

CONSUMER RESPONSE TO NEW LABELING RULE IS MUCH ANTICIPATED

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Recently a new ruling by the U.S. Department of Agriculture went into effect that redefines the use of "fresh" as a label on raw poultry products.

When changes to the federal poultry products inspection regulations were originally brought to the public forum for comment last year, they raised considerable debate among industry representatives, consumer groups, and the Food Safety and Inspection Service (FSIS), which amended the existing regulations.

The new rule calls for raw poultry products whose internal temperature has ever been below 26 degrees F but above 0 degrees F to

be labeled "(previously) hard chilled" (the use of "previously" is optional). Prior to this amendment, such products did not require this designation and, in fact, could be labeled "fresh" if the internal temperature of the product was above 0 degrees but below 40 degrees F and had not been previously frozen at or below 0 degrees. Raw poultry product which has ever been at or below 0 degrees F must still be labeled with the term "frozen" or (optionally) "previously frozen."

The debate over this labeling change involved a variety of issues, from consumer perception argued from the standpoint of "truth in advertising" to issues of food safety and quality. To understand much of the technical basis of the labeling change, one needs to realize that muscle foods, in particular skeletal muscle, are comprised largely of water, with a variety of biochemical substances both

dissolved in this solvent as well as forming the structural components of the tissue.

Broiler breast muscle, for example, is more than 70 percent water on a weight basis. Water freezes at 32 degrees F, but as solutes become dissolved in that water, including salts, sugars, and other biochemical components of intracellular and extracellular fluids, the freezing point of the liquid is lowered.

In fact, most of the free water in whole poultry meat freezes over a temperature range from 27 to 23 degrees F. At 27 degrees F, ice crystals begin to form, and below 26 degrees F, when much of the

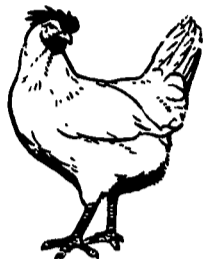
free water in the tissue is turning to ice, the product becomes hard to the touch. By 23 degrees F, most of the free water is frozen and the product both appears and feels frozen solid. Based on these physical characteristics, FSIS considered 26 degrees F as a reasonable lower threshold for a product to be called "fresh."

A significant issue considered by FSIS is that most consumers are not aware that poultry products sold as fresh at the retail case may have been chilled to a hard consistency and then thawed prior to sale. Advocates of the labeling change argued that consumers

assume a product not appearing (or otherwise labeled) hard chilled at the time of sale is generally presumed never to have been so at any time, and decisions related to subsequent product handling, including refreezing, etc., are based on this assumption.

The FSIS held that this labeling change was necessary to prevent consumers from being misled about the nature of the products they purchase and allow them to make informed purchasing decisions. Poultry meat that has been previously hard chilled or frozen and appropriately handled is iden-

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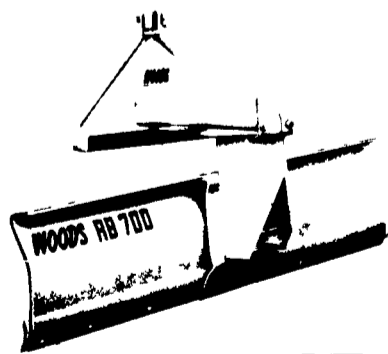
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