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United States Senate

September 9, 2008

The Honorable Ed Schafer
Secretary of Agriculture
United States Department of Agriculture
1400 Independence Avenue, SW.
Washington, D.C. 20250-0254

RE: Docket No. AMS-LS-07-0081, Interim Final Rule for Mandatory Country-of-Origin Labeling

Dear Mr. Schafer:

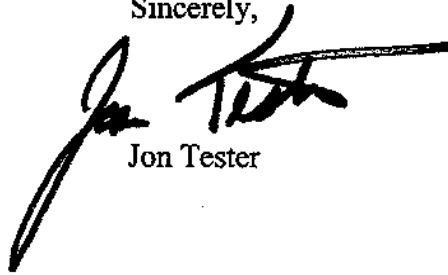
I am writing to express concern about the provisions in the Interim Final Rule for mandatory country-of-origin labeling (Docket No. AMS-LS-07-0081) that allow for meat products exclusively born, raised and slaughtered in the United States to be labeled with multiple country-of-origin labels (§65.300). The intent of country-of-origin (COOL) labeling is to provide consumers with as much information as possible about the source of their food as well as to create new marketing opportunities for domestic producers. Failure to accurately state the origin of meat products diminishes consumer choice and producer benefits and strays from the intent of the law.

Under Sec. 10003 of the 2008 Farm Bill, multiple county-of-origin labels were reserved for meat products that were *not* exclusively born, raised or slaughtered in the United States, or for ground meat products. However, under the Interim Final Rule, labeling of muscle cuts becomes an option, not a requirement for the meat packing companies. Under these rules meatpackers will be encouraged to choose their cheapest and easiest option: labeling products with multiple countries of origin. This gives consumers the impression that there is no domestically born, raised and slaughtered livestock and denies our American livestock producers the opportunity to focus on promoting U.S. beef, lamb, pork, chicken or goat meat.

With the livestock industry becoming more and more consolidated under the control of a handful of companies, this possibility of generic labeling should be alarming to both the USDA and American consumers. I understand that these rules have been developed to be the least restrictive to business; however, the priority should be adequate and accurate labeling and consumer choice. Mandatory labeling should not be a choice for meat packers—it should create choices for consumers. The costs of physically separating meat in the process chain and accurately labeling products are minor in comparison to the gains achieved by strengthening consumer information and creating additional marketing opportunities to United States livestock producers.

I would like to thank the Department for the prompt action in developing these interim rules and for working with livestock producers to create acceptable affidavits to verify animal origin. American consumers and livestock produces have been waiting six years since the 2002 Farm Bill first passed COOL for this program to take effect. I believe that with a simple correction of the provisions regarding multiple country labels being placed on exclusively domestic meat, COOL can finally meet the wishes of the American public. Thank you for consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Tester", with a long horizontal stroke extending to the right.

Jon Tester

Cc:

Erin Morris, Associate Deputy Administrator, Poultry Programs, AMS, USDA
Country of Origin Labeling Program, Agricultural Marketing Service, USDA