

COOL: It's Finally Here. Now What?

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Country-of-origin labeling (COOL), which became law in the 2002 Farm Bill, is finally here. As of Sept. 30, retailers must provide labeling on all covered commodities. Covered commodities include muscle cuts and ground meat from beef, lamb, chicken, goat and pork; wild and farm-raised fish and shellfish; fresh and frozen fruits and vegetables; raw peanuts; pecans and macadamia nuts; and ginseng. These items are exempt from COOL when sold through foodservice establishments such as hospitals, restaurants, etc.

Retailers should label products with the country of origin. They, in turn, pass requirements down the supply chain of packers, feeders, stocker operators and, finally, cow-calf producers to provide records to prove the country of origin.

You can prove the origin of your cattle through documents used “in the normal course of business” — herd and calving records, vaccinations and vaccine purchases, and feed purchases. Document the size and composition of your herd as of July 15, 2008, because you may be selling brood animals grandfathered in on this date for several years to come. Also, request affidavits on purchased animals entering your operation.

When cattle are marketed through an auction market, the market must have records (affidavits signed by the sellers) attesting to the country of origin for all cattle sold. The affidavit must be signed by the individual with firsthand “knowledge of the origin of the livestock” being sold. It cannot be signed by truckers or transporters.

Many auction markets use a Continuous Country of Origin Affidavit, which covers all cattle sold by that individual until further notice. The market will then provide buyers with an Origin Declaration for livestock purchased, based on the affidavits provided by the sellers to the market.

If you sell cattle direct from your operation, provide a signed affidavit attesting to the origin of the cattle. If you buy cattle direct from farms, have affidavits for your suppliers to sign on each load of cattle you purchase, because you will need to provide that information to your buyer.

If you are a backgrounding/stocker operator, keep a record of the seller and/or sale date and location by requesting affidavits documenting such information. Provide affidavits on animals sold. Keep a record of the buyer and/or sale date and location of animals sold. Commingled groups of animals with the same country of origin do not need to be individually tracked as long as your records prove a balance between total purchases and sales for the group.

If you have animals from multiple countries of origin, segregate the animals by origin and have supporting records unless the animals are individually identified.

The affidavits that have been mentioned have not been provided by USDA. Instead, representatives from industry and related organizations developed the documents to provide the origin claims along the supply chain. The affidavits/declarations they developed are online at www.lmaweb.com.

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The USDA considers the first six months after Sept. 30, 2008, a period of education rather than enforcement. Products produced before Sept. 30, 2008, are exempted, and animals in the United States on July 15, 2008, are considered of U.S. origin.

Also, individual identification of animals through a National Animal Identification System (NAIS) or other official identification system, such as the systems of Canada and Mexico, can be used to prove country of origin.

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