

Congress of the United States
Washington, DC 20515

February 2, 2024

Secretary Thomas J. Vilsack
United States Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Dear Secretary Vilsack,

Many of us represent districts that include family farms and egg producers who supply nutritious, quality egg products to American consumers.

We write today in regard to the pasture-raised claims petition (Petition 23-03) recently submitted to USDA's Food Safety and Inspection Service (FSIS). As you know, Petition 23-03 requests that FSIS conduct rulemaking to define separate "free range" and "pasture raised" claims for poultry products and to update its guidance on claims related to living/raising conditions to ensure that the claims align with consumer expectations. As USDA evaluates the petition and considers policy changes, we ask that the Department establish a robust process for stakeholder input to ensure there are no unintended consequences.

Changing the requirements for individual marketing claims will have both upstream and downstream economic impacts on production practices, retail opportunities, and input requirements. Changes in FSIS animal raising claim requirements must also be considered in consultation with the Food and Drug Administration (FDA), since FDA regulated products (e.g. dairy and shell eggs) could also be impacted by a policy shift. In considering Petition 23-03, we ask that the Department contemplates whether the requested policy changes will disproportionately advantage or disadvantage certain groups; whether the request may cause harm to competition; and evaluate consumer understanding of the proposed terms.

Accordingly, we strongly recommend that if FSIS chooses to take action, the Agency do so through an Advanced Notice of Proposed Rulemaking in order to facilitate full and complete engagement from stakeholders including producers, processors, retailers, certifiers, trade associations, and others on this issue.

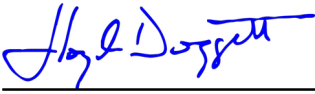
Thank you for your attention to this important matter.

Sincerely,

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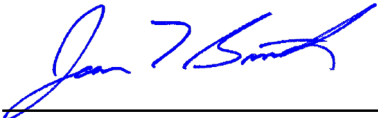
Mark Alford
Member of Congress



Lloyd Doggett
Member of Congress



Eric A. "Rick" Crawford
Member of Congress



Jason Smith
Member of Congress



James R. Baird
Member of Congress