EXHIBIT 7

Expert Report of Professors Adam Feltz, Ph.D. and Silke Feltz, Ph.D.

I. Expert qualifications

A true and correct copy of the curriculum vitae for Professor Adam Feltz, is attached as Exhibit A, and a true and correct of the curriculum vitae for Professor Silke Feltz, is attached as Exhibit B. These outline our background, education, and professional experience.

Professor Adam Feltz

I attended the University of South Carolina from 1994 to 1998 where I received a Bachelor of Arts degree in Philosophy. I received my Master of Arts degree in Philosophy from Northern Illinois University in 2004, and I received my Doctor of Philosophy from Florida State University in 2008. After receiving my Ph.D., I was concurrently a visiting research scientist at the Max-Planck Institute for Human Development Center for Adaptive Behavior and Cognition from 2009 until 2012 and an assistant professor of philosophy and interdisciplinary studies (on the tenure track) at Schreiner University from 2008 until 2013. At Michigan Technological University, I served as assistant and then associate professor of psychology and applied ethics from 2013 until 2018. I am currently a Professor of Psychology at the University of Oklahoma where I supervise the Ethical Interaction Lab (https://ethicalinteraction.org/). I co-founded and have been co-managing director of RiskLiteracy.org, an organization that advances and promotes skilled and informed decision-making by helping people understand and evaluate risk and reward, since 2012.

I have spent my career analyzing and contributing to the body of work of psychology of informed decisions, risk literacy, philosophical judgment and intuition, applied ethics, and philosophy of mind. Throughout the years, I have often focused on consumer understanding, behavior, assumptions, and purchasing decisions. I have trained graduate students and post-doctoral fellows and taught them how to conduct research (formulate testable hypotheses, design experiments, analyze and interpret data), perform surveys and studies, and present their findings at professional meetings and publish their data.

I have over 80 publications including papers in peer-reviewed journals, reviews and book chapters, and a monograph and I regularly speak on decision-making, philosophical and ethical bias, and consumer choice regarding food and dietary choices. I am a member of the Editorial Board for both the Journal of Experimental Psychology: Applied, the PHAIR society's journal, as well as Politics and the Life Sciences.

Professor Silke Feltz

From 1995 until 2001, I attended the Otto-Friedrich Universität in Bamberg, Germany, where I graduated with a Master's degree in American Literature and a graduate pedagogy degree that would qualify me to teach English and German in Bavarian high schools (Erstes Staatsexamen). I then taught English Composition and German in a variety of institutions (Betton Hills Perparatory School, Kishwaukee Community College, Tallahassee Community College, Schreiner University) before returning to graduate school and pursuing a Ph.D. in Rhetoric, Theory & Culture at

Michigan Technological University. I graduated from Michigan Tech in 2019. I am currently an Assistant Teaching Professor at the University of Oklahoma.

My research focuses on the rhetoric of food. I have published on the rhetoric of food, predictors of food choices, consumer understanding of plant-based foods, and interventions that can be used to influence food choices.

II. Prior Deposition and Trial Testimony

We have more than 20 years of collective education and academic experience. We have been involved in one deposition (Dr. Adam Feltz was deposed in *Plant Based Foods Association v. Stitt*, No. CIV-20-938-F (W.D. Okla.)) but have not provided trial testimony.

III. Statement of Compensation

We performed the work in this matter, including conducting surveys, analyzing data, and preparing this report, pro bono. This pro bono arrangement is not contingent on the outcome of this litigation.

IV. Assignment and Materials Reviewed

We were asked to review current marketing and labeling of plant-based products, analyze existing research and literature about such practices, and conduct a series of studies focusing on whether plant-based meat labels are confusing to consumers and whether changing labeling conventions would decrease or increase consumer confusion about these products.

We reviewed the original and amended complaints, the law being challenged, numerous plant-based products' marketing material and labels, and the studies and

articles cited throughout this report. We understand that the State did not provide any studies, surveys, or other empirical evidence regarding these issues for us to review or analyze.

V. Summary of Opinion

The available body of work supports the view that currently consumers are not confused by plant-based terms used in conjunction with traditional animal-based terms (e.g., 'veggie chicken'). This view is consistent with the literature concerning general factors associated with consumer understanding of products along with specific studies about plant-based foods. There is little unique confusion associated with foods that employ plant-based terms. The current legal changes are very unlikely to increase consumer understanding of plant-based foods. If anything, the proposed legal changes are likely to decrease consumer understanding of plant-based products.

VI. Opinions

A. Background: consumer behavior and understanding, generally

There is substantial literature on consumers' use of food product labels. Generally speaking, consumers use product labels extensively when making buying decisions. Consumers are especially likely to use product labels in buying decisions if those labels present information on the front of the package, use minimal numerical information, include graphs and symbols, and use simple adjectives or other descriptors (for a review, see Campos, Doxey, & Hammond (2011)). These results have led some to claim that food product labels are often good sources of information for consumers and consumers can often use that information in buying decisions (Campos et al., 2011).

While consumers often accurately interpret and use product labels, consumers do not always use product information on labels or interpret that information correctly. There are various factors that are associated with whether a consumer uses and understands information on packaging. For example, many people have difficulty making quantitative comparisons between items using the term calorie. While many people understand that a calorie is a basic measure of energy, they have difficulty in comparing two different products in terms of calories or making conversion among different serving sizes. Generally, as the computational complexity of the task increases (e.g., conversions, comparisons, calories per 100g to calories per gram), consumer confusion increases (Cowburn & Stockley, 2005). There are also motivational and demographic variables that are related to the use and understanding of product or nutrition labels. For example, those who are more health conscious are more likely to use and understand nutritional labels than less health conscious and those who are more educated are more likely to understand information on product labels compared to those who are less educated (Hall & Osses, 2013; Hess et al., 2012).

Given this background, there is strong a priori reason to think that the same principles apply in the current context. That is, there is strong reason to think that consumers are not substantially confused by current product labeling practices because those product labeling practices use simple, descriptive terms that almost always appear on the front of the package. None of the terms under consideration here are complicated, involved comparisons of quantities, or otherwise involved

computationally complex tasks. Hence there is good theoretical reason that we should expect that consumers do not misunderstand current plant-based labeling conventions.

B. Previous empirical evidence regarding plant-based labeling conventions

There is a growing body of empirical work suggesting that many individuals understand relevant facts about plant-based foods. Or, if they are confused about some aspects, they are equally confused about those same aspects of animal-based food. This general pattern is consistent with the general tendencies that facilitate and hinder consumers' understanding reviewed above.

More specifically, previous empirical work suggests that consumers are not confused by current labeling conventions for plant-based 'dairy' products, which parallel those used for plant-based 'meat' products (e.g., "vegan mozzarella," "plant-based ham," "plant-based butter," "vegan sausage). Because the plant-based qualifier is supposed to be what causes confusion, we can directly apply the results to plant-based qualifiers and animal-based terms. For example, Feltz and Feltz (2019) conducted a study that tested whether (i) people could identify plant-based dairy products as being plant-based based on these naming conventions, and (ii) people could identify nutritional facts about plant-based dairy products. Participants were tested on a number of different dairy products including milk and cream cheese. People could accurately identify plant-based and animal-based dairy products between 74% and 88% of the time. There were no systematic differences in accuracy between plant-based and animal-based dairy products (i.e., people were roughly as good at identifying plant-based products as plant-based and animal-based products as animal-based). Moreover,

in these studies, people were generally just as good at identifying nutritional facts about plant-based products as they were at identifying nutritional facts about animal-based products.

Other works suggests that changing labels to omit traditional animal-based terms does not reduce consumer confusion about the products. For example, a study of animal-based beef and plant-based beef products found that changing the name from "plant-based burger patties" to "plant-based patties" did not reduce confusion about whether the product contained ground beef (DeMuth et al., 2023) in the United States. A separate study suggested that replacing 'cheese' with 'block' did not reduce confusion associated with plant-based cheeses in Turkey (Evirgen et al., 2024). Other work suggests that in some instances, changing the way plant-based products are labeled could actually lead to an increase in confusion and misunderstanding. For example, Gleckel (2020) tested current naming conventions concerning plant-based products against alternative naming conventions for those same plant-based products. In one set of materials, Gleckel asked participants about products described as 'plant-based beef burger' versus 'plant-based veggie patty,' 'plant-based deli slices: Bologna style' versus 'sandwich slices,' and 'cultured vegan butter' versus 'cultured vegan spread. After giving participants only one of these descriptions, he then asked a variety of questions about how those products taste and what the products could be used for. On average, consumers were no more likely to think that plant-based products come from an animal if the product names incorporate words traditionally associated with animal products than if they do not. In addition, people were less able to imagine what the 'plant-based

veggie patty,' or 'sandwich slices' would taste like compared to 'plant-based beef burger' or 'plant-based deli slices: Bologna style' and were less confident that 'cultured vegan spread' could be used on pasta or used on biscuits compared to 'cultured vegan butter'. Hence, these data suggest that changing naming conventions in these ways could actually lead to an increase in consumer confusion.

1. Survey 1: Whether current labels or naming conventions are confusing to consumers.

We conducted a study to estimate whether current labeling conventions were confusing to consumers. We conducted the study between January 29th and January 30th, 2025 from CloudResearch. Evidence suggests that CloudResearch can offer reliable data for studies while including demographics often under-represented in other common sampling approaches (e.g., undergraduate psychology subjects pools) (Douglas et al., 2023). We required that participants had IP addresses that originated in state of Texas and that their age was 18 or greater. We recruited a total of 144 participants for the study, with 47% self-reporting gender to be male and 53% female. The average age as 39.92, *SD* = 12.41, range = 19-81. All but one of the participants reported a state of residence being Texas (self-reported state of residence was Colorado). Only 4 participants had reCAPTCHA scores .5 or less indicating that perhaps they were bots (i.e., software that helps to automatically responds to online surveys). Patterns of results did not change as a function of these 5 participants, so we report results on the full data set. This sample size could detect a small overall effect of confusion (see power analysis below).

Given the purpose of the study was to determine whether participants could accurately respond to statements about plant-based products, we asked a series of questions that distinguish plant-based products from animal-based products. These questions were:

1. Is this product 100% plant-based?
2. Does this product contain any animal products?
3. Were any animals harmed making this product?
4. Were any animals used making this product?
5. Does this product contain animal meat?

Participants could respond by answering 'Yes' or 'No' to each question. Correct responses were coded as a 1 and incorrect responses were coded as a 0.

The stimulus materials were principal display panels from different plant-based and animal-based meat products. We selected six plant-based products (below). For contrast, we included four animal-based products because previous research suggested that some people cannot accurately identify some features of animal-based products. These animal-based products therefore give us a baseline of comparison for the plant-based product accuracy.

Plant-based Products

Animal-based Products

Survey 1 Conclusions:

Consumers are not confused by plant-based labels

Overall, consumers were not confused by plant-based labels used in this Study. Accuracy for all questions was greater than 90%. Reponses for each product and question are reported in Table 1.

Table 1. Percent of correctly answered questions for each product.

Product	Question	Percent Correct
Meatless		
	100% Plant-based	97
	Contains Animals	98
	Animals Harmed	97
	Animals Used to Make	97
	Contain Any Animals	98
Tofurky Chik'n		
	100% Plant-based	96
	Contains Animals	95
	Animals Harmed	95
	Animals Used to Make	95
	Contain Any Animals	95
Applegate		
	100% Plant-based	99
	Contains Animals	99
	Animals Harmed	93

	Animals Used to Make	99
	Contain Any Animals	99
Tofurky Roast		
	100% Plant-based	99
	Contains Animals	99
	Animals Harmed	97
	Animals Used to Make	97
	Contain Any Animals	97
Oscar Meyer Bacon		
	100% Plant-based	98
	Contains Animals	90
	Animals Harmed	99
	Animals Used to Make	99
	Contain Any Animals	97
Marketside		
	100% Plant-based	97
	Contains Animals	100
	Animals Harmed	89
	Animals Used to Make	99
	Contain Any Animals	99
Tofurky Sausage		
	100% Plant-based	96
	Contains Animals	94
	Animals Harmed	97
	Animals Used to Make	94
	Contain Any Animals	95

Hillshire Farms		
	100% Plant-based	97
	Contains Animals	98
	Animals Harmed	90
	Animals Used to Make	99
	Contain Any Animals	99
Upton Chorizo		
	100% Plant-based	92
	Contains Animals	91
	Animals Harmed	92
	Animals Used to Make	90
	Contain Any Animals	90
Tofurky Deli Slices		
	100% Plant-based	98
	Contains Animals	98
	Animals Harmed	97
	Animals Used to Make	98
	Contain Any Animals	98

The overall accuracy for the plant-based products was 96% (average number correct = 4.78, *SD* = 0.62) and the overall accuracy for the animal-based products was 97% (average number correct = 4.83, *SD* = 0.41) and were statistically indistinguishable from one another, F (1, 144) = 0.73, p = .39, η^2 = .005.

We conducted a power analysis to contextualize the lack of detectable effect even in the presence of numerical (although not significant) differences in accuracy. Our study was powered to reliably detect a small effect η^2 = .01 (sensitivity analysis with

power = .8, *alpha* = .05, *n* = 144, *two-tailed*). It is important to emphasize that this study was powered to detect an effect that is typically characterized as being small. That means that if there is a reliable effect of accuracy for animal-based ground-beef and the plant-based products that would be practically significant (e.g., impacts a practically significant number of people), we likely would have found that effect.

To summarize the results of this study, we do not find any compelling, systematic evidence indicating that consumers are more confused about plant-based products than animal-based products.

Study 2: Whether changing labeling conventions in accordance with the Texas law would increase or decrease consumer confusion.

We conducted a second study to measure whether changing plant-based product labels to be in compliance with the law would change consumer understanding related to those products. The goal of this study was to present participants with current principal panel displays of plant-based products. We also presented participants with principal panel displays that were altered to be in accordance with the law (i.e., with modifiers added to a "product name"). The study took place between January 29th and January 30th, 2025.

We recruited participants from CloudResearch. We required that participants had IP addresses that originated in state of Texas and that their age was 18 or greater. We recruited a total of 311 participants for the study, with 41% self-reporting gender to be male and 58% female. The average age as 40.12, *SD* = 13.66, range = 18-82. Six participants self-reported a state of residency other than Texas (Colorado, Ohio, Utah,

Virginia, Vermont, and Washington) No participant had reCAPTCHA scores .5 or less indicating that perhaps they were bots (i.e., software that helps to automatically responds to online surveys). Patterns of results did not change as a function of these 6 participants, so we report results on the full data set. This sample size could detect a small overall effect of confusion (see power analysis below).

We selected four plant-based products to present to participants: Tofurky Roast, Field Roast Sausages, Lightlife Bacon, and Beyond Meat Ground Beef. We randomly assigned one group of participants (N = 146) to receive the original principal display panels and another group of participants (N = 165) to receive the modified principal display panel. The modified principal display panel provided participants with the principal display panel that would arguably be consistent with the language of the law. Within each group, participants responded (in random order) to each of the 4 principal display panels in their set (i.e., original principal display panels or modified principal display panels for each of Tofurky Roast, Field Roast Sausages, Lightlife Bacon, and Beyond Meat Ground Beef). We also provide all participants with an animal-based product similar to the plant-based product (e.g., Oscar Meyer Bacon along with Lightlife Bacon). This would provide an additional check to see if participants were more confused by plant-based labeling compared to labels for animal products. We then asked participants to respond to five 'yes/no' questions to measure if they were accurately identifying the products as plant-based. These questions were:

1. Is this product 100% plant-based?

2. Does this product contain any animal products?
3. Were any animals harmed making this product?
4. Were any animals used making this product?
5. Does this product contain animal meat?

Participants received the following images of the principal display panels. The original label (left), the modified plant-based label (middle), and the animal-based product (right).

Tofurky Roast

Field Roast Sausages

Lightlife Bacon

Beyond Meat Ground Beef

Survey 2 Conclusions:

Changing labels in accordance with Texas's law does not increase consumer understanding; if anything, it makes consumer understanding worse.

Again, raw scores for the total number of correct responses indicated that participants in this Texas state specific sample were generally very good at correctly answering the questions given the principal display panels of the products ranging (greater than 90%). There were also no measurable differences indicating that modifying the labels would decrease consumer confusion about those products. In fact, in the one instance where we found a reliable difference, modifying the labels in a way that seems consistent with the law generated substantially more confusion than the original label. Table 2 provides the data for each question and plant-based product as a function of the original and modified label. The odds ratios in the table were set up so that an odds ratio greater than one indicated that the label decreased confusion whereas an odds ratio less than 1 indicated that the modification increased confusion. However, to reiterate, the only reliable (i.e., statistically significant) difference we found was an increase in confusion for Beyond Meat Ground Beef when the label was modified. The difference with the two Beyond Meat labels would survive corrections for multiple comparisons (0.05/ 20 = 0.0025)

Table 2: Total correct responses and percent correct for the plant-based products as a function of original or modified labels.

Product	Question	Original	Modified	X^2	p	OR
Tofurky Roast						
	100% Plant-based	94	96	0.64	0.43	1.55
	Contains Animals	98	98	0.03	0.87	1.14
	Animals Harmed	97	96	0.50	0.48	0.64
	Animals Used to Make	97	96	0.19	0.66	0.75
	Contain Any Animals	99	98	0.44	0.51	0.56
Field Roast						
	100% Plant-based	93	91	0.52	0.47	0.74
	Contains Animals	93	92	0.12	0.73	0.86
	Animals Harmed	94	90	1.30	0.25	0.61
	Animals Used to Make	94	92	0.34	0.56	0.77
	Contain Any Animals	95	92	1.06	0.30	0.63
Lightlife						
	100% Plant-based	95	96	0.07	0.79	1.15
	Contains Animals	96	99	2.66	0.10	3.54
	Animals Harmed	96	96	0.01	0.97	0.98
	Animals Used to Make	96	99	2.66	0.1	3.54
	Contain Any Animals	97	98	0.83	0.36	1.94
Beyond Meat						
	100% Plant-based	89	21	142.86	< .01	0.03
	Contains Animals	90	21	146.89	< .01	0.03
	Animals Harmed	90	27	125.89	< .01	0.04
	Animals Used to Make	90	20	150.90	< .01	0.03
	Contain Any Animals	90	20	151.47	< .01	0.03

We conducted a power analysis to contextualize the lack of detectable effects reported in Table 2 even in the presence of numerical (although not significant) differences in accuracy. Our study was powered to reliably detect a small effect Cohen's h = 0.31 (sensitivity analysis with *power* = .8, *alpha* = .05, n_1 = 146, n_2 = 165, *two-tailed*), equal to a small effect in terms of odds ratios (= 1.75).

While it was not the main goal of this study, we also asked participants to answer the same questions (1-5) about animal-based products. For ease of presentation, we calculated the total number of correctly answered questions. We then performed a paired-samples t-test comparing the original plant-based product labels to the labels of animal products. Results are reported in Table 3.

Table 3. Total number of correct responses between original label for plant0based products and labels for animal-based products.

Product	**Mean**	***SD***	***t***	***p***	***d***
Beyond Meat	4.48	1.4	2.04	0.04	0.17
Marketside	4.76	0.66			
Lightlife	4.79	0.87	0.48	0.63	0.04
Oscar Meyer	4.83	0.53			
Tofurky Roast	4.85	0.64	0.99	0.32	0.08
Butterball	4.77	0.74			
Field Roast	4.68	1.10	0.96	0.33	0.08
Premio	4.81	0.51			

None of the results reported in Table 3 would be considered conventionally significant after controlling for multiple comparisons (i.e., a Bonferroni corrected critical p-value would be 0.13 (.05 / 4 comparisons). Also, the overall effect sizes were small and boarding on trivial and not likely to be practically important (all less than a *Cohen's d* of 0.17).

In summary, the results of this study are consistent with the results of study above and with the general literature on factors relevant to consumers' understanding of product labels. Modifying these labels did not have any measurable effect on

consumer's already very good understanding based on the principal display panels. Moreover, the accuracy of this Texas-specific sample was on par with accuracy we see in national samples. Finally, consumers' understanding based on the original principal display panels for the plant-based products was not measurably worse than consumers' understanding of animal-based meat products. Hence, changing the labels in the way dictated by the law would make no difference to consumers' understanding or, if anything, would make their understanding worse.

VII. Conclusion

In summary, we feel that that the current body of theory and evidence supports that claim that there is not substantial confusion involving plant-based products that use traditional animal-based terms like (but not limited to) 'burger', 'chicken', 'sausage', and 'ground beef'. These terms appear not to mislead consumers and are not likely to mislead consumers in the future, especially as more and more people become familiar with plant-based products.

While the exact causal mechanism that is responsible for consumers being able to understand and integrate plant-based labeling information is currently unknown, there is reason to think that the same mechanisms that are operative in non-plant based products operate here. For example, information that is simple, non-quantitative, and on the front of the labels are likely to be used and understood by consumers. Almost all the terms that used for plant-based products fall into these categories. For example, almost all plant-based products use terms such as "vegan burgers" or "plant-based chicken" or "veggie sausage" on the front of the packaging. So, simply changing

naming conventions is not likely to increase consumer understanding, and our studies provide additional support for that view. Changing the labels did not measurably change consumers' already very good understanding of those products.

We see little scientific reason to change the way these companies label their products. Indeed, the pattern of results concerning the use and understanding of plant-based labels is what we would expect (and what we have seen in empirical testing of those claims) from the current body of research about how people use product labels generally. Hence, our recommendation is not to change the labeling conventions. In our final opinion, changing the naming conventions about plant-based meat products—such as to prohibit use of common meat terms on plant-based foods—will at best do nothing to improve consumer understanding, and at worse will actually increase consumer misunderstanding leading even less informed buying decisions.

Dr. Adam Feltz

Dr. Silke Feltz

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