



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Washington, D.C.  
20250

Mr. Michael J. Brown  
President  
National Chicken Council  
1152 Fifteenth Street, NW, Suite 430  
Washington, DC 20005

NOV 25 2013

Dear Mr. Brown:

The Food Safety and Inspection Service (FSIS) has received the petition submitted by you on behalf of the National Chicken Council dated November 18, 2013. The petition requests that FSIS amend the regulations that define the standard of identify for "roaster" chickens that is scheduled to become effective on January 1, 2014. The petition asserts that because genetic improvements in chickens have continued over the years, the data that FSIS used to inform the changes to the "roaster" definition are now out of date. As a result, the petition states that the new "roaster" definition would cause disruption to the production and marketing of whole chickens, would cause consumer confusion, and would require reclassification of most chickens currently marketed as "roasters." The petition also requests that, if necessary, FSIS exercise enforcement discretion or stay the effective date of the regulation to define "roaster" chickens until the Agency makes the requested changes to the regulation.

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 for review, and it has been assigned petition number 13-07. 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: [http://www.fsis.usda.gov/regulations\\_&\\_policies/Petitions/index.asp](http://www.fsis.usda.gov/regulations_&_policies/Petitions/index.asp).

You may contact Mary Porretta, Petitions Manager, Issuances Staff at (202) 720-5627 if you have any questions regarding the status of your petition.

Sincerely,

Charles E. Williams  
Director  
Issuances Staff  
Office of Policy and Program Development