



Animal Welfare
Institute

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LABEL CONFUSION:

**HOW “HUMANE” AND
“SUSTAINABLE” CLAIMS ON
MEAT PACKAGES DECEIVE
CONSUMERS**



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FOOD LABELING CLAIMS cover a variety of topics of interest to consumers, including the manner in which animals and the environment are treated during production of a product. Many labels are confusing, however, and some are downright misleading. As a result, consumers are often thwarted in their attempts to use labels to guide their food buying decisions.

Bad press regarding the reliability of food product labels has led to public skepticism about the accuracy of label claims, and the ability of the government to regulate them. As it turns out, consumers have good reason to be skeptical.

To evaluate the approval process for label claims related to animal welfare and environmental stewardship, the Animal Welfare Institute (AWI) obtained records via the Freedom of Information Act and conducted a review of the government label approval for 25 claims appearing on the packages of meat and poultry products. The review revealed that the government is regularly approving the use of animal welfare and environmental claims with little or no supporting evidence documenting the accuracy of the claims.

AWI also found that the current label approval process: 1) is inconsistent and lacks transparency, 2) does not meet consumer expectations, 3) leads to misleading and deceptive labeling, and 4) harms farmers who use accurate claims.

USDA HAS THE AUTHORITY TO REGULATE CLAIMS ON MEAT AND POULTRY

The Federal Meat Inspection Act and the Poultry Products Inspection Act give authority to the United States Department of Agriculture (USDA) to deny the use of labels when they are believed to be false or misleading. As stated in these laws, false or misleading labeling results in “misbranded” products, and thereby jeopardizes the regulation of meat, harms public welfare, and unfairly destroys markets for products that are properly labeled. Misbranded or deceptively packaged foods can be sold at lower prices and compete unfairly with properly labeled and packaged items to the detriment of consumers and farmers alike.

While USDA has received authority from Congress to regulate meat and poultry labels, it does not have authority, for the most part, to regulate food animal production or the impacts of agricultural production on the environment. And, while USDA approves claims related to animal welfare and environmental protection, it does not go onto farms to evaluate animal raising or environmental practices. USDA relies solely on information supplied by producers to determine whether claims related to humane animal treatment and sustainable agricultural practices are accurate and appropriate for use on a meat label.

ANIMAL WELFARE AND ENVIRONMENTAL CLAIMS APPROVED WITHOUT SUPPORTING EVIDENCE

- Animal Compassionate
- Animal Friendly
- Free to Roam in a Stress-Free Environment
- Humanely Raised
- Humanely Raised and Handled
- Humanely Raised on Sustainable Family Farms
- Humanely Treated
- Raised in a Humane Environment
- Raised with Care
- Sustainable Family Farmed
- Sustainably Farmed

In October 2013, AWI commissioned a national survey* of perceptions of marketing label claims related to how animals raised for food are treated on farms. In responding to that survey, 82 percent of consumers who frequently purchase packaged meat or poultry products agreed with the statement, “The well-being of animals raised on farms for food is important to me.”

**This survey was conducted online within the United States by Harris Interactive on behalf of AWI from October 10-14, 2013 among 2,027 adults ages 18 and older. The survey was not based on a probability sample and therefore no estimate of theoretical sampling error can be calculated.*

ANIMAL WELFARE AND ENVIRONMENTAL CLAIMS ARE NOT DEFINED

The use of animal welfare and sustainability claims has increased dramatically over the past decade, as consumers have become more aware of and concerned about the well-being of animals raised for food and about the negative impacts of animal agriculture on the environment. Despite their interest, consumers are confused about the meaning of animal welfare and sustainability claims on labels, the accuracy of which they are typically unable to verify for themselves. The public’s interest in these claims makes them ripe for exploitation by companies attempting to lure the growing number of consumers who seek an alternative to products from factory-farming production systems.

Although USDA regularly approves claims related to animal welfare, no legal definitions exist for the terms “animal welfare,” “humane,” or “animal care.” Moreover, USDA has never officially acknowledged any particular set of animal standards as representing acceptable supporting evidence for the use of welfare-related claims. The same is true for environmental claims—no official definition exists for “sustainable,” and no acceptable standards have been identified.

USDA is approving “humanely raised” claims based on only a single aspect of animal welfare, such as whether the animals were confined to crates or cages, or whether they were fed antibiotics for growth. But the welfare of animals encompasses many aspects of their environment and care, including flooring and bedding, lighting, space allowance, handling methods, health care practices, and access to range and pasture or exercise areas. Likewise, USDA is approving “sustainable” claims based on one or more issues related to the physical environment; however, the concept of sustainability can apply to many aspects of the food chain—from farming, transportation, processing, and retailing to post-purchase actions including storage, preparation, consumption, and disposal.

While USDA has no definitions for animal welfare and sustainability claims, it has developed labeling guidance to assist in the approval of these claims. The guidance requires that producers submit supporting documentation, which can include affidavits and testimonials, operational protocols, feed formulas, and certificates. However, the guidance provides no specific criteria to help determine whether these different forms of supporting evidence are adequate.



USDA approved this humane label without any supporting evidence, and the producer refuses to provide its animal care standards to the public.

THE CURRENT PROCESS IS INCONSISTENT AND LACKS TRANSPARENCY

Two key components of a good label are that the claims mean the same thing when used on different products, and that the definition of the claims—and the process used to approve them—is transparent. Neither of these criteria is being met by the current USDA label approval process for animal welfare and environmental stewardship claims.

Consistency is lacking in several respects. First, producers have different standards for defining label claims such as “humanely raised” and “sustainably farmed.” Second, USDA staff members have different views on what practices qualify for use of these claims. Third, USDA fails to provide producers with consistent requirements to guide them in submitting an application for label approval. Is a one-sentence statement acceptable or is a detailed protocol required? What aspects of production must be included for an undefined animal welfare or environmental claim?

When consumers visit grocery stores to purchase meat and poultry products and see “humanely raised” or “sustainably farmed” labels they can’t know the individual producer’s—or USDA’s—interpretation of the claim. If the product being purchased is meat chicken, did the birds receive an average of 6.0 square feet of space, or were they restricted to only 0.6 square feet? Did they have eight hours of darkness for normal sleep every day,

or was the dark period limited to 4 one-hour intervals per day? Is the indoor ammonia gas limit 10 ppm, or is it much higher? USDA is currently approving the claim “humanely raised” for products from animals raised under conditions that vary widely. This inconsistency leads to consumer confusion and a large disparity between what consumers believe they are purchasing and the reality.

USDA does not perform on-farm audits to determine if producers are in compliance with the claims they are asking to place on their labels. Moreover, most producers don’t make their standards available to the public, and many even refuse to provide them when asked. This means label claims are only transparent to the producers themselves, who have a financial interest in promoting their products in the most marketable manner possible.

Food labels are theoretically used to help consumers make educated purchasing decisions. But if consumers do not know the meaning of label claims—and have no ability to access that information—an educated consumer base does not form and companies using misleading labels receive an unfair competitive advantage.



This label was approved without the producer having to explain what “sustainably farmed” means or how the company meets the definition.

THE CURRENT PROCESS DOES NOT MEET CONSUMER EXPECTATIONS

USDA approves the use of high-value claims, such as “humanely raised,” on products from animals raised under conventional industry standards. For example, USDA regularly approves use of the claim by poultry producers who operate under the woefully inadequate standards of the National Chicken Council and the National Turkey Federation. Yet, several public opinion surveys have shown that consumers view the marketing claim “humanely raised” as indicating a standard of care higher than that of the conventional animal agriculture industry.

Consumers disagree with other aspects of USDA’s label approval process for animal welfare and environmental claims as well. A large majority of consumers who frequently purchase meat or poultry products say

the government should require producers to prove any claims such as “humanely raised” or “sustainably farmed” that they want to put on their product labels. And consumers expect more than a brief affidavit or testimonial to be offered as proof. In a 2013 survey commissioned by AWI, 59 percent of frequent meat and poultry shoppers disagreed that “a brief statement signed by a producer should be acceptable as proof of a claim such as ‘humanely raised’ or ‘sustainably farmed’ on a meat or poultry product.”

It’s not surprising that a majority of consumers who frequently purchase meat or poultry don’t feel confident that USDA verifies label claims, and a large majority would like to see claims such as “humanely raised” and “sustainably farmed” verified by an independent third party.

HOW CONSUMERS FEEL ABOUT THE LABEL APPROVAL PROCESS

In October 2013 AWI commissioned a national survey of consumer attitudes towards government regulation of marketing label claims such as “humanely raised” and “sustainably farmed.”

Strongly disagree
 Somewhat disagree
 Somewhat agree
 Strongly agree

a. The government should require meat and poultry producers to prove any claims like “humanely raised” or “sustainably farmed” that they put on their product label.



b. The government should not allow the use of claims like “humanely raised” or “sustainably farmed” on product labels unless the claims are verified by an independent third party.



c. Producers should not be allowed to use the claim “humanely raised” on their product labels unless they exceed minimum industry animal care standards.



EVIDENCE PROVIDED BY PRODUCERS IN SUPPORT OF ANIMAL WELFARE AND ENVIRONMENTAL LABEL CLAIMS

Affidavit or Testimonial	4 claims (16%)	██████████
Operational Protocol	1 claim (4%)	██
Certificate or Audit	1 claim (4%)	██
No Supporting Evidence	20 claims (80%)	██
Total Claims	25*	

*Two forms of supporting evidence were provided for 1 claim. Therefore, that claim is represented twice above the line and the sum of percentages above the line exceeds 100 percent.

THE CURRENT PROCESS LEADS TO MISLEADING AND DECEPTIVE LABELING

AWI submitted more than a dozen Freedom of Information Act requests to evaluate USDA’s process for approving animal welfare and environmental claims. These requests covered a total of 25 claims appearing on the labels of 19 meat and poultry products. USDA responded that it was unable to locate any documents for 20 of the 25 claims. This suggests USDA did not require producers to submit any supporting evidence whatsoever prior to issuing an approval for use of these claims.

USDA provided very limited documentation for the other 5 claims. For the claim “humanely raised on sustainable family farms”—approved for use on one turkey producer’s products—supporting documentation consisted of an affidavit containing only two sentences pertaining to the claim. Just two sentences were sufficient for USDA to determine that this producer deserved to use a high-value claim related to both animal welfare and environmental stewardship.

Another of the 5 claims was approved based on an overview of the animal care protocol of just one of the company’s suppliers. In another case, the claim “raised on family farms using sustainable agricultural practices” was approved on the basis that “many” (but apparently not all) of the company’s suppliers participate in a few practices related to environmental stewardship.

AWI challenged use of the claim “humanely raised on family farms,” because the company’s animal care standards are significantly below those of independent animal welfare certification programs.

AWI challenged use of one “humanely raised” claim before the National Advertising Division (NAD) of the Better Business Bureau, arguing that use of the claim by a particular producer was misleading and deceptive. AWI’s complaint was based on the fact that the producer raises animals under conventional industry standards, and most consumers expect products with such a claim to have come from animals raised to a higher standard. While NAD agreed that removal of the claim “was necessary and appropriate,” USDA continues to allow the claim.

The current approval process for animal welfare and environmental claims leads to misleading and deceptive labeling, because USDA often requires no substantiation of the claims, and when it does the evidence is usually inadequate and inconsistent with consumer perceptions of the claims. This is not to say that all use of these claims is misleading—or that the claims AWI reviewed were inappropriately used. Rather, it indicates that under the current approval process, there is no way for anyone—including USDA—to know which claims are being appropriately used and which claims are not.



THE CURRENT PROCESS HARMS FARMERS WHO MAKE ACCURATE CLAIMS

Lack of on-site verification of label claims is a particular problem for holistic claims such as those related to animal welfare and environmental sustainability, because these claims address multiple aspects of production. Some producers seek to assure consumers that their products are properly labeled, and meet a certain standard, by participating in a third-party certification program. Producers who choose to use third-party certification typically incur a variety of fees associated with the certification. These producers also incur higher costs in maintaining systems that go beyond conventional production standards in terms of animal welfare and environmental stewardship.

USDA is currently allowing producers to make claims that, to consumers, represent the equivalent message of an independent third-party certification. Producers who make animal welfare and/or environmental claims, but do not adhere to higher standards and are not independently certified, are able to avoid both the cost of certification and better production and still reap the benefits of certification by selling products at a premium price. Allowing the use of these claims without proper verification promotes unfair marketing practices, and disadvantages farmers who do adhere to higher standards and undergo independent evaluation of their product claims.



This label includes no less than 5 claims related to how the animals were raised. USDA approved the label without any documentation for at least 3 of the claims.



This company discontinued its third-party animal welfare certification but continued to use the “humanely raised” claim on its packaging. USDA could provide no documentation supporting its approval of the claim.

THE SOLUTION: THIRD-PARTY CERTIFICATION OF LABEL CLAIMS

USDA must change its current label approval process to prevent misleading and deceptive labeling and promote a fairer market for farmers who are disadvantaged by producers using animal welfare and environmental label claims without providing substantiation for the claims. This can be accomplished by USDA approving these claims only after certification has been obtained from an independent third party that has audited practices pertaining to the claim and has standards that exceed conventional industry standards.

Third-party certifiers provide meaningful, verifiable standards. They confirm compliance with the standards—first on the farm and, if appropriate, during transport and/or at slaughter. Third-party program standards are typically available online for all interested parties to review, thus providing transparency. The programs are independent of the companies they are certifying, and they regularly review and revise their standards.

Nearly 90 percent of consumers responding to AWI’s survey on meat and poultry labeling favored requiring third-party certification of animal welfare and environmental stewardship claims such as “humanely raised” and “sustainably farmed.” This solution is needed to fix the problems associated with the current label approval process, and prevent misleading and deceptive labeling of meat and poultry products.

EVIDENCE PROVIDED BY USDA FOR ANIMAL WELFARE AND ENVIRONMENTAL LABEL CLAIMS

COMPANY/ PRODUCT NAME	LABEL CLAIM	AFFIDAVIT/ TESTIMONIAL	OPERATIONAL PROTOCOL	CERTIFICATE(S)	NO DOCUMENTS PROVIDED
Allen Family Foods Nature's Sensation Chicken	Humanely Raised on Family Farms	● ^A		● ^B	
Applegate Farms Naturals Chicken	Humanely Raised				●
Applegate Farms Naturals Salami	Humanely Raised				●
Applegate Farms Naturals Turkey	Humanely Raised				●
Crescent Foods Chicken	Humanely Treated				●
	Cage Free				●
Diestel Turkey Ranch Turkey	Humanely Raised	● ^C			
	Sustainable Family Farms	● ^D			
Empire Kosher Chicken	Raised on Family Farms Using Sustainable Agricultural Practices	● ^E			
Fircrest Farms Chicken (Foster Farms)	Sustainably Farmed				●
Fork in the Road Hot Dogs	Sustainable, Family- Farmed Beef				●
FreeBird All Natural Chicken	Humanely Raised				●

COMPANY/ PRODUCT NAME	LABEL CLAIM	AFFIDAVIT/ TESTIMONIAL	OPERATIONAL PROTOCOL	CERTIFICATE(S)	NO DOCUMENTS PROVIDED
Heinen's Own Beef	Humanely Raised & Handled				●
Heinen's Own Pork	Humanely Handled				●
Kroger Simple Truth Natural Chicken	Raised Cage Free in a Humane Environment				●
Mid-Atlantic Country Farms Chicken (A & P store brand)	Humanely Raised		● ^F		
	Sustainably Farmed				●
Mid-Atlantic Country Farms Turkey (A & P store brand)	Humanely Raised				●
	Free to Roam in a Stress-Free Environment				●
Niman Ranch Canadian Bacon	Humanely Raised				●
	Sustainable U.S. Family Farms				●
Niman Ranch Pork	Humanely Raised				●
	Sustainable U.S. Farms				●
Petaluma Poultry Rocky the Range Chicken	Sustainably Farmed				●
Plainville Farms All Natural Turkey	Humanely Raised				●

^A Documentation consists of a 1-page letter written by Allen Family Food's Corporate Labeling and Product Specification Manager guaranteeing humane handling based on National Chicken Council (NCC) standards.

^B Documentation consists of an audit checklist based on NCC guidelines for animal welfare.

^C Documentation consists of a 2-sentence statement written by Diestel's Quality Assurance Manager.

^D Documentation consists of a 1-sentence statement from Diestel's Quality Assurance Manager.

^E Documentation consists of 3 testimonials including a 1-page statement containing 5 bullet points.

^F Documentation consists of a 1-page overview of animal care and handling protocol from one Mid-Atlantic poultry supplier.

ABOUT AWI

Since its founding in 1951, AWI has been alleviating suffering inflicted on animals by people. AWI works to improve conditions for the billions of animals raised and slaughtered each year for food in the United States. Major goals of the organization include eliminating factory farms, supporting high-welfare family farms, and achieving humane transport and slaughter of farm animals. AWI works to effect change in the way farm animals are treated, and ensure that individuals who choose to consume animal products can purchase them from farmers who raise their animals to the highest standards.

*Label Confusion: How “Humane” and
“Sustainable” Claims on Meat Packages
Deceive Consumers*

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