

COOL

Action Requested: Florida Farm Bureau asks for support of HR 3993, the Country-of-Origin Labeling Enhancement Act, with the provision that there is a 24-month grace period for beef.

Background: Congress has passed a two-year delay in the implementation of the Country-of-Origin Labeling (COOL) law that was supposed to be implemented in September 2004. The tide turned against us in respect to COOL for fruit and vegetables when United Fresh Fruit and Vegetable Association (United) jumped the pro-COOL ship and aligned themselves with the opponents of COOL with groups like GMA (Grocery Manufacturers of America) and FMI (Food Marketing Institute). This coalition urged the leaders of Congress to delay COOL, which they did.

Some might say, “Don’t panic, it’s only a delay. Those supporting the delay have good intentions and they fully expect to support the enactment of COOL in 2006.” But their true intentions are revealed in a letter sent by United to the leaders of Congress in November 2003, which states, “*As members of the produce industry, we believe the law does not deliver the benefits the industry had hoped, and **must be delayed or repealed.***”

It is difficult to understand how United represented itself as speaking for the produce industry when, in fact they only represent around 500 total members nationwide; a large portion of those signing onto the above-referenced letter are large processors, shippers and wholesalers of fruits and vegetables. Their tactic was effective; we have a 2-year delay and many lawmakers are confused about what exactly the industry's position is. This delay will allow the big retail organizations time to organize opposition and slip in a final legislative axe on COOL in one of the many legislative and appropriations bills within the next two years.

A delay is not necessarily a bad thing in respect to the beef provisions, and, in fact, Florida Farm Bureau has policy supporting a delay of COOL for beef. But in Florida, where there has been a COOL law for fruits and vegetables since 1979, we have proven that it can be done at little cost to the retailer and producer. The fact is most of our major farm operations have found benefit to marking their fruit and vegetable products with “Grown in the U.S.A.” or “Fresh from Florida” labels. Adapting to the COOL law would be relatively easy.

The USDA has made great progress in the latest version of the rules to implement COOL and the industry is providing additional suggestions on improving the rules before they are finally implemented. Hopefully everyone supporting the 2-year delay for COOL will now focus their efforts on providing input to the USDA to make sure the law is implemented in 2006 in a way that addresses the concerns of the entire market stream.

Legislation has been filed called the “Country-of-Origin Labeling Enhancement Act (H.R.3993) that ensures labeling is implemented by Sept. 30, 2004, as scheduled in the farm bill. It also eases the recordkeeping and fine burden on retailers, and allows for the labeling program to work simultaneously with a national animal identification program once such a program is operational.



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