



United States Department of Agriculture

Food Safety and
Inspection Service

1400 Independence
Avenue, SW,
Washington, D.C.
20250

Katherine A. Meyer
Clinical Director
Animal Law & Policy Program
Harvard Law School
1585 Massachusetts Ave.
Cambridge, MA 02138

July 23, 2020

Dear Ms. Meyer:

The U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS) has received the June 9, 2020 letter that you and your colleagues submitted on behalf of the Harvard Law School Animal Law & Policy Program. The letter requests that FSIS adopt a labeling approach for “cell-based” meat and poultry products that respects First Amendment commercial speech protections. The letter specifically requests that FSIS establish a labeling approach for cell-based meat and poultry that does not require new standards of identity and does not ban the use of common or usual meat or poultry terms or other product terms specified in standards of identity. The letter asserts that FSIS should wait until the Agency has a better understanding of the compositional and safety characteristics of finished cell-based meat products, and until it has had the opportunity to review proposed labels, before establishing speech restrictions that could raise constitutional questions.

Your request is being considered as a rulemaking petition under the Administrative Procedure Act (5 U.S.C. 553(e)), USDA’s administrative regulations (7 CFR 1.28), and FSIS’s regulations on petitions (9 CFR part 392). Your petition has been referred to the Office of Policy and Program Development and has been assigned petition number 20-03. As noted in your petition, FSIS has jurisdiction over the labeling of cell-based meat and poultry products and intends to propose regulations for the labeling of these products. We will carefully consider the issues raised in your petition as we proceed with the development of a proposed rule.

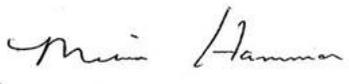
As provided in 9 CFR 392.6, your petition will be made available to the public in the FSIS docket room and will be posted on the FSIS website at:

<https://www.fsis.usda.gov/wps/portal/fsis/topics/regulations/petitions>

Ms. Meyer
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You may contact Mary Porretta, Petitions Manager, Regulations Development Staff at mary.porretta@usda.gov if you have any questions regarding the status of your petition.

Sincerely,



Melissa Hammar
Deputy Director
Regulation Development Staff
Office of Policy and Program Development