

# WESTERN AG REPORTER

Section 2

All The News A Busy Rancher Has Time To Read.

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## Labeling Limbo: Product of the USA or Product of Timbuktu?

by Mayzie Purviance

Country of Origin Labeling (COOL) has been a widely debated topic over the past few years, and it seems as if many consumers want to know if their beef is a product of cattle that are, to quote the great Bruce Springsteen, “Born in the USA.”

Although some agricultural organizations do not support COOL, the U.S. Cattleman’s Association (USCA) publicly advocates for consumers to know whether their beef is born, raised, and slaughtered in the USA. So much so, that in October 2019, USCA filed a petition with the United States Department of Agriculture’s (USDA) Food Safety and Inspection Service (FSIS) for the Imposition of Beef Labeling Requirements: To Address “Made in USA” or “Product of USA” claims.

After many months of hope, FSIS responded and acknowledged USCA’s petition.

FSIS stated in their response that the agency “concluded that its current labeling policy, which permits meat and poultry products that were derived from animals that may have

been born, raised, and slaughtered in another country but processed in the United States to be labeled as ‘Product of USA,’ may be causing confusion in the marketplace, particularly with respect to certain imported meat products. Therefore, FSIS has decided to initiate rulemaking to define the conditions under which the labeling of meat products would be permitted to bear voluntary statements that indicate that the product is of U.S. origin, such as ‘Product of USA’ or ‘Made in the USA.’ As discussed below, we intend to propose that such labeling be limited to meat products derived from livestock that were slaughtered and



processed in the United States.”

In recent years, the Federal Meat Inspection Act (FMIA) followed the protocol that meat products from cattle or other amenable species “shall, upon entry into the United States, be deemed and treated as domestic articles subject to the other provisions of [the FMIA] and the Federal Food, Drug, and Cosmetic Act: Provided, That they shall be marked and labeled as required by such regulations for imported articles...”

This meant that all cattle or amenable species that were imported to the U.S. were treated as “products of the U.S.”

without actually being raised on American soil. Which, according to many opposing producers and consumers, isn’t exactly truthful.

Upon receiving public comments on the matter at hand and carefully reviewing the official filing of the USCA’s petition, FSIS concluded “that permitting imported meat products that are further processed in a federally-inspected establishment to be labeled ‘Product of USA’ may be misleading to consumers and may not meet consumer expectations of what ‘Product of USA’ signifies. FSIS also agrees that to address these issues, the Agency needs to establish clear parameters that prescribe which meat product may voluntarily be labeled with U.S. origin statements, such as ‘Product of USA’ or ‘Made in the USA.’”

However, FSIS also reviewed comments which did not support the USCA petition. After considering both sides of the argument,

FSIS decided to initiate rulemaking to limit “Product of USA” and certain other voluntary U.S. origin statements to the labeling of meat products from livestock that were slaughtered and processed in the United States, in hopes to create labels which are not misleading.

However, USCA proposed that FSIS revise their Policy Book on labeling — a task which FSIS will forgo. Instead, FSIS decided to initiate rulemaking to address labeling concerns.

# Congress Will Need to Step in To Clarify USA Label Concerns

*USCA Petition cont. from pg. 13*

“FSIS believes that the rulemaking process will allow the Agency to develop a U.S. origin labeling policy that addresses the diverse issues raised by the public comments in a manner that is consistent with the FMIA,” their official response to USCA read.

USCA said while FSIS has acknowledged the problem of current consumer confusion in the marketplace, it is clear

now that Congress will need to step in to fix the current labeling problem. USCA remains disappointed that an accurate and truthful origin definition was not achieved through Congress in 2015, however, efforts are underway to secure this needed language through legislation.

“The second round of rulemaking will effectively take producers out of the equation when it comes to the labeling

of U.S. beef products as FSIS will look to redefine the term ‘origin,’ to instead refer to the packing house or processing facility, rather than the ranch,” a USCA statement read. “The true origin of any beef product is with the producer, and USCA will continue to work with Congress on a path forward to ensure this information is acknowledged and communicated effectively to the consumer.”