



*James Lochner, Sr. Group Vice President Fresh Meats*

October 14, 2008

Dear Valued Customer:

Publication of the 2008 Mandatory Country of Origin Labeling (“mCOOL”) interim final rule in July left all industry segments - from producer to retailer - with little time to interpret and implement the least costly approach to compliance. Tyson Fresh Meats’ initial approach limited many of the high costs associated with segregating livestock and products. This approach, which involved offering the majority of our beef and pork cuts under the multi-country Category B label, achieved compliance and provided time for market and industry stakeholders to provide feedback.

Based on the input we have since received from government officials and various industry groups, we now believe this initial compliance approach will not be viable in the long-term. If we do not take measures to more fully meet the desires of mCOOL advocates and many lawmakers, and label a large percentage of retail, fresh meat cuts as a product of the U.S., it is likely some of the flexibility in the current regulations will be eliminated.

We are requesting your cooperation to work with us on this new plan to meet these expectations. Our approach will be to use the “U.S.” or Category A label on all of our premium beef programs beginning early 2009. Tyson premium programs would include such programs as those marketed under Certified Angus Beef® brand Natural, Star Ranch Natural Angus Beef™, Star Ranch Angus Beef™ in Choice and Select, and Chairman’s Reserve® brands. These premium programs already require separate labels and segregation in our plants, warehouses and, in most cases, at retail. This would achieve the goal of providing more U.S.-labeled beef cuts to the retail marketplace in categories that are most feasible and quickest to achieve.

Our next goal is to label substantially all beef and pork cuts from livestock born, raised and processed in the U.S. with the Category A label by the middle of 2009. We estimate around 90 percent of all of the fresh, retail beef and pork cuts produced in the U.S. would qualify for the Category A label. However, we expect to continue sourcing livestock that do not qualify for the Category A label. Products from these cattle and hogs will be labeled as Category B or C in the least cumbersome manner allowed by USDA. This timeframe should provide ample time for affected customers and livestock producers to adjust controls and records to effectively meet the lawmakers’ mCOOL expectations. Ground beef will be excluded from this new program.

Tyson is seeking ways to minimize the costs of implementing this new approach. For example, we are asking USDA to simplify the livestock identification process for producers. We have also talked to Congressional and USDA officials about market transparency to document

how mCOOL impacts livestock and wholesale meat values, and have asked USDA to expand price reporting to include these new livestock and product categories.

Increased costs will result from these changes. Ultimately, we believe these additional expenses will have to be passed on through higher finished product prices or reduced prices for livestock.

We welcome your feedback on this new approach and will work diligently to make these changes as smooth as possible for your company and business processes. Please direct any comments or questions to your Tyson Fresh Meats sales representative. Thank you for your business and continued support

Sincerely,

A handwritten signature in cursive script that reads "James Lochner". The signature is written in black ink and is positioned above the printed name and title.

James Lochner  
Senior Group Vice President  
Tyson Fresh Meats, Inc.