

## Country of Origin Labeling

# COOL

## Retail Surveillance Review Procedures



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## Country of Origin Labeling COOL Train the Trainer Seminar

- Kansas City, MO
- March 27, 2008
- COOL Contacts
  - Maribel Reyna - 202-720-4486
  - Julie Lewis - 202-720-4486
  - Kenneth Becker - 202-720-4486
  - Lauren Kavanaugh - 940-479-8102
- COOL personnel contact information is also located on the last page in your binder



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## Country Of Origin Labeling COOL Reference Documents

- *Federal Register Part IV USDA AMS 7 CFR Part 60 Mandatory Country of Origin Labeling of Fish and Shellfish; Interim Rule, dated October 5, 2004*
- *Country of Origin Labeling Surveillance Review Procedures for Retail Facilities*
- *Country of Origin Labeling Compliance Guide*
- *COOL Retail Surveillance Workbook*
- <http://www.ams.usda.gov/cool/index.htm>
  - Surveillance Review Procedures - Section 3



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## Country of Origin Labeling General Requirements

- Retailers - Firms licensed as retailers under the Perishable Agricultural Commodities Act (PACA) of 1930 are required to label covered commodities
- Exemptions from COOL include:
  - Butcher shops, fish markets, exporters that are not PACA licensees
  - Food service establishments-restaurants, cafeterias, in-store delicatessens, etc.

• Compliance Guide – Section 4.2



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## Country of Origin Labeling General Requirements

- Retailers are required to notify their customers of:
  - Country of Origin and
  - Method of Production (wild and/or farm raised)

-for the covered commodities that they sell

• Compliance Guide Section 3



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## Country of Origin Labeling General Requirements

Retailers are also required to:

- Provide records that are relied upon to establish a covered commodity's country(ies) of origin and method of production
- Records must be provided upon request to USDA representatives in a timely manner during normal business hours for as long as the product is on hand

• Compliance Guide Section 6.2



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## Country of Origin Labeling General Requirements

### What is a covered commodity?

- Under this Interim Final Rule, covered commodities include wild and farm-raised fish and shell fish
  - Compliance Guide – Section 4.5



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## Country of Origin Labeling Covered Commodities

- Fish - whole and fillets
- Shellfish - crabs, shrimp, mussels, scallops, lobsters, oysters, crawfish, snails, clams



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## Country of Origin Labeling Commodities Not Covered

- Does **not** include
  - Frog Legs
  - Alligator
  - Turtle
  - Caviar
  - Fish Heads



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## Country of Origin Labeling Exclusions-Processed Food Items

- Processed Food Item - A retail item derived from fish or shellfish that has:
  - Undergone specific processing resulting in a *change in the character* of the covered commodity; or
  - Has been *combined* with at least one other covered commodity or substantive component

• Compliance Guide – Section 4.6



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## Country of Origin Labeling Processed Food Item

### Change of Character

- Processes include cooking, canning, curing, smoking, and restructuring;
- That yield a character that is **different** from that of the covered commodity

• Compliance Guide Section 4.6



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## Country of Origin Labeling Change of character examples

- Smoked salmon
- Canned tuna, salmon, or sardines
- Flesh of fish that have been compressed into a frozen block and sawed into different sizes to make various fish products
- Marinated fish fillets
- Pickled herring
- Shrimp, Lobster, or Crab that has been cooked
- Cooked Crab Legs

• Compliance Guide Section 4.6



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## Country of Origin Labeling Processed Food Item-Combination

- A covered commodity that has been combined with:
  - Other covered commodities
  - Other substantive food components (e.g., breading, tomato sauce)
  - And has a character different than that of the covered commodity

■ Compliance Guide 4.6



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## Country of Origin Labeling Combination Examples

- Examples of covered commodities excluded because they are a combination of substantive food components
  - Breaded shrimp
  - Coconut shrimp
  - Seafood Medley
  - Mussels in tomato sauce
  - Stuffed salmon fillet
  - Crab salad
  - Soups, stews, or chowders

■ Compliance Guide Section 4.6



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## Country of Origin Labeling Markings

- Country of origin and method of production information
  - Must be placed in a conspicuous location, so as to render it likely to be read and understood by a customer under normal conditions of purchase

■ Compliance Guide – 4.9 & Page 2 Paragraph 1



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## Country of Origin Labeling Markings-Commingled Items

- A bulk container - display case, primary package, master shipping container, bin, carton, or barrel
  - May contain a covered commodity from more than one country of origin and/or more than one method of production
  - Must list all possible origins and/or methods of production

■ Compliance Guide – Section 4.9



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## Country of Origin Labeling United States Origin



Must be derived **exclusively** from fish or shellfish:

- Wild
  - **Harvested** in U.S. waters, or by a U.S. flagged vessel
  - **Processed** in the U.S., or aboard a U.S. flagged vessel
- Farmed
  - **Hatched, Raised, Harvested, and Processed** in the U.S.

**Not** undergone a substantial transformation (as established by U.S. CBP) outside of the U.S.

■ Compliance Guide Section 5.1



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## Country of Origin Labeling Imported Covered Commodities

- Origin of Imported Covered Commodities **NOT** Substantially Transformed in the U.S.
  - Shall retain the origin as declared to CBP at the time the product entered the United States

■ Compliance Guide – Section 5.2



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## Country of Origin Labeling Imported Covered Commodities

### Origin of Imported Covered Commodities Substantially Transformed in the U.S.

- The origin for a covered commodity imported from country X, then substantially transformed in the U.S. or aboard a U.S. flagged vessel, shall be:

- **From country X, processed in the U.S.**

■ Compliance Guide Section 5.3



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## Country of Origin Labeling Production Designations

- Acceptable forms of production designations include:

- Wild caught, Wild, Farm-Raised, or Farmed
- Provided it can be readily understood by the consumer and is in conformance with other Federal labeling laws

■ Interim Final Rule Section 60.300



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## Country of Origin Labeling Production Designations

- **Unacceptable forms of production designations include:**

- **Ocean caught, caught at sea, line caught**
- **Cultivated or cultured**

■ Interim Final Rule Section 60.300



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## Country of Origin Labeling Country Designations

- Abbreviations and variant spellings that unmistakably indicate the country of origin are acceptable
- The adjectival form of a name of a country is acceptable provided the name does not appear with other words so as to refer to a kind or species of product

■ Interim Final Rule – 60.300 (e)



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## Country of Origin Labeling Country Designations

- **Flags or symbols alone may not be used to denote country of origin**
- **State or regional label designations are not acceptable in lieu of country of origin labeling**

■ Interim Final Rule – 60.300 (e) & (f)



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## Country of Origin Labeling Types of Violations

### 1. Failure to Label Product

- It is a violation for a retailer to fail to identify the country of origin and method of production of a covered commodity.

### 2. Misabeled Product

- It is a violation for a retailer to incorrectly identify the country of origin and method of production of a covered commodity.

■ Compliance Guide Section 9



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## Country of Origin Labeling

### Types of Violations

#### 3. Failure to Maintain Records

- Retailers and their suppliers must maintain records that will permit substantiation of country of origin and method of production claims and
- Provide chain of custody information
- Records must be maintained for a period of 1 year from the date of the transaction.

■ Compliance Guide – Section 9.3



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## Country of Origin Labeling

### Violations to the Law

- Apparent violations will be referred to USDA for further action, as appropriate
- Enforcement provisions for both retailers and suppliers include civil penalties for up to \$10,000 for each willful violation



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## Country of Origin Labeling

### Corrective Actions

- The retailer will be provided with a 30-day period during which time they must take necessary steps to comply
- The retailer must submit the corrective actions to address the non-compliance findings to USDA within 30 days from the date of receipt of the notification



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## Country of Origin Labeling COOL Retail Surveillance Reviews

- Review locations and frequency will be pre-determined and assigned by the USDA
- Reviews will be conducted as specified in the *Country of Origin Labeling Surveillance Review Procedures for Retail Facilities*, dated February 29, 2008



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## Country of Origin Labeling Responsibilities of Reviewers

- Reviewers shall:
  - Limit the scope of the review to the commodities and requirements covered by the COOL regulation
  - Conduct an opening and closing meeting with the store officials
  - Answer any questions and provide information concerning the COOL requirements
- Surveillance Review Procedures – Section 5



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## Country of Origin Labeling Responsibilities of Reviewers

- Reviewers shall:
  - Possess and identify themselves with a valid official government issued picture identification
  - Dress appropriately and conduct themselves in a professional manner at all times
  - Interact with store officials in a courteous and diplomatic manner
  - Be observant and thorough while conducting the review
- Surveillance Review Procedures - Section 5



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## Country of Origin Labeling Responsibilities of Reviewers

- Reviewers shall:
  - Discuss all findings with the store official during the closing meeting
  - Consider all information gathered as confidential
  - Contact the COOL Program Manager with any questions
  - Complete the Retail Surveillance Review Worksheet in the COOL Workbook
  - Submit the completed COOL Workbook to [COOLAudit@usda.gov](mailto:COOLAudit@usda.gov)

■ Surveillance Review Procedures - Section 5



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## Country of Origin Labeling Summary of the Review Steps

1. Review the reference documents
2. Prepare the COOL Excel Workbook
  - Print the Worksheet, Information Form & Checklist
3. Identify yourself to the store representative and conduct an opening meeting
4. Review all covered commodities and conduct tracebacks on two covered commodities
5. Conduct a closing meeting and provide the store representative with the completed Checklist
6. Complete the electronic Workbook & submit to [COOLAudit@usda.gov](mailto:COOLAudit@usda.gov)



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## Country of Origin Labeling Review Preparation Procedures

- Prior to conducting the review:
  - Review the Reference Documents
  - Become familiar with COOL requirements and covered commodities
  - Obtain information about the retail facility to be reviewed from the Store Assignment List
  - Be prepared to answer questions and to provide information to the facility representatives

■ Surveillance Review Procedures Section 7



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## Country of Origin Labeling Store Assignment List

- The Store Assignment List provides the information to enter into the heading of the Worksheet including:
  - Review Number
  - Store name & identification number
  - Store address & phone number
  - Information on stores that were reviewed previously
- Only review stores that are on the Store Assignment List!



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## Country of Origin Labeling Review Numbers

- Review Numbers that start with "N" indicate that this is the initial review to be conducted at this facility
- Review Numbers that start with "F" indicate that the facility has been reviewed in the previous year



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## Country of Origin Labeling Previously Reviewed Stores

- Refer to the Store Assignment List "Notes" column to obtain additional information about the previous review including:
  - Store representative's name
  - If findings were identified
  - File name from the previous review
    - Surveillance Review Procedure Section 7.2



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## Country of Origin Labeling Previously Reviewed Stores

- Request a copy of the COOL Workbook from the previous review for the purpose of:
  - Obtaining additional information about the facility
  - Determining which findings were identified during the previous review

■ Surveillance Review Procedure Section 7.2



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## Country of Origin Labeling COOL Workbook

- The **COOL Workbook** is an Excel Spreadsheet Workbook that contains:
  - COOL Retail Surveillance **Worksheet**
  - COOL Retail Surveillance **Information Form**
  - COOL Retail Surveillance **Checklist**
  - COOL Non-Compliance Letter
- The **COOL Workbook** can be accessed at:  
<http://www.ams.usda.gov/cool/training>



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## Country of Origin Labeling COOL Worksheet

The COOL Worksheet is used to document data collected during the review and consists of the following sections:

1. The Heading Section
2. Estimate of Covered Commodities Section
3. Tracebacks Section
4. Items to be Verified Section



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## Country of Origin Labeling

### Items to be Verified

#### Country of Origin

1. Are all covered commodities identified for the Country of Origin?
2. If identified, is the Country of origin declaration placed in a conspicuous location so as to render it likely to be read and understood by the customer under normal conditions of purchase?

#	Items to be Verified	Yes/No/NA
1	Are all covered commodities identified for the Country of Origin?	
2	Is the Country of Origin declaration placed in a conspicuous location? <small>(If item is not identified, cite Finding #1)</small>	



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## Country of Origin Labeling

### Items to be Verified

#### Country of Origin

3. Is the Country of Origin declaration accurate? (applies to Traceback items only)
4. Do the abbreviations and variant spellings unmistakably indicate the Country of Origin?

3	Is Country of Origin declaration accurate? <small>(Applies to store-labeled Traceback Items only)</small>	
4	Do the abbreviations and variant spellings unmistakably indicate the Country of Origin?	



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## Country of Origin Labeling

### Items to be Verified

#### Method of Production

5. Are all covered commodities identified for the Method of Production?
6. If identified, is the Method of Production designation placed in a conspicuous location where it is likely to be read and understood by the customer under normal conditions of purchase?

5	Are all covered commodities identified for the Method of Production?	
6	Is Method of Production designation placed in a conspicuous location? <small>(If the item is not identified, cite Finding #5)</small>	



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## Country of Origin Labeling Items to be Verified

### Method of Production

7. Is the Method of Production designation accurate?  
(applies to Traceback items only)
8. Is the Method of Production stated in an acceptable form so that it can be readily understood by the customer?
  - Wild, Wild Caught, Farmed, Farm-Raised, etc.

7	Is Method of Production designation accurate? <i>(Applies to store-labeled Traceback Items only)</i>
8	Is the Method of Production stated in an acceptable form? <i>(i.e. wild, wild caught, farmed, farm-raised, etc.)</i>



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## Country of Origin Labeling Items to be Verified

### Records

9. Do the records provide the country of origin and method of production information?
  - Applies to Traceback items only

9	Do the records provide the country of origin and method of production information? (Traceback Items only. If pre-labeled, the label is sufficient evidence of COOL claims)
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## Country of Origin Labeling Review Preparation Procedures

- In the Excel COOL Workbook:
  - Complete the Worksheet with the information from the Store Assignment List. This information will automatically transfer to the Information Form and Checklist
  - Save the Workbook with the correct file name
  - Print the Worksheet, Information Form, and Checklist

• Surveillance Review Procedures – Section 7.3



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## Country of Origin Labeling COOL Workbook File Naming

- Two letter abbreviation of the state that the review is performed in
- Date that the review was conducted
- Initials of the person conducting the review
- Pre-assigned Review Number obtained from the Store Assignment List

■ Surveillance Review Procedures - Section 7.4



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## Country of Origin Labeling Workbook File Name Examples

- **WA 06 25 08 WMM N012** – COOL Review Number N012 conducted by WMM in the state of Washington on June 25, 2008
- **LA 08 03 08 SJC F013** – Follow-up COOL Review Number F013 conducted by SJC in the state of Louisiana on August 3, 2008
- **Do not use any punctuation in the file name**
- **Place spaces between each of the file name entries**

■ Surveillance Review Procedures – Section 7.4 f) 1-4



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## Country of Origin Labeling Review Preparation Procedures



### The COOL Worksheet

Will be used to facilitate data collection during the review, but additional pages may be necessary



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## Country of Origin Labeling Performing the Review

- If the facility representative refuses to cooperate with the review:
  - Make every effort possible to complete the review
  - Leave the facility
  - Document the specifics of the incident, including the facility reps name, if possible
  - Contact the Cool Program Manager with the information
- **Do not confront an angry, belligerent or non-cooperative facility representative!!**
  - Surveillance Review Procedures Section 7.7



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## Country of Origin Labeling Opening Meeting

Explain the scope and objective for the review

- **Scope** – The store's labeling of covered commodities for country of origin and method of production and the supporting documentation to verify COOL compliance for covered commodities available for sale at the facility
- **Objective** – To determine the retail facility's compliance to the COOL regulation requirements

■ Surveillance Review Procedures Section 7.8



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## Country of Origin Labeling Opening Meeting

Provide:

- The Information Form
- A short summary of what you will be looking for
- The methods and procedures to be followed during the review

■ Surveillance Review Procedures Section 7.8 c) & e)



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## Country of Origin Labeling Opening Meeting

- Gather additional information about the store
  - Verify the store name, number, address, phone number, and representative's name
  - Obtain the name for the "Responsible Authority" and the mailing address that the non-compliance notification letter and request for corrective actions will be sent to
    - Surveillance Review Procedures Section 7.8 f)



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## Country of Origin Labeling Opening Meeting

- Request an estimate of the covered commodities sold by the store
  - Consumer Ready Pre-labeled Items
  - Items that the store is required to label
- This is an estimate of the *different kinds* of covered commodities that the store sells, **NOT** a total piece count of all items sold by the store
  - Surveillance Review Procedures Section 7.8 (d)



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## Country of Origin Labeling Opening Meeting

Inform the representative that records will be required for the purpose of:

- Verifying the accuracy of the COOL claims
- Providing information on the supplier
  - Surveillance Review Procedures – Section 7.8 e)



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## Country of Origin Labeling Opening Meeting

- Answer any questions pertaining to the review or the COOL regulations
- Inform the store representative that they are welcome to accompany you during the review
- Confirm the time and place for the closing meeting

■ Surveillance Review Procedures – Section 7.8 g) – i)



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## Country of Origin Labeling Performing the Review

- Review all locations where covered commodities are presented for retail sale including:
  - Self service counter
  - Fresh and frozen seafood areas
  - Sale counters and promotional display areas

■ Surveillance Review Procedures – Section 7.9



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## Country of Origin Labeling Performing the Review

- Explain to the store representative what you are looking for
- Notify the store representative if a finding is identified
  - Request additional information, if necessary, to verify the finding or to determine COOL compliance

■ Surveillance Review Procedures – Section 7.11



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## Country of Origin Labeling Performing the Review

- Evaluate if the covered commodities are correctly labeled with country of origin and method of production information
- Verify that the labels are legible and placed in a conspicuous location, so as to render them likely to be read and understood by a customer under normal conditions of purchase



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## Country of Origin Labeling Performing the Review

### ■ Follow-up Reviews

- Determine if previously identified non-compliance findings have been corrected
- Make a notation in the *Additional Comments and Information* Section of the Worksheet whether or not previous findings have been corrected

• Surveillance Review Procedure Section 7.12



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## Country of Origin Labeling Performing the Review

- While conducting the review, determine an estimate of the *different kinds* of covered commodities sold by the store.
- Record this information on the Worksheet by placing an "X" adjacent to the applicable number range.

■ COOL Review Procedure – Section 7.10



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## Country of Origin Labeling Performing the Review

- Estimate of Covered Commodities

Provide a rough estimate of the number of different kinds and types of :

- Consumer Ready Pre-labeled items
- Items with the COOL labels provided by the store

Estimate of Covered Commodities Available for Review						
Consumer Ready Pre-labeled Items	None	<= 10	11-20	21-30	31-40	> 40
Items Labeled by the Store	None	X				




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## Country of Origin Labeling Performing the Review

- Document information on items that are not identified in accordance with the COOL requirements adjacent to the applicable *Item to be Verified* in the:

- *Non-Complying Items* and the
- *Description of Finding* sections on the Worksheet

- Retail Surveillance Review Procedures Section 7.13




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## Country of Origin Labeling Conducting a Traceback

- Select **two** items to conduct an in-store traceback to:

- Verify the accuracy of the COOL information
- Determine if records are maintained
- Obtain information on the retail supplier

- Surveillance Review Procedures - Section 7.14




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## Country of Origin Labeling Conducting a Traceback

- Record any identifying information in the *Tracebacks* section on the Worksheet
- Record enough information on the Worksheet to enable a traceback to the Importer or the entity responsible for making the initial COOL claims
  - Surveillance Review Procedures - Section 7.14




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## Country of Origin Labeling Conducting a Traceback

- Store's Labeling Information** - document the COOL information that is provided to the consumer by the store

Tracebacks	
Store's Labeling Information	
Enter the COOL info provided to the customer by the store for these items. Enter NA if not provided.	
Item 1:	Fresh Tilapia Fillets
Country of Origin	USA
Production Method	Farm Raised
Item 2:	Monk Fish
Country of Origin	Chile
Production Method	Wild Caught




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## Country of Origin Labeling Conducting a Traceback

- Record Information** – Document the information provided by the store's records. Enter N/A is the store's records don't provide the Country of Origin and/or Method of Production
- Record's Reviewed** – Document which records were reviewed.
- Unique Item ID** – Document any identifying information from the item label or records




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## Country of Origin Labeling Conducting a Traceback

- Record Information, Records Reviewed, Unique Item Identification

Tracebacks		
Record Information	Records Reviewed	Unique Item ID
Enter the COOL info provided by the records. Enter NA if not provided.	Enter all records that were reviewed.	Lot number, ID numbers, or dates from item, packaging, invoices, records, etc.
Tilapia Fillets	Master Container Label	Lot 3478 - 12/05/07
From China, processed in the USA	invoice	#567898 02/27/08
NA-Not Provided	Shipping Manifest	PLU 78904e 02/28/08
Monk Fish - Whole	Pre-labeled Package-Consumer Ready	Item-782345
NA-Not Provided	Delivery Receipt	3/15/2008
Wild Caught	Store Log	3/9/2008




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## Country of Origin Labeling Conducting a Traceback

- Supplier Information** – Document all available information about the supplier of the traceback item

Tracebacks	
Supplier Information	
Enter any information about the retail supplier of this item. Name, Address, Phone Number, etc.	
Grocery Store Distribution Center	
Wichita, KS 364-784-7854	
North Shore Fish Corp., Norfolk, VA	
Grocer Supplier Unlimited	
Kansas City, KS 394-487-8745	
Maine Monk Fish, Newport, ME	

Surveillance Review Procedures  
Section 7.14 a) 5




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## Country of Origin Labeling Record Review for COOL Claims

- Consumer Ready Pre-labeled Items** - Covered commodities with COOL information on the consumer-ready pre-labeled packaging
  - The COOL information on the package itself is sufficient evidence to establish the commodity's country of origin and method of production information
  - No further record review is required to verify country of origin and method of production
    - Surveillance Review Procedure 7.14 c)




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## Country of Origin Labeling Record Review for COOL Claims

- **Items labeled by the store**
  - For items received in a pre-labeled shipping container and re-labeled at the retail outlet, the original label of the shipping container may be observed to verify COOL information
    - Surveillance Review Procedure 7.14 d)



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## Country of Origin Labeling Record Review for COOL Claims

- **If pre-labeled shipping container is not available**
  - Review bills of lading, shipping manifests, receiving documents, and/or labels saved from the shipping container
  - Store logs are acceptable documentation **only** when used in conjunction with other documents that will verify the accuracy of the COOL information for the selected item
    - Surveillance Review Procedure 7.14 d)



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## Country of Origin Labeling Record Review for COOL Claims

- Records relied upon at the point of sale to establish a covered commodity's country of origin and method of production must be available in a timely manner during normal business hours for as long as the product is on hand

■ Surveillance Review Procedure 7.14 f)



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## Country of Origin Labeling Record Review

- Supplier Records for Traceback Items
  - Request records that provide the retail supplier information for the Traceback Items
  - Provide additional supplier information if possible, e.g. the name of the supplier that labeled the shipping containers or consumer-ready packages
  - Do **NOT** cite a finding if supplier records are not available on site



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## Country of Origin Labeling Conducting a Traceback

- If findings are identified during the Traceback:
  - Record all applicable information in the *Tracebacks* section of the Worksheet
  - Enter the Traceback item name in the *Non-Complying Item* section and summarize the non-compliance finding in the *Description of Finding* section of the Worksheet
    - Surveillance Review Procedure 7.14 g)



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## Country of Origin Labeling Concluding the Review

- When all covered commodities have been reviewed and the Tracebacks have been completed:
  - Answer each of the *Items to be Verified* by entering Yes or No in the column adjacent to the *Item to be Verified*
  - If there were no covered commodities available to review, or if any of the *Items to be Verified* do not apply, enter "NA" in the block
    - Surveillance Review Procedure 7.15



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## Country of Origin Labeling Concluding the Review

- Complete the Worksheet and Checklist
  - Record any non-complying items in the *Non-Complying Item* section adjacent to the applicable *Item to be Verified*
  - Briefly summarize the non-compliance finding in the *Description of Finding* section on the Worksheet **AND** the Checklist
  - Document all information that will explain and support the findings that are identified
    - Surveillance Review Procedures Section 7.15




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## Country of Origin Labeling Worksheet Completion

#	Item to be Verified	Yes/No	Non-Complying Item	Description of Finding
1	Are all covered commodities identified for the Country of Origin?	Yes	Live Lobsters and Mussels, Cherrystone Clams	The Cherrystone Clams, live Lobster and Mussels were not identified for the Country of Origin.
2	Is the Country of Origin declaration placed in a conspicuous location? (If none is labeled, see Program)	Yes	Trout Packets	The Country of Origin declaration was covered up with the above printing stickers on the pre-labeled packages of Trout Packets.
3	Is Country of Origin declaration accurate? (Agrees to above-labeled Freshpack Items only)	Yes	Fresh Trout Packets	The Trout Packets were identified with "USA" as the Country of Origin, however, the records verified that the Country of Origin was "From China Processed in the USA".
4	Do the abbreviations and variant spellings unambiguously indicate the Country of Origin?	Yes	Cod Fillets	The Cod Fillets were identified with "USA" as the Country of Origin which does not unambiguously indicate the Country of Origin.
5	Are all covered commodities identified for the Method of Production?	Yes	Live Lobsters and Mussels, Cherrystone Clams	The Cherrystone Clams, live Lobster and Mussels were not identified for the Method of Production.
6	Is Method of Production designation placed in a conspicuous location? (If none is labeled, see Finding #1)	Yes	Maya Maya	The Method of Production designation for the Maya Maya was placed on a tag underneath the tray of product in the full-service seafood counter.
7	Is Method of Production designation accurate? (Agrees to above-labeled Freshpack Items only)	Yes		
8	Is the Method of Production label on an acceptable form? (i.e., size, weight, format, font, etc.)	Yes	Cherrystone Clams	The Method of Production for the Cherrystone Clams was listed as "Carefully Cultured".
9	Do the records provide the country of origin and method of production information? (Information here only, if you enter the date a reformer received a COO, please)	Yes	Trout Packets and Monk Fish	The records for the Trout Packets did not provide the Method of Production and the records for the Monk Fish did not provide the Country of Origin.
Additional Comments and Information		No items were corrected immediately.		




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## Country of Origin Labeling Checklist Completion

#	Item to be Verified	Yes/No	Non-Complying Item	Description of Finding
1	Are all covered commodities identified for the Country of Origin?	Yes	Live Lobsters and Mussels, Cherrystone Clams	The Cherrystone Clams, live Lobster and Mussels were not identified for the Country of Origin.
2	Is the Country of Origin declaration placed in a conspicuous location where it is likely to be read under normal conditions of purchase?	Yes	Trout Packets	The Country of Origin declaration was covered up with the above printing stickers on the pre-labeled packages of Trout Packets.
3	Is the Country of Origin declaration accurate? (Agrees to above-labeled Freshpack Items only)	Yes	Fresh Trout Packets	The Trout Packets were identified with "USA" as the Country of Origin, however, the records verified that the Country of Origin was "From China Processed in the USA".
4	Do the abbreviations and variant spellings unambiguously indicate the Country of Origin?	Yes	Cod Fillets	The Cod Fillets were identified with "USA" as the Country of Origin which does not unambiguously indicate the Country of Origin.
5	Are all covered commodities identified for the Method of Production?	Yes	Live Lobsters and Mussels, Cherrystone Clams	The Cherrystone Clams, live Lobster and Mussels were not identified for the Method of Production.
6	Is the Method of Production designation placed in a conspicuous location where it is likely to be read and understood under normal conditions of purchase?	Yes	Maya Maya	The Method of Production designation for the Maya Maya was placed on a tag underneath the tray of product in the full-service seafood counter.
7	Is the Method of Production designation accurate? (Agrees to above-labeled Freshpack Items only)	Yes		
8	Is the Method of Production label on an acceptable form so that it can be readily understood by the consumer? (If not, attach with "Informational" sticker)	Yes	Cherrystone Clams	The Method of Production for the Cherrystone Clams was listed as "Carefully Cultured".
9	Do the records provide the country of origin and method of production information?	Yes	Trout Packets and Monk Fish	The records for the Trout Packets did not provide the Method of Production and the records for the Monk Fish did not provide the Country of Origin.




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## Country of Origin Labeling Closing Meeting

- Provide the store representative with the completed COOL Checklist
- Discuss the review findings and explain the determinations made on the COOL Checklist
- Verify that the name & title of the Responsible Authority and the mailing address is recorded on the Worksheet
- Answer all questions pertaining to the review or the findings

• Surveillance Review Procedure 7.16 a) – c)



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## Country of Origin Labeling Closing Meeting

- Explain to the store representative that:
  - Review results are not official until they are examined by the COOL Program Manager
  - They will receive a letter from USDA requesting submission of corrective actions to address the findings, if applicable
  - The findings will be cited and corrective actions must be submitted, even if the noncompliances were corrected during the review
  - If findings were not identified, they will not receive any further correspondence

• Surveillance Review Procedure 7.16 c) – e)



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## Country of Origin Labeling Closing Meeting

Thank the store personnel for their  
time and cooperation!



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## Country of Origin Labeling Post Review Activities

- Enter the information from the written Worksheet into the Worksheet in the Excel COOL Workbook
- Enter information into the Worksheet only. All information will automatically transfer to the Checklist and Non-Compliance Notification Letter
  - Surveillance Review Procedures 8.1 – 8.5



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## Country of Origin Labeling Post Review Activities

- Enter Yes, No or NA adjacent to *Findings Identified?*
- Place an "X" next to the applicable block in the *Estimate of Covered Commodities* section
- Enter Yes, No, or NA on the Worksheet for each of the *Items to be Verified*
- If findings are identified, enter the name of the non-complying item and summarize the non-compliance finding in the *Description of Finding* section
  - Use clear, concise, complete, and descriptive sentences so that the non-compliance finding can be easily understood
  - Surveillance Review Procedures 8.6



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## Country of Origin Labeling Worksheet Completion



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## Country of Origin Labeling Post Review Activities

- Provide enough information on the Worksheet is to explain and support the review findings
- Additional information can be included in the *Additional Comments and Information* section at the bottom of the Worksheet
  - Surveillance Review Procedure 8.7



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## Country of Origin Labeling Post Review Activities

- E-mail the completed Workbook to the COOL inbox – [COOLAudit@usda.gov](mailto:COOLAudit@usda.gov)
- **PLEASE - Note in the subject line of the e-mail: Findings or No Findings**



Surveillance  
Review  
Procedures  
Section 8.9



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## Country of Origin Labeling Miscellaneous Information

1. Use correct spelling and punctuation
2. **Don't use all caps**
3. Verify the store address and mailing address and include both on the Worksheet
4. Perform tracebacks and review records on **two items only** – preferably items that will verify the accuracy of the store's labeling and determine if the records provide the required COOL information



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## Country of Origin Labeling Miscellaneous Information

5. Reviewer's Phone Number and e-mail – provide contact information that will allow us to contact you directly if we have questions
6. Provide enough information on the Worksheet so that it is clear what you saw in the store, leaving no questions
7. Submit the completed workbook **as soon as possible** after the review is concluded, especially if findings are identified.



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## Country of Origin Labeling Contact Information

- COOL Program Manager
  - 202-720-4486
- E-mail
  - [COOLAudit@usda.gov](mailto:COOLAudit@usda.gov)
- Website
  - <http://www.ams.usda.gov/cool/index.htm>
- Mailing Address
  - 1400 Independence Ave. SW
  - Room 2607-S
  - Washington, DC 20250



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## Country of Origin Labeling

■ Any Questions?



■ **Thank You** for your efforts and cooperation in performing these reviews!!!



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Country of Origin Labeling

THE END



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