



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

October 14, 2008

Dear Tyson Fresh Meats Cattle Supplier:

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 members of Congress, 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 included 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 US 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 costs in implementing this new approach. For example, we are asking USDA to simplify the livestock identification process for producers (for

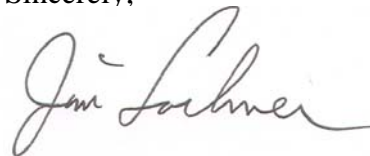
example, allowing producers to visually identify based on import brands). We have also talked to Congress and USDA about market transparency to document how mCOOL impacts livestock and wholesale meat values, and have asked USDA to expand price reporting to include these new livestock and product categories. We know that without information on price differences, if any, between Category A and Category B/C livestock and products, producers and packers cannot make informed decisions to efficiently run their respective businesses.

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.

In order to implement this new approach, we will ask our livestock suppliers to segregate all foreign-born livestock. If a producer chooses to produce and sell exclusively Category A or Category B livestock, then we will accept a continuous affidavit. If a producer chooses to produce and sell both Category A and Category B livestock, an affidavit for each load will be required unless the producer raises livestock in multiple locations and can designate specific feeding operations as raising exclusively Category A or B livestock.

We will work diligently to make these changes as smooth as possible for your company and business processes, and we encourage you to contact your local Tyson Fresh Meats buyer with any questions. Thank you for your business and continued support

Sincerely,

A handwritten signature in black ink, appearing to read "James V. Lochner". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

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