



December 12, 2019

FSIS Docket Clerk
Department of Agriculture
Food Safety and Inspection Service
Room 2534 South Building
1400 Independence Avenue, S.W.
Washington, DC 20250-3700

Re: Petition to Require Accurate and Non-Misleading Labeling on Meat Processed with Non-Synthetic Nitrates and Nitrites (Docket Number: FSIS-2019-0022)

To Whom it May Concern,

The Center for Science in the Public Interest thanks the US Department of Agriculture’s Food Safety and Inspection Service (FSIS) for this opportunity to comment on the docket in support of our petition with Consumer Reports to clarify the labeling for processed meat. In announcing the docket, FSIS specifically asked for data on how consumers perceive the designations on meat labels that are the subject of the petition. We are submitting the attached consumer survey data recently collected by researchers at the University of North Carolina at Chapel Hill, which relate specifically to consumer perceptions of “uncured” and “no nitrates or nitrites added” claims on processed meat labels.¹

These new survey data generally serve to support the policy changes recommended in our petition. Specifically, Participants who were shown the “No Nitrates Added” claims on a hot dog label were more likely to believe that the product had lower levels of nitrates compared to similar products. On a scale from 1 (Strongly disagree) to 5 (Strongly agree), the average level of agreement with the statement “This product has lower levels of nitrates or nitrites than other hot dogs” was 4.2 for a product labeled “No Nitrates or Nitrites Added”—significantly lower than the average agreement of 3.6 for an identical product without these label claims.

These data indicate that the “No Nitrates Added” claim misleads consumers into believing that products bearing the claim are lower in nitrates and nitrites than other products. Such beliefs are incorrect because, as outlined in our petition, products bearing “No Nitrates Added” claims are no different in nitrate and nitrite residues than those that bear no such claims.

Of particular interest, the new survey also included a highly visible “Except for The Naturally Occurring Nitrates in Sea Salt, Celery & Cherry Powders” disclaimer along with the “No Nitrates Added” claim. The fact that consumers were still misled—even after having an opportunity to view that disclaimer—suggests that the current text is insufficient to “correct” the misleading impression of lower nitrite/nitrate content from the “No Nitrates Added” label statement.

¹ CSPI did not provide funding for the survey, but consulted with the researchers on survey design.

In addition, the data suggest that consumers lack a clear understanding of the purpose and function of nitrates and nitrites in processed meat. Notably, consumers who saw the “uncured” claim were no more or less likely to agree with the statement “This product has lower levels of nitrates or nitrites than other hot dogs” than those in the control group who viewed no such claim (level of agreement: 3.7 (Uncured Arm) v. 3.6 (Control Arm)). These results suggest that consumers may be unaware that nitrites and nitrates are commonly used as curing agents. The findings further support a need for clear ingredient labeling to indicate both the presence and purpose of nitrites and nitrates, so consumers can understand when nitrates and nitrites have been used to color, flavor, or preserve products.

Finally, the new data support our conclusion that removing “No Nitrates Added” and “Uncured” statements from processed meat labels is not likely to negatively impact consumer safe handling practices. Consumers surveyed indicated that they were neither more nor less likely to be concerned about food poisoning or to store products in the refrigerator based on the presence or absence of such claims.²

Sincerely,

Sarah Sorscher
Deputy Director of Regulatory Affairs
Center for Science in the Public Interest

² Our petition did not request changes in “Keep Refrigerated” safe handling advice required on “uncured” products under current regulations. This language appeared on the hotdog package in all conditions tested in this study.



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To Whom It May Concern:

We write to share a summary of recent consumer research on the impact of the claims “no nitrates added” and “uncured” when presented on processed meat. These data were collected in response to the USDA’s call for comments on the petition by Center for Science in the Public Interest and Consumer Reports to clarify the labeling of processed meat.

Methods. In December, 2019, we recruited a convenience sample of 1,001 adults residing in the US via Amazon Mechanical Turk (MTurk). MTurk is a website frequently used by social science researchers to collect data. Experiments conducted on MTurk largely replicate findings from experiments conducted via probability-based samples.³ After providing informed consent, participants were randomly assigned to view one of three hot dog packages with either no claims of interest (Control Arm), “Uncured” (Uncured Arm), or “No Nitrates or Nitrites Added* *Except for The Naturally Occurring Nitrates in Sea Salt, Celery & Cherry Powders” (No Nitrates Arm) (See Figure 1). Participants were then asked to rank their level of agreement on a five-point scale⁴ to seven questions about the image, which were displayed in random order. The questions assessed consumer perceptions of nitrate content, food safety, healthfulness, and likelihood to purchase. The exact wording of each question item appears in Table 1. To examine means across study arms, we ran ANOVAs with post-hoc Tukey tests for each measure.

Results. Mean ratings for all measures by arm appear in Table 1. Participants in the “no nitrates” arm had significantly higher agreement with the statement “[t]his product has lower levels of nitrates or nitrites than other hot dogs” than those in the control arm ($p < .001$, Figure 2). There was also a trend towards lower agreement by participants in the “no nitrates” arm with the statement “[t]his product contains nitrates or nitrites,” but this trend did not reach statistical significance ($p = .098$, Figure 3). No other differences or trends were observed between the control arm and either of the modified labeling arms on variables related to food safety, health risks, or interest in buying the product.

³ Jeong M, Zhang D, Morgan JC, Cornacchione J, Osman A, Boynton MH, et al. Similarities and differences in tobacco control research findings from convenience and probability samples. *Annals of Behavioral Medicine* 2018.

⁴ 1=Strongly disagree, 2=Somewhat disagree, 3=Neither agree nor disagree, 4=Somewhat agree, 5=Strongly agree

Figure 1. Stimuli used in experiment



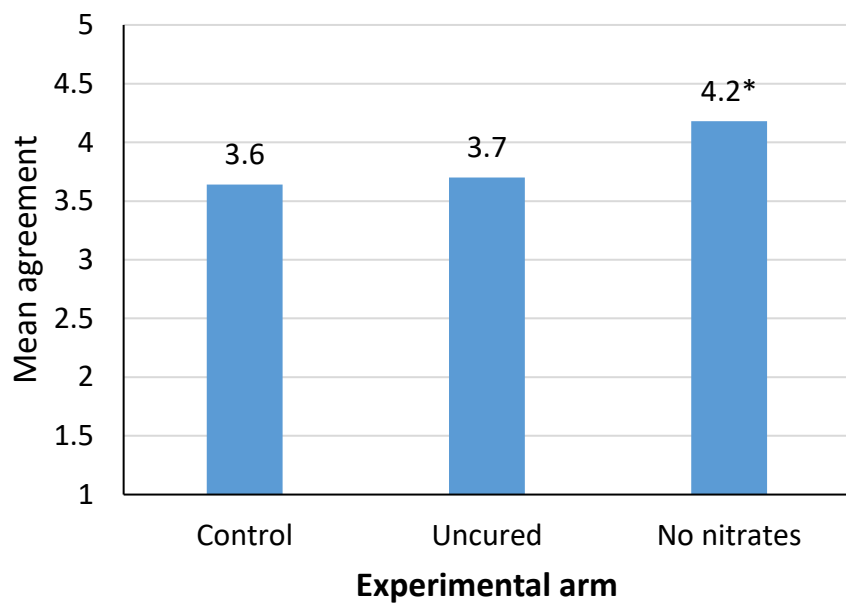
Table 1. Mean ratings by experimental arm ($n=1,001$)

Item	Control Arm	Uncured Arm	No Nitrates Arm
	Mean (SD)	Mean (SD)	Mean (SD)
This product contains nitrates or nitrites.	2.9 (1.3)	3.0 (1.3)	2.7 (1.6)
This product has lower levels of nitrates or nitrites than other hot dogs.	3.6 (1.1)	3.7 (1.0)	4.2 (1.0)*
This product could cause food poisoning if not stored and cooked properly.	4.3 (0.9)	4.3 (0.9)	4.3 (1.0)
I would be likely to store this product in the refrigerator below 40 degrees at all times.	4.4 (0.9)	4.4 (0.9)	4.5 (0.8)
Eating this product would be good for my health.	2.7 (1.1)	2.7 (1.1)	2.8 (1.1)
Eating this product will increase my risk of cancer.	2.9 (1.1)	3.0 (1.1)	2.8 (1.2)
I would buy this product if I saw it in the store.	3.2 (1.3)	3.1 (1.2)	3.1 (1.2)

Response scale for all items ranged from “strongly disagree” (coded as 1) to “strongly agree” (coded as 5).

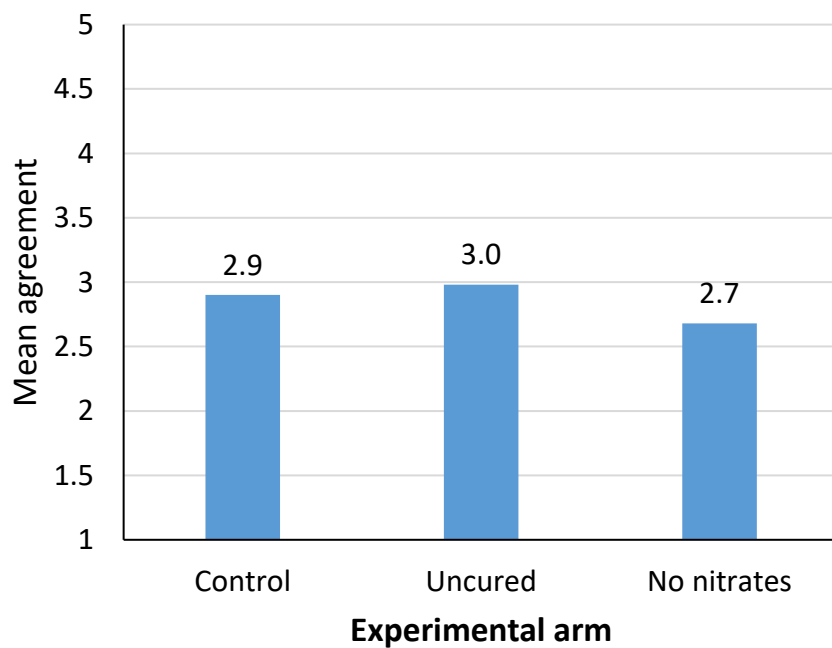
* Significant difference from control ($p<.001$)

Figure 2. Mean agreement with statement that “This product has lower levels of nitrates or nitrites than other hot dogs” by experimental arm ($n=1,001$)



* Significant difference from control ($p<.001$)

Figure 3. Mean agreement with statement that “This product contains nitrates or nitrites” by experimental arm ($n=1,001$)



We hope these data are helpful in reaching a determination on the petition.

Sincerely,

Marissa G. Hall, PhD

A handwritten signature in black ink, appearing to read "M. G. Hall". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

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