLV procedures provide for periodic sampling and testing of the product necessary to verify the continuing accuracy

of the labeling claims. Testing and evaluation of products, in accordance with approved methods, are critical to the successful production of products which bear labeling claims that are both accurate and not misleading (FSIS, SLD, Policy Memo 85B, 1988).

### **Natural**

At the present time, the term "natural" simply means that no artificial ingredients (e.g., chemical preservatives, artificial coloring, artificial flavors or other synthetic ingredients) have been added to the product and that neither the product nor any of its ingredients have been more than minimally processed (Table 1). Minimal processing includes traditional processes employed to make a food edible or safe for human consumption (e.g., smoking, cooking, freezing, drying, fermenting, etc.) and physical processes which do not fundamentally alter the raw product (e.g., grinding, crushing, etc.). Relatively severe processes, such as organic solvent extraction, acid hydrolysis and chemical bleaching, would be considered more than minimal processes. Furthermore, when the term "natural" is used on a label, it must be accompanied by the phrase "No artificial ingredients, no more than minimally processed" (FSIS, SLD, Policy Memo 55, 1982). While this definition is rather restrictive when applied to multi-ingredient products, it would obviously apply to any single-ingredient meat or poultry product. As a result, the term "natural," when used on the label of these kinds of products, is not very meaningful.

### **Animal Production Claims**

Some livestock and poultry producers have proceeded a few steps farther than that which is currently required for natural labeling. These producers have elected to raise their livestock without the use of antibiotics or growth-stimulating drugs. The result has been the emergence of negative animal production claims (e.g., "no antibiotics were administered to these animals"). While these claims are permitted, they remain independent of our natural policy at the present time.

Some segments of the industry have expressed concern that these claims may unfairly imply that products so labeled are safer than products derived from animals produced under standard commercial practices. While this concern may be valid, the Agency maintains that a company (on behalf of a producer) should be permitted to make these claims, provided that the claims are true and verifiable. At the present time, producer testimonials and affidavits are required to substantiate these claims. These testimonials are essentially written assurances from the producer that the claims made are true. In addition, the producer must submit an operational protocol which delineates specific, detailed information about the production practices employed at the ranch, farm or feedlot. Labeling statements may only be made about the nonuse of a production practice when that practice is common to the industry. Furthermore, a control program for carcass segregation and identification at the federally-inspected establishment must be approved by the regional office before a label bearing special animal production claims may be used.

In the future, a verified production control program regulation may determine under what circumstances animal production claims may be made on a label. The Agency is currently studying the advisability of rulemaking on Verified Production Control, but a federal regulation has yet to be proposed.

### Summary

Descriptive terms which convey information about the nutritional value or quality of a food product are useful to consumers when making product choices in the market place. This information is most accessible when displayed on

the immediate food container (i.e., label). In order to avoid confusion, descriptive terms must be accompanied by definitions which adequately explain the terms. In the case of nutrition-related claims, analytical sampling offers a means of assuring the accuracy of stated claims, while natural claims can be verified by means of ingredient statements and processing procedures. Obviously, space availability on a product's label is severely limited. Therefore, the development of concise, yet informative definitions for popular labeling terms is vital to our efforts when approving labeling claims which are both truthful and not misleading.

### References

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- 21 United States Code 451 et seq. Federal Poultry Products Inspection Act, 1968.
- 9 Code of Federal Regulations 317, 318, 381. 1987. Animals and animal products, 1987.

### Discussion

*P. Lewis:* What do you do about labeling when the reference standards change – like the new Handbook 8 for beef products? Does the manufacturer, if he is still going to claim a 25% reduction, have to show a 25% reduction under the new standards?

*K. Ledy:* When you talk about standards, don't get them confused with regulatory standards. If you are talking about data in Handbook 8, there has only been one revision since 1963, in 1986 for beef products. When that came out, we no longer accepted data that was published in 1963. They have to compare to data published in a recent, recognized reference source.

*Lewis:* In handling animals, what about a person who wants to say no antibiotics were used? What do you do about animals that were treated for disease with antibiotics?

*Ledy:* If they state on the label that no antibiotics had been administered, that means that the claim must be true for the entire life of the animal, including therapeutic and subtherapeutic uses. This has to be stated in the testimonial or producer protocol that we require.

*Lewis:* You would have a pretty hard time proving this, wouldn't you?

*Ledy:* Yes, this is a difficult area. We are looking forward to verified production control, and perhaps that will help.

*J. Wise:* You said producer testimonials, but your example showed Litvak who is a packer. Does he get the producer

testimonials or is it his testimonial?

*Ledy:* The label is always issued to the establishment but the producer would have to go to a Federally-inspected establishment and have it apply for the label on their behalf.

*W. Henning:* You mentioned vertical integration, and a year or so ago that was part of the standard for Verified Production Control claims. Is it still or has it been removed?

*Ledy:* I really can't answer that. I know before the program was formalized it was a requirement. For those who don't know, vertical integration means there is either direct ownership between the producer and the slaughter facility or some sort of limited partnership. This would tie the producer into the claims and give the Agency some recourse. What the new regulation will require, I don't know. I have not seen the proposed regulation. It has not been published in the *Federal Register* yet.

*D. Kropf:* When talking about natural, you said minimally processed. What are examples of exceeding minimally processed?

*Ledy:* Something like bleaching or organic solvent extraction. Things that will fundamentally alter the product from its natural state. If the product is a multi-ingredient product, something like white flour would be enough to eliminate it from the natural definition.

*Kropf:* That doesn't include tumbling, massaging or other manipulations?