

WORC

Western Organization of Resource Councils

September 16, 2008

**Country of Origin Labeling Program
Room 2607-S
Agricultural Marketing Service (AMS)
USDA
STOP 0254
1400 Independence Avenue, SW
Washington, DC 20250-0254**

**Desk Officer for Agriculture
Office of Information and Regulatory Affairs
Office of Management and Budget (OMB)
New Executive Office Building,
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Washington, DC 20503**

Comments from the Western Organization of Resource Councils (WORC) for consideration regarding Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng, and Macadamia Nuts; Interim Final Rule.

The Western Organization of Resource Councils (WORC) is submitting comments on the Agricultural Marketing Service's (AMS) request for comment as published in the Federal Register August 1, 2008 for the Interim final rule with request for comments, Docket No. AMS-LS-07-0081.

WORC is a regional network of seven grassroots community organizations that include 10,000 members and 44 local chapters. WORC represents farmers, ranchers, and consumers in Colorado, Idaho, Montana, North Dakota, Oregon, South Dakota, and Wyoming. WORC has a long history of supporting family agriculture and fair, open markets. We appreciate the opportunity to comment on this Interim Final Rule for Mandatory Country of Origin Labeling.

WORC supports the Mandatory Country-of-Origin Labeling as passed in the 2008 Farm Bill and looks forward to its implementation on September 30, 2008.

In addition, WORC supports the rules that require labeling for Beef, Lamb and Pork, Goat and poultry labeling requiring:

- A product be labeled as a product of the U.S. if the commodity was exclusively born, raised and slaughtered in the U.S. or was born and raised exclusively in Hawaii or Alaska and transported through Canada for 60 days or fewer.
- Products from animals that were not exclusively born, raised and slaughtered in the U.S. and not imported into the U.S. for immediate slaughter must be labeled with all the countries in which the animal may have been born, raised or slaughtered.

- An animal that was imported for immediate slaughter may be labeled as a product of importing country and the U.S.
- Animals that were born, raised and slaughtered in a foreign country will be labeled as a product of the country of origin.
- Ground products must label all the countries of origin of the product and all reasonable possible countries of origin.

However, a loophole in the rules would allow meatpackers to bypass this label by allowing a label of “multiple origin” to be used on muscle cuts of meat. Muscle cuts are not mixed product or mixed meat. Therefore, either the origin is known or it is unknown. Under the intent of the Country-of-Origin law there is no option for unknown country of origin in muscle cuts. The packers know from which country the meat was born, raised and slaughtered. By allowing a multiple country label for muscle cuts, there is no incentive for packers to label the specific country and opens the door for a label that includes all the possible countries they slaughtered meat from that day, dismissing any responsibility to tell consumers what they want and deserve to know—where their food comes from.

In regard to verification and record keeping, WORC supports rules that allow a person subject to an audit to verify the origin of a product using records maintained in the course of the normal conduct of the business including animal health papers, import or customs document of producer affidavits. USDA may not require such a person to keep records other than those maintained in the normal course of business.

Through this published rule, USDA attempts to clarify the definitions of “processed foods” by giving specific examples and definitions. However, these definitions are entirely too broad to meet the purposes of the Country-of-Origin Labeling law. Food producers and consumers expect common sense implementation of this definition and this is sorely lacking in the definition laid forth in the rule.

In a society of prepared foods on the grocery shelves to help households make faster and easier meals, this definition and exemption of processed foods virtually excludes the country of origin label for a majority of grocery items on the average shoppers list. WORC would argue that processing prepared meat to include frying, broiling, grilling, boiling, steaming, baking, roasting, curing, salt curing, sugar curing, drying, and smoking does not constitute a “change in character to the covered commodity.”

By exempting foods that are simply salted or cured through common practice for retail, USDA is exempting a significant number of foods that consumers would expect to be labeled through this program. Furthermore, if two or more covered commodities are mixed in some way, the Rule considers this processed. WORC would argue that if all of the ingredients of the food product are covered commodities, it is not a hardship for the processor to include those origins on that label. It would only enhance the public’s ability to know and understand where their product was grown.

This broad definition not only cheats the consumer from knowing where these common products come from, it also keeps the U.S. producer from showcasing these significant products such as ham, bacon, precooked roasts and salted peanuts as “products of the U.S.A.

At a time that Americans are called to patriotism, this broad exemption takes away our ability to express that patriotism through our choice to buy U.S. products and support U.S. food producers.

The law should exempt animals already in the U.S. on July 15, 2008 in order to clarify timeframes for products produced prior to the implementation date to clear channels of commerce.

WORC urges AMS and USDA to implement mandatory Country-of-Origin Labeling as soon as possible. Country-of-Origin Labeling has been postponed too long. It is time USDA serves its consumers and ranchers by making corrections to the Interim Final Rule that are useful to producers and consumers as the spirit of the law has intended.

Sincerely,

Mabel Dobbs
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