

United States Senate

WASHINGTON, DC 20510

February 3, 2009

The Honorable Tom Vilsack, Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Vilsack:

We are pleased that your Department is reviewing the final regulations for country of origin labeling (COOL) published in the Federal Register on January 15. We write to highlight our concern with loopholes granted in this rule, which allow meatpackers to put a multiple country of origin label on products that are exclusively U.S. products as well as those that are foreign. The USDA regulations defeat the primary purpose of COOL – providing clear, accurate and truthful information to American consumers.

The 2008 Farm Bill set clear parameters for when the multiple country label could be used. The first parameter clearly states that the multiple country label applies to products that are not exclusively born, raised, and slaughtered in the U.S. Unfortunately, the USDA chose to expand the definition and allow meatpackers to use the multiple country label for:

- muscle cuts exclusively born, raised, and slaughtered in the U.S. that are processed by a facility on the same day as foreign products, and
- ground meat so long as the facility processed some meat from the U.S. within the past 60 days.

These loopholes essentially allow processors to label every product - including exclusively U.S. products and entirely foreign products - under the multiple country category. If we are just creating a system to label all products as multiple country origin, there is no value in COOL and no benefit to the consumer.

We hope that you will revise the rule to close these loopholes and look forward to working with you to implement an effective COOL program.

Sincerely,



Byron L. Dorgan
United States Senator


Russell D. Feingold
United States Senator

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Kent Conrad
United States Senator



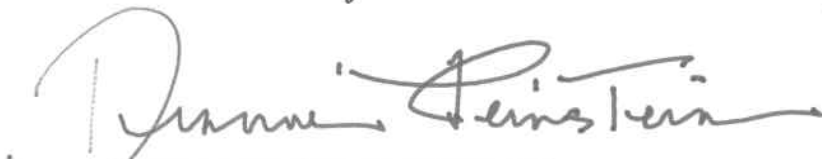
Amy Klobuchar
United States Senator



Ron Wyden
United States Senator



Jon Tester
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Dianne Feinstein
United States Senator