



May 24, 2007

The Honorable Rosa DeLauro
U.S. House of Representatives
2262 Rayburn House Office Building
Washington, DC 20515

The Honorable Herb Kohl
U.S. Senate
330 Hart Senate Office Building
Washington, DC 20510

Re: Country of Origin Labeling

Dear Representative DeLauro and Senator Kohl:

It has come to my attention that you received a letter, dated May 21, 2007, from a number of groups who are proponents of country-of-origin labeling. That letter wrongly calls into question the safety of our nation's meat and poultry supply and the safety of imported meat and poultry products. The claims made in that letter are irresponsible at worst and at best misleading – with respect to the handling and inspection of imported meat products. To assert that any country-of-origin labeling regime would have an impact on food safety or the integrity of a food product is absurd.

The United States Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS), the federal agency with jurisdiction over meat and poultry products, regulations require that meat products offered for entry into the United States from any foreign country undergo reinspection at an official establishment or an official import inspection establishment (9 CFR 327.6 (meat) and 9 CFR 381.199 (poultry)) before being allowed to enter the country. It is well known that 100 percent of all meat and poultry products imported into the U.S. are subject to reinspection and every box of product is recorded and accounted for by USDA.¹

Currently, there are 34 countries eligible to ship meat products to the United States and each of those countries food safety inspection systems must be certified by USDA to be equivalent to the federal food safety inspection system in the U.S. Plants shipping product to the U.S. from those countries' must meet the same food safety requirements as are met in domestic

¹ The May 21 letter incorrectly leaves the impression that the Food and Drug Administration has jurisdiction over imported meat and poultry.

federally inspected plants. Annually, USDA certifies that these countries' food safety inspection systems are equivalent to the U.S. and foreign plants are subject to random inspection from USDA. In fact, a plant or country can be de-listed and made ineligible to ship product to the U.S. if they are out of compliance with our strict standards.

Significantly, a large percentage of imported meat products are further processed in federally inspected U.S. plants. Thus, imported meat products are produced in countries with equivalent food safety standards, come from plants that have met the food safety standards applicable to domestic plants, are subject to reinspection at an import inspection establishment and much of the time are inspected again when incorporated into products processed at domestic federally inspected plants.

Unfortunately, some groups have public policy positions supporting mandatory country-of-origin labeling for red meat that are solely for the purpose of erecting trade barriers, especially directed at Canada and Mexico -- our two largest export markets for red meat. These groups have, for too long, been mischaracterizing the mandatory labeling requirements that currently exist in this country. And, now they are raising bogus and irresponsible food safety arguments to further their protectionist agenda.

As the citation below demonstrates, FSIS has had, for many years, mandatory country-of-origin labeling requirements for red meat that enters the U.S.

9 CFR - Animals and Animal Products

PART 327 — IMPORTED PRODUCTS

§ 327.14 Marking of products and labeling of immediate containers thereof for importation.

(a) Product which is offered for importation, and which is susceptible of marking, shall, whether or not enclosed in an immediate container, bear the name of the country of origin, preceded by the words "product of"; the establishment number assigned by the foreign meat inspection system and certified to the Program; and such other markings as are necessary for compliance with part 316 of this subchapter. When such markings are imprints of stamps or brands made with branding ink, such ink shall be harmless and shall create permanent imprints. In case the name of the country of origin appears as part of an official mark of the national foreign government and such name is prominently and legibly displayed, the words "product of" may be omitted.

(b) In addition to the marking of products required under paragraph (a) of this section, the immediate container of any product offered for importation:

(1) Shall bear a label showing in accordance with §317.2 of this subchapter all information required by that section (except that the establishment number assigned by the foreign meat inspection system and certified to the Program and the official inspection mark of the foreign meat inspection system shall be shown instead of the official inspection legend of the United States) and in addition the name of the country of origin preceded by the words "product of," immediately under the name or descriptive designation of the product as required by §317.2: *Provided*, That such establishment number may be omitted from a label lithographed directly on a can if said number is lithographed or embossed elsewhere on the can;

Moreover, the May 21 letter you received calling into question the safety of imported meat products, which asks for you to implement an unnecessary, ill-conceived, WTO and NAFTA non-compliant provision included in the 2002 Farm Bill, is signed by groups that believe mandatory country-of-origin labeling is appropriate for some food products but not all (e.g., poultry and processed products are exempt), and only for food products sold at retail but not for the same products sold in restaurants. If mandatory county-of-origin labeling were truly a food safety issue, should not all food products be covered throughout commerce?

I respectfully request that your committees continue to fund fully the Food Safety Inspection Service so that agency can continue to carry out its duties for inspecting both domestic and foreign meat and poultry products. The public expects no less. I would also request that you continue to fund important food safety initiatives to help eradicate *E. coli* O157:H7, *Listeria monocytogenes* and *Salmonella*. Finally, I ask you to reject the calls for implementing the trade barriers passed in the 2002 Farm Bill under the auspices of country-of-origin labeling and allow the authorizing committees to work on labeling requirements that are beneficial to consumers and meet our obligations under the WTO and NAFTA.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Patrick Boyle". The signature is fluid and cursive, with the first name "J." and last name "Boyle" clearly distinguishable.

J. Patrick Boyle
President & CEO
American Meat Institute

cc: House Committee on Agriculture
House Committee on Appropriations
Senate Committee on Agriculture, Nutrition, and Forestry
Senate Committee on Appropriations