

September 27, 2013

Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250-3700

Ambassador Michael Froman
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Secretary Vilsack and Ambassador Froman:

The undersigned organizations, representing family farms, producers and consumers from across the nation, respectfully call for the U.S. Department of Agriculture (USDA) to reject the request for delay of the Agricultural Marketing Service's (AMS) final rule, *Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-Raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng, and Macadamia Nuts* (the Rule). 78 *Fed. Reg.* 31367 (May 24, 2013).

USDA followed a carefully considered, open and transparent process as it crafted this rule. We believe the rule complies with the World Trade Organization (WTO) ruling and is consistent with U.S. law. We strongly support it and your efforts to defend it.

Nonetheless, the groups who stand in opposition to the Country-of-Origin Labeling (COOL) law have requested a delay in the implementation and enforcement of the final rule for COOL. They argue that no action should take place prior to the World Trade Organization's (WTO) issuance of a ruling in the complaint brought by both Canada and Mexico regarding the rule.

The group seeking an extension includes those that are currently challenging the regulation at the U.S. District Court for the District of Columbia. In a recent ruling, the court rejected the preliminary injunction request for a delay of implementation because the court found that plaintiffs had not established a likelihood of success on their claims that the revised COOL regulation violates the first amendment or that the revised regulation exceeds the agency's authority, among other findings. These same plaintiffs have taken an appeal of the denial of the preliminary injunction to the U.S. Court of Appeals for the District of Columbia Circuit where briefing is underway.

USDA provided the industry with a generous six-month period to bring itself into compliance with the revised COOL regulations; we have reached the half-way point of this period and to bring forth a request to delay these improvements now only disrupts the changes already underway by those companies that are seeking to be in compliance with the department.

The revised regulations published by USDA will provide consumers with enhanced information that will reduce the confusion about the food they buy. Specifically, USDA issued the proposed rule changes for muscle cuts of meat to require more information on where each of the production steps -- born, raised and slaughtered -- occurs. The rules will not require additional recordkeeping or systems to transfer information from one level of production and marketing channel to the next. Such modifications to the agency's regulations address particular concerns the WTO's Appellate Body had with the U.S. regulation and are supported by consumers and many livestock producers, including those groups signing this letter.

An effort by domestic livestock producers has long been underway to secure the ability to differentiate their product in the market by ensuring that its origin is clearly identified. Farmers, ranchers and consumers have waited too long for meaningful Country-of-Origin Labeling standards and we strongly urge USDA to enforce those regulations which have been carefully scrutinized and revised. There is no justification for further delay.

Sincerely,

American Sheep Industry Association
Consumer Federation of America
National Farmers Union
U.S. Cattlemen's Association