

July 28, 2015

The Honorable Pat Roberts
Chairman, Senate Agriculture Committee
328A Russell Senate Office Building
Washington, DC 20510

The Honorable Debbie Stabenow
Ranking Member, Senate Agriculture Committee
328A Russell Senate Office Building
Washington, DC 20510

Dear Chairman Roberts and Ranking Member Stabenow:

The undersigned 142 farm, ranch, rural, faith, environmental, farmworker, manufacturing and consumer organizations respectfully urge you to reject both efforts to repeal the mandatory Country-of-Origin Labeling (COOL) law and any attempts to convert the COOL law into a voluntary program. Instead, we urge you to defend consumers' right to know where their food comes from and the ability of farmers and ranchers to proudly identify their livestock as born and raised in America.

Today, consumers want to know more about the food they are feeding their families and farmers want to share that information. The overwhelming majority of consumers and farmers support the current mandatory COOL labeling law, with more than nine out of ten Americans supporting COOL.

Although the World Trade Organization (WTO) Appellate Body has issued its decision on COOL, the United States has a sovereign right to allow the dispute process to proceed to its completion, which is months away, and then decide how and whether to implement the adverse ruling. Our organizations remain steadfast in opposing any efforts to undermine or weaken mandatory COOL, including outright repeal or by making COOL a voluntary program.

It is premature for Congress to unilaterally surrender to saber-rattling from our trading partners in the midst of a long-standing dispute. COOL opponents have highlighted Mexico and Canada's threats of retaliation as if their aspiration to seek billions of dollars in penalties were already approved by the WTO. But these unapproved, unrealistically high retaliation claims are merely aggressive litigation tactics designed to frighten the United States — a standard practice in WTO disputes. Congress should not fall for it.

The WTO can only authorize penalties based on the extent to which COOL caused a reduction in the volume and price of livestock imports. But the economic recession was the driving factor behind declining livestock imports, not the application of a simple label. Cattle imports are higher today than when COOL went into effect and hog imports are rapidly rebounding, even with COOL in place. This straightforward logic is buttressed by a recent economic report from Auburn University that demonstrates that COOL has not impacted the livestock trade and that any harm to our trading partners has in fact been negligible at most.

Moreover, retaliation is only relevant if the United States, Canada and Mexico cannot reach an agreement after the parties have undergone the full WTO arbitration process. In past WTO disputes that the United States has lost, the United States has waited for the process to conclude and then has successfully avoided WTO-authorized trade sanctions by negotiating a settlement with the other country in the dispute. Despite this successful track record, the House passed a measure to repeal COOL for beef, pork, ground meats and chicken in June – the first time Congress has acted to change a U.S. law *before* the completion of a WTO dispute process.

Additionally, the House-passed COOL repeal legislation is particularly extreme in that it would roll back commonsense labels that the WTO actually supported or that never were raised in the WTO dispute. The legislation would repeal COOL for ground beef and ground pork as well as for chicken, but the WTO explicitly ruled that the COOL label on ground meat was WTO-legal, and the dispute never addressed chicken or other covered commodities (including seafood, fresh and frozen fruits and vegetables, goat, venison and some nuts).

Voluntary COOL labeling is no solution to the WTO dispute: Meatpackers won't use it, consumers won't see it, farmers and ranchers won't benefit from it and Canada and Mexico have already bluntly rejected this so-called compromise. Voluntary COOL is indistinguishable from repealing COOL, as meatpacking companies would be permitted to use voluntary COOL labels even if mandatory COOL were repealed under the U.S. Department of Agriculture's Processed Verified Program.

Moreover, the meatpackers are unlikely to employ voluntary COOL labels because they do not believe that consumers have a right to know where their meat products came from. The meatpacking industry sued the U.S. Department of Agriculture to block mandatory COOL because the meatpackers believed they had a constitutional free speech right to conceal the origin of the meat they sell to consumers, a contention that was rejected repeatedly by the federal courts.

That was the historical experience with voluntary COOL from 2002 to 2009, before mandatory COOL finally was implemented. Although mandatory COOL was passed in the 2002 Farm Bill, the appropriators blocked its implementation and only allowed a voluntary COOL program that reserved the USA label for meat derived from livestock exclusively born, raised and slaughtered in the United States — identical to the standard in the recently proposed voluntary COOL so-called compromise. Few if any meat products were ever labeled under those voluntary regimes for the simple reason that neither packers nor most major retailers want to provide origin information to their customers.

Neither consumers nor livestock producers believe that we can allow the meatpacking, food processing and grocery retail industries to decide what to disclose to consumers. These food industries have long resisted providing basic information on food labels. We do not believe that the interests of producers or consumers can be served by granting to the opponents of COOL the exclusive right to decide whether or not to affix voluntary COOL labels.

COOL is extremely important to our organizations and to the American public. We oppose any legislation that would undermine any portion of the COOL law, whether by outright COOL repeal or by converting the mandatory COOL law to a voluntary program. We urge Congress to

stand up for America's consumers, farmers and ranchers by rejecting any effort to unilaterally repeal or weaken a popular food label even before the WTO process has concluded. Thank you for your consideration of this request.

Sincerely,

Alabama Contract Poultry Growers Association
Alabama State Association of Cooperatives
American Agriculture Movement
American Federation of Government Employees
(AFL-CIO), Local 3354, USDA-St. Louis
American Grassfed Association
American Raw Milk Producers Pricing Association
Ashtabula, Geauga, Lake County (OH) Farmers'
Union
Berks (PA) Gas Truth
BioRegional Strategies
Buckeye Quality Beef Association (OH)
California Dairy Campaign
California Farmers Union
Carolina Farm Stewardship Association (NC)
Social Services Office-Catholic Charities of Central
and Northern Missouri/Diocese of Jefferson City
Catholic Rural Life
Cattle Producers of Louisiana
Cattle Producers of Washington
Center for Family Farm Development (GA)
Center for Food Safety
Center for Foodborne Illness Research & Prevention
Center for Media and Democracy's Food Rights
Network
Center for Rural Affairs
Church Women United in New York State
Citizen Action Coalition of Indiana
Citizens for Sanity.Com, Inc. (FL)
Coalition for a Prosperous America
Colorado Independent CattleGrowers Association
Community Alliance for Global Justice (WA)
Community Farm Alliance (KY)
Community Food and Justice Coalition (CA)
Consumer Federation of America
Contract Poultry Growers Association of the
Virginias
The Cornucopia Institute
Dakota Resource Council
Dakota Rural Action of SD
Dawson Resource Council (MT)
Delmar Farmers Market (NY)
East New York Farms!/United Community Centers
EcoHermanas
Ecological Farming Association (CA)
The Ecology Party of Florida
Equal Exchange
Fair World Project (OR)
Family Farm Defenders (WI)

Farm Aid
Farm and Ranch Freedom Alliance
Farms Not Arms (CA)
Farmworker Association of Florida
Federation of Southern Cooperatives/Land
Assistance Fund (AL)
Florida Certified Organic Growers and Consumers,
Inc.
Food & Water Watch
Food Chain Workers Alliance
Food Democracy Now!
Food for Maine's Future
Friends of the Earth U.S.
Hmong National Development, Inc.
Hunger Action LA (CA)
Idaho Organization of Resource Councils
Illinois Right to Know GMO
Illinois Stewardship Alliance
Independent Cattlemen of Nebraska
Independent Cattlemen of Wyoming
Indian Nations Conservation Alliance
Institute for Agriculture and Trade Policy
The Institute for Rural America (IA)
Iowa Citizens for Community Improvement
Johns Hopkins Center for a Livable Future (MD)
LabelGMOS.org
Land Stewardship Project (MN)
The Manufacturers Association of Central New York
Michigan Land Trustees
Midwest Organic Dairy Producers Association
Minnesota National Farmers Organization
Mississippi Sustainable Agriculture Network
Missouri National Farmers Organization
Missouri Rural Crisis Center
Missouri's Best Beef Cooperative
Montgomery Countryside Alliance (MD)
Murray County (OK) Independent Cattlemen's
Association
National Consumers League
National Family Farm Coalition
National Farmers Organization
National Latino Farmers & Ranchers Trade
Association
Nature Abounds
Nebraska Women Involved in Farm Economics
Neighboring Food Co-op Association (New England)
Nevada Live Stock Association
New York Women Involved in Farm Economics
NH Right to Know GMO

N. Carolina Assoc. of Black Lawyers, Land Loss Prevention Project
Northeast Organic Dairy Producers Alliance
Northeast Organic Farming Assoc. - NH
Northeast Organic Farming Assoc. - NY
Northeast Organic Farming Assoc. - VT
Northeast Organic Farming Association, Interstate Council (NOFA-IC)
Northern New Mexico Stockman's Association
Northern Plains Resource Council (MT)
Northern Wisconsin Beef Producers Assoc.
Northwest Atlantic Marine Alliance (MA)
Northwest Farm Bill Action Group
Oglala Sioux Livestock and Land Owners Association (SD)
Ohio Ecological Food and Farm Association
Ohio Environmental Stewardship Alliance
Oregon Rural Action
Organic Farmers' Agency for Relationship Marketing (OFARM)
Organic Seed Alliance
Organization for Competitive Markets
Panola Land Buying Association/Housing Development Corporation (AL)
PCC Natural Markets (WA)
Peaceroots Alliance (CA)
Pesticide Action Network North America
Powder River Basin Resource Council (WY)
Progressive Agriculture Organization (PA)
Public Citizen
R-CALF United Stockgrowers of America
Ranch Foods Direct (CO)
Rochester (NY) Technology & Manufacturing Association
Roots of Change (CA)
Rural Advancement Foundation International - USA (RAFI-USA)
Rural Coalition/Coalición Rural
Rural Development Leadership Network (NY)
Rural Vermont
Simply Living (OH)
Slow Food USA
South Dakota Farmers Union
South Dakota Livestock Auction Markets Association
South Dakota Stockgrowers Association
Southern Sustainable Agriculture Working Group
Springfield Food Co-op (VT)
Texas Certified Farmers Market Association
350 Berks and Lehigh Valley Climate Action (PA)
Tidal Creek Cooperative (Food Market) (NC)
Tilth Producers of Washington
Tooling, Manufacturing and Technologies Assoc. (MI)
Virginia Association for Biological Farming
Western Colorado Congress

Western Organization of Resource Councils (WORC)
Western Sustainable Agriculture Working Group
WhyHunger
Williams County Alliance (OH)
Women Involved in Farm Economics
Wood County (OH) Citizens Opposed to Factory Farms