

USDA issues interim final Mandatory Country of Origin Labeling (COOL) rule

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The U.S. Department of Agriculture has issued an interim final rule for the mandatory country-of-origin labeling (COOL) program that will take effect Sept. 30.

In releasing the interim final rule, USDA also is requesting and accepting additional comments on COOL for 60 days from the date of publication of the interim final rule in the Federal Register. This means the final rule could differ from the interim rule.

The rule covers muscle cuts and ground beef (including veal), lamb, chicken, goat and pork; perishable agricultural commodities such as fresh and frozen fruits and vegetables; macadamia nuts; pecans; ginseng; and peanuts. USDA implemented the COOL program for fish and shellfish covered commodities in October 2004.

Commodities covered under COOL must be labeled at the retail level to indicate their country of origin. They are excluded from mandatory COOL, however, if they are an ingredient in a processed food item. Covered commodities produced or packaged before Sept. 30, 2008, will not be subject to the law. The rule sets the following label categories for pork, beef, lamb and goat meat:

- Meat may be labeled a product of the U.S. only if the animal from which it was derived was "born, raised and slaughtered" in the United States.
- Meat from animals born in another country but raised and slaughtered in the United States, such as Canadian feeder pigs, can be labeled products of the U.S. *and/or* the other country.
- Meat from animals born, raised and slaughtered outside the United States must be labeled as a product of the foreign country from which it came.
- Meat from animals born, raised and/or slaughtered in more than one country – other than the United States – may be labeled with a list of those countries.

The National Pork Producers Council lobbied to get the different label categories included in the Farm Bill.

Animals in the United States on or before July 1, 2008, are considered "of U.S. origin." And processed products, such as sausage or hamburger, can be labeled with a list of countries or possible countries from which they were derived.

The regulation reduces the recordkeeping retention requirements for suppliers and centrally located retail records to one year and removes the requirement to maintain records at the retail store. The law provides for penalties of up to \$1,000 per violation for suppliers and retailers found in violation of the law.

For pork producers, the rule allows existing records, such as normal business records, animal health papers and import or customs documents, to be used to verify an animal's country of origin. Food service establishments, such as restaurants, lunchrooms, cafeterias, food stands, bars, lounges, and similar enterprises, are exempt from the mandatory COOL requirements.

USDA plans to conduct education and outreach activities during the six months following the rule's effective date to help the industry comply with the law.

NPPC worked to get needed changes to the labeling law included in the 2008 Farm Bill. The labeling law was first approved as part of the 2002 Farm Bill but implementation was delayed twice because of objections raised by NPPC and other livestock organizations.

