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From: Jerry Jongerius [jerryj@duckware.com]
Sent: Monday, September 20, 2010 1:31 PM
To: FCPS WATCHDOG GROUP (fcpswatchdog@stopterc.com)
Subject: FCPS WATCHDOG #8: FCPS is violating USDA Policy in the FCPS Lunch Menu

FCPS VIOLATION: FCPS is *mislabeled a highly processed chopped and formed chicken product (with extenders)* as "Chicken Nuggets" on the FCPS school lunch menus (example seen right), **which violates USDA Food Labeling policy.**

Lunch:
 Oven Baked Chicken Nuggets,
 Fresh Pizzeria Pizza,
 Scrumptious Golden Corn;
 Dinner Rolls;
 Chilled Fruit;
 Cold Milk

USDA Policy: The United States Department of Agriculture (USDA), Food Safety And Inspection Service division, publishes a "**Food Standards and Labeling Policy Book**". The stated purpose of this USDA policy book is to make sure that product labeling is "truthful and not misleading". According to [page 124 of this Policy Book](#), a product wanting to be labeled a "Nugget" must be labeled according to these rules (screen snapshot from the USDA policy book seen below right; my wording left):

▶ **Best:** Only products made from a *solid piece of poultry* may use the term "Chicken Nugget" *with no qualifications*.

▶ **Worse:** Nuggets made from *chopped and formed* chicken may use the term "Chicken Nuggets", provided that a qualifying statement, like "Chicken Nuggets, Chopped and Formed" is used.

▶ **Worst:** Nuggets made from *chopped and formed chicken and containing binders and/or extenders* may use "Nugget" *only as a fanciful name*, like "Breaded Nugget-Shaped Chicken Patties". *FCPS uses this last "Nugget" type.*

NUGGET LABELING:

Nuggets are irregularly shaped, usually bite-sized meat and/or poultry products which are usually breaded and deep fat fried and intended to be used as finger foods. There are a number of different types of nuggets, the labeling for which is:

- (1) Products made from a solid piece of meat or poultry may use the term "Nugget" as part of the product name without further qualification (e.g., "Chicken Nugget," "Beef Nugget").
- (2) Products made from chopped and formed meat or poultry may use the term "Nugget" as part of the product name, provided a qualifying statement describing such process is shown contiguous to the product name (e.g., "Chicken Nugget, Chopped and Formed" or "Beef Nugget, Chopped and Formed").
- (3) Products made from chopped meat or poultry and containing binders, extenders and/or water may use the term "Nugget" as a fanciful name, provided a descriptive name immediately follows "Species" or "Kind" nugget (e.g., "Breaded Nugget-Shaped Chicken Patties").
- (4) Products described in (1), (2), and (3) above which are breaded shall be labeled as "breaded" and shall be limited to 30 percent breading.

See: Policy Memo 088 dated May 23, 1985

What Tyson says: According to documents obtained from FCPS itself, FCPS uses Tyson "Chicken Nugget" products [3732-328](#) (label seen below right) and [3736-328](#), which Tyson calls in their [Child Nutrition document](#) a "Fully Cooked Home Style Breaded Chicken Chunks-CN, Chunk-Shaped Patties". **Notice that Tyson describes their product as "Chicken Chunks" and does not use "Chicken Nuggets".**

FCPS was notified and denies everything: FCPS was notified on September 17, 2010, in writing, that **FCPS was violating USDA policy** and specific questions were asked. I received a reply back later that day from a FCPS Executive Director, where none of my questions were answered, and that my 'comments and opinions' would be considered.



However, in a follow-up email two days later, this same Executive Director apparently changed his mind because he stated to a Board Member, "*the menu information on those products is in compliance*".

Funny how FCPS apparently 'knows best' and decides for itself that it is just fine to mislabel "Nugget-Shaped Chicken Patties" as "Chicken Nuggets" -- disagreeing with their supplier, Tyson, and the USDA. Just more FCPS "truthiness" ('what we say is the truth and it does not matter what anyone else says').

Ingredients: The ingredients label for 3736-328 can be seen right, and in the [Tyson Child Nutrition Summary](#) we discover what is actually in this product, and in what proportions:

67.2% - "Chicken" (*including fat/skin*)
 27.3% - Breeding (Enriched)
 3.5% - **Meat Alternates** (Dried Whole Egg)
 2.0% - Other (unspecified)

INGREDIENTS

Chicken, dried whole egg, water, seasoning (salt, onion powder, modified corn starch, natural flavor) and sodium phosphates.
 BREADED WITH: Enriched wheat flour (enriched with niacin, ferrous sulfate, thiamine mononitrate, riboflavin, folic acid), water, enriched bleached wheat flour (enriched with niacin, ferrous sulfate, thiamine mononitrate, riboflavin, folic acid), salt, modified corn starch, spices, dextrose, garlic powder, oleoresin paprika and annatto, xanthan gum and natural flavors. Breeding set in vegetable oil.

"Chicken"...Yum?: Notice the "Chicken" ingredient for this product does not disclose what *parts of the chicken* are used. Instead, according to the USDA "Chicken" means white&dark meat plus fat and skin. Notice that other 'prime' chicken nuggets instead use "*Chicken breast meat*".

► [YouTube: "Nugget experiment epic failure"](#)

Tyson does make a low-fat 'Nugget': It is more than interesting that Tyson *does* have a [low-fat Nugget-Shaped product](#) -- *with half the fat* -- that FCPS could use, but FCPS chooses not to do so. More investigation is needed, but the very likely reason is simple: money.

And in case you are wondering, yes, kids apparently still like the low-fat version, as it is part of Tyson's "Kid Tested, Kid Approved in K-12 public schools" product line. No wonder there is lower fat, as instead of "Chicken" on the ingredients label, we now see "*Chicken breast with rib meat*".

►► When will FCPS tell everyone the truth about the foods that it serves to our children?

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