

April 30, 1998

Ms. Eileen S. Stommes
Deputy Administrator, USDA/AMS/TM/NOP
Rm. 4007 south, Ag Stop 0275
P.O. Box 96456
Washington, D.C. 20090-6456

Dear. Ms. Stommes:

The National Restaurant Association representing 33,000 member companies and over 200,000 individual restaurants is pleased to submit comments to USDA on the proposed rules regarding "National Organic Program" standards – Docket Number: TMD-94-00-2. Published in the federal register December 16, 1997, pages 65850 to 65914.

As consumer demand for "organic" foods has increased, the need for a clear national understanding of the term "organic" has become critical. Flexible and clear standards for the production and handling of "organic" agricultural products are important and vital to this growing sector of our economy. The role of restaurants in food consumption patterns is large and growing, and it is important that members of our industry clearly understand the meaning of the term "Organic" in their operation and when passing the information on to our customers.

The National Restaurant Association works in close cooperation with numerous regulatory agencies such as the FDA, USDA, EPA and FSIS to improve regulatory understanding within our industry. The National Restaurant Association also works closely with its membership and industry to advise and inform members on compliance issues and labeling requirements with various regulations. Restaurants menus are currently closely regulated by many State, local and federal agencies regarding the information they contain. While we are not looking for more complex regulations, we encourage and rely on the USDA to clearly define the term "organic" and its use.

In response to the proposed rule on the National Organic Program, we would like to address issues specific to the restaurant industry. One of the most pertinent sections of the proposed rule is Section 205.202(b)(2), which addresses a restaurant exemption from certification requirements. In this section, USDA proposes to exclude restaurants and other food service type establishments that process ready-to-eat organic agricultural products but which do not enclose the food in a container labeled as organic. We agree with USDA regarding this action and fully endorse restaurant exemption from the organic certification requirement. An additional certification requirement would provide no added benefit to the consumer or the restaurant at the retail level.

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Restaurant menus are currently highly regulated and we support the concept of truthful and honest information regarding menu item presentation. Consistent with this policy, we believe that there should be a clear information for those restaurants that may use the term “organic” on their menus. In other words, if a restaurant elects to use a term such as “Organically Grown Beef”, or “Organic Vegetables” on their menu, we believe that this should be provided for through this standard. We suggest a reasonable basis for the restaurant menu claim should be the simple purchase of an organically labeled product by the restaurant.

If you have any questions or need additional information please feel free to call us at (202) 973-5384.

Sincerely,

Steven Grover, R.E.H.S.
Vice President, Technical Services, Public Health and Safety