

## Country of Origin Labeling (COOL)

### Frequently Asked Questions

**Q. *What is COOL?***

A. Country of Origin Labeling (COOL) is a consumer labeling law that requires retailers (most grocery stores and supermarkets) to identify the country of origin on certain foods referred to as “covered commodities”. The 2002 and 2008 Farm Bills amended the Agricultural Marketing Act of 1946 to require retailers to notify their customers of the country of origin of muscle cuts and ground beef (including veal), lamb, pork, chicken, goat, wild and farm-raised fish and shellfish, perishable agricultural commodities, peanuts, pecans, ginseng, and macadamia nuts. Mandatory COOL for all covered commodities went into effect on March 16, 2009. Mandatory COOL for wild and farm-raised fish and shellfish has been in effect since 2005. On May 23, 2013, the COOL regulations were amended requiring muscle cuts of meat derived from animals slaughtered in the U.S. to list the country in which production steps (born, raised, and slaughtered) occurred.

**Q. *What stores are required to comply with COOL?***

A. The COOL legislation defines “retailer” as subject to the licensing requirements of the Perishable Agricultural Commodities Act of 1930 (PACA). As defined by PACA, a retailer is any person engaged in the business of selling any perishable agricultural commodity at retail. Retailers are required to be licensed when the invoice cost of all purchases of perishable agricultural commodities exceeds \$230,000 during a calendar year. For purposes of COOL, the definition of “retailer” generally includes most grocery stores and supermarkets. Retail stores such as fish markets and butcher shops, as well as small stores that do not invoice the threshold amount of fresh produce (fruits and vegetables), are exempt from this regulation. Restaurants and other food service establishments (cafeterias, lunchrooms, institutions, etc.) are also exempt.

**Q. *How does a retailer convey COOL information to consumers? Is there a required font size, color, or location required to print COOL information?***

A. The COOL rule does not stipulate the exact size or placement of COOL declarations, only that the statements be “legible and placed in a conspicuous location where they are likely to be read and understood by a customer.” The rule provides various options for presenting country of origin declarations at retail sale. COOL statements can be placed on a placard, sign, label, sticker, band, twist tie, pin tag, or other format that allows consumers to identify the country of origin of the commodity item.

**Q. *What is a “perishable agricultural commodity”?***

A. The term perishable agricultural commodity means fresh and frozen fruits and vegetables.

**Q. *What state, region, or locality designations are acceptable?***

A. The 2008 Farm Bill allowed domestic and imported perishable agricultural commodities, macadamia nuts, peanuts, pecans, and ginseng to use state, regional, or locality label designations in lieu of the country of origin. Such designations must be nationally distinct. For example, Rio Grande Valley would not be an acceptable designation because the consumer would not know whether the country of origin was the U.S. or Mexico. The term “Locally Grown” does not define a specific region and is not permitted for the purpose of a COOL declaration. With regard to the use of established state marketing programs such as “California Grown,” “Fresh From Florida,” “Jersey Fresh,” etc., these programs may be used for COOL notification purposes provided they meet the requirements to bear a U.S. origin declaration as specified in the final rule. Abbreviations for U.S. states and provinces of foreign countries are allowed when using official U.S. Postal Service abbreviations or other abbreviations approved by Customs and Border Protection.

**Q. *Processed foods are excluded from COOL requirements. How is a processed food defined?***

A. A processed food item is defined as a covered commodity that has undergone specific processing resulting in a change in the character of the covered commodity, or that has been combined with at least one other covered commodity or other substantive food component. Specific processing that results in a change in the character of the covered commodity includes cooking (e.g., frying, broiling, grilling, boiling, steaming, baking, roasting), curing (e.g., salt curing, sugar curing, drying), smoking (hot or cold), and restructuring (e.g., emulsifying and extruding).

**Q. *What activities do not change the character of commodity into a processed food item?***

- A. Trimming, cutting, chopping, and slicing are activities that do not change the character of the product. Likewise, preparation steps for fruits, vegetables, and nuts such as blanching (steam or oil), dicing, removal of seed (pit, stem, calyx, husk, pods, rind, skin, peel, etc.), polishing, waxing, adding sugar, and adding ascorbic acid (to retard oxidation) do not change the character of commodity into a processed food item. Dried fruit is not subject to COOL labeling requirements since the drying process is considered curing that changes the character of the fruit.

**Q. *Are marinated meats considered to be “processed foods?”***

- A. The addition of a component (such as water, salt, or sugar) that enhances or represents a further step in the preparation of the product for consumption would not in itself result in a processed food item. However, such further preparation steps would also be meant to include other examples of enhancements which do not fundamentally alter the name or use of the product by the consumer. For example, dextrose is a sugar. Phosphate is a salt. Beef stock and yeast are flavor enhancers. Rosemary is an enhancer when it is added to meats for color preservation. In addition, the Agency believes that enhancement with enzymatic tenderizers, such as ficin and bromelain, do not by themselves result in a processed food item. Meat products that have been needle-tenderized or chemically tenderized using papain or other similar additive are not considered processed food items. Likewise, meat products that have been injected with sodium phosphate or other similar solution are also not considered processed food items as the solution has not changed the name or character of the covered commodity. Such solutions and marinades intended to improve flavor, color and juiciness are considered enhancements to an existing commodity. In contrast, meat products that have been marinated with additional food components that result in a new flavor such as Lemon-Pepper, Barbeque or Cajun have been changed in both name and character and thus are considered processed food items.

**Q. *Can abbreviations be used in COOL declarations?***

- A. In general, abbreviations are not acceptable. Only those abbreviations approved for use under Customs and Border Protection (CBP) rules, regulations and policies are acceptable. CBP does allow for some abbreviations or variant spellings for marking purposes. Significantly, an abbreviation must “unmistakably indicate the name of the country.” Most International Standards Organization codes do not unmistakably indicate the name of the country of origin therefore, they are not acceptable. The abbreviations “P.R. China” and “China” are acceptable for country of origin marking purposes for products originating from the People’s Republic of China. Either “Netherlands” or “Holland” is an acceptable abbreviation for The Netherlands. “Product of the U.K.” is acceptable for commodities originating from the United Kingdom of Great Britain and Northern Ireland. “U.S.,” “US” and “USA” are acceptable abbreviation for the United States. “America” is not an acceptable abbreviation because the term could refer to North America, Central America, or South America. For additional abbreviation guidance, visit the COOL Website.

**Q. *Can terms such as “or,” “and/or,” and “may contain” be used in COOL statements?***

- A. The statute does not allow for the use of terms and phrases such as “or,” “may contain,” or “and/or” that only convey a list of possible origins. The intent of the statute is to require retailers to provide specific origin information to consumers. In addition, such disjunctive labeling schemes are not allowed under Customs and Border Protection regulations except under special circumstances.

**Q. *Can raw materials from more than one country be commingled in a package or bulk display?***

- A. The regulation does allow for comingling of product (with the exception of meat muscle cuts) in consumer packages or retail bins as long as all possible countries of origin are listed. If the package or display contains product of multiple countries, then all countries must be on the label, for example: “Product of Mexico and Chile.” The order of the country names does not matter. Punctuation and the word “and” may be omitted.

With regard to ground meats, perishable agricultural commodities, fish and shellfish, peanuts, pecans, macadamia nuts, and ginseng, comingling of the same type of products in retail packages or displays with raw materials from different origins is permissible. The Agency cannot prohibit the comingling of like products sourced from multiple vendors. Comingling raw materials of the same product from different sources is a commercially viable practice that has been historically utilized by retailers, and any decision to continue this practice has to be determined by the retailer.

The 2013 final rule amended requirements to label muscle cuts of meat by eliminating the allowance to comingling muscle cut covered commodities of different origins. All origin designations are required to include specific information as to the place of birth, raising, and slaughter of the animal from which the meat is derived. Removing the comingling allowance lets consumers benefit by providing them with more specific information on which to base their purchasing decisions. The COOL statute intends that covered commodities be accurately labeled. Comingling of muscle cuts of meat is no longer allowed because the practice may result in potentially misleading labels that do not accurately reflect their actual country of origin.

**Q. *How should muscle cuts of meats derived from animals slaughtered in the U.S. be labeled with production steps?***

A. The rule requires meat muscle cuts derived from animals harvested in the U.S. to include specific information regarding where animals were born, raised, and slaughtered. The “U.S.” label will state: “Born, Raised, and Slaughtered in the United States.” For meat derived from animals born outside the United States, one type of label could state: “Born in Mexico, Raised and Slaughtered in the United States.” For meat derived from animals imported for immediate slaughter, one type of label could state: “Born and Raised in Canada, Slaughtered in the United States.”

**Q. *Are abbreviations for production steps on muscle cuts allowed?***

A. Abbreviations for the production steps are permitted as long as the information can be clearly understood by consumers. For example, consumers would likely understand:

“brn” as meaning “born;”

“htchd” as meaning “hatched;”

“raisd” as meaning “raised;”

“slghtrd” as meaning “slaughtered;” or

“hrvstd” as meaning “harvested.”

**Q. *Can I use another word such as “harvested” in lieu of “slaughtered?”***

A. Yes, for muscle cut covered commodities of U.S. origin and those of multiple countries of origin slaughtered in the U.S., you may use the term “harvested” in lieu of “slaughter” when conveying the location information. However, neither of the terms “packaged” or “processed” may be used in lieu of “slaughtered.” Placing covered commodity items into a consumer-ready package or master container is not the same thing as converting an animal into a muscle cut. Converting a live animal into muscle cuts is not the same as processing a chicken breast into chicken nuggets. The original COOL final rule permitted the term “harvested” to be used in lieu of “slaughtered.” It also permitted the term “hatched” to be used in lieu of “born” for chicken. The May 2013 final rule concerning labeling of muscle cut covered commodities retains these flexibilities.

**Q. *How should ground meats be labeled?***

A. Production step information (where animals were born, raised, and slaughtered) is only required on muscle cut commodities. Production steps are not required on ground meats at any volume. For example, ground chicken can be labeled as “Product of U.S.” Ground meats derived from raw materials sourced from multiple countries may be commingled; for example, ground pork may be labeled as “Product of U.S. and Canada.” Ground beef shall be labeled with the names of the countries contained therein or may be contained therein. For example, the appropriate label for ground beef destined for retail sale derived from Canadian, Mexican, Australian, and U.S. beef would be: “Product of U.S., Canada, Mexico, and Australia.” The order of the country names does not matter. Punctuation and the word “and” may be omitted.

**Q. *How should imported muscle cuts of meat be labeled?***

A. Imported products that do not undergo substantial transformation in the U.S. are only required to be labeled with the country that was declared to Customs and Border Protection at the time the products entered the U.S. For instance, lamb loin imported from Australia can be labeled “Product of Australia” and pork ribs imported from Denmark can be labeled “Product of Denmark.”

**Q. *What fish and shellfish items are required to be labeled for COOL?***

- A. Fish and shell fish covered commodities include fresh and frozen fillets, steaks, nuggets, and any other flesh from a wild or farm-raised fish or shellfish.

**Q. *What is “method of production?”***

- A. Method of production refers to the environment in which fish and shellfish are raised: farm-raised or wild-caught. Farm-raised means fish or shellfish that have been harvested in controlled environments, including ocean-ranched (e.g., penned) fish and including shellfish harvested from leased beds that have been subjected to production enhancements such as providing protection from predators, the addition of artificial structures, or providing nutrients. Wild means naturally-born or hatchery-originated fish or shellfish released in the wild, and caught, taken, or harvested from non-controlled waters or beds.

**Q. *What is a supplier’s responsibility to comply with COOL?***

- A. Any person engaged in the business of supplying a covered commodity to a retailer, whether directly or indirectly, must make available information to the buyer about the country (ies) of origin and method(s) of production (for fish and shellfish) of the covered commodity. In the case of muscle cuts of meat, suppliers must include the production step information (born/hatched, raised, and harvested). This information may be provided either on the product itself, on the master shipping container, or in a document (e.g., invoice, bill of lading or shipping manifest) that accompanies the product through retail sale. Suppliers do not have to do all three; providing COOL information by any one of these means will comply with the regulation. Keep in mind, however, that customers may choose to require additional labeling of documents, product packages, or master containers. Such business transactions are negotiations between buyer and seller, and suppliers should discuss the matter with their customers.

**Q. *How long are retailers and suppliers required to retain records that verify country of origin/method of production information?***

- A. One year from the date of the transaction. Records may include any document used in the normal course of business and may be stored in any form (electronically or hardcopy) and in any location (at the retail store facility, a distribution center, or corporate headquarters).

**Q. *Who can we contact with questions about COOL?***

- A. Contact a COOL Specialist by phone at (202) 720-4486 or send an email to: [cool@ams.usda.gov](mailto:cool@ams.usda.gov)