

RECORDKEEPING

Retailers and their suppliers have recordkeeping responsibilities. Records used in the normal conduct of business that are legible and maintained either in hard copy format or electronic are acceptable for verification of origin claims. Upon request by United States Department of Agriculture representatives, records shall be provided to substantiate claims.

Responsibility of Retailers

Records and other documentary evidence relied upon to establish the country of origin of covered commodities at the point of sale shall be provided within 5 business days and may be maintained in any location.



COOL

Country of Origin Labeling

Retailers and Consumers
October 2009

PROVIDING INFORMATION... PURCHASING CONSUMERS' CHOICE

Final Rule (FR) 7 Code of Federal Register 60 and 65
became effective January 15, 2009

Covered commodities:

Meat Muscle Cuts

- Beef (including veal)
- Pork
- Lamb
- Goat
- Chicken



Ground Meat

- Beef
- Pork
- Lamb
- Goat
- Chicken



Wild and Farm-Raised Fish and Shellfish



Perishable Agricultural Commodities (fresh and frozen fruits and vegetables)



Nuts

- Peanuts
- Pecans
- Macadamia Nuts
- Ginseng

Who is required to label? Retail establishments that are licensed under the Perishable Agricultural Commodities Act (PACA) are required to provide COOL information to consumers.

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LABELING RESPONSIBILITIES

COOL declarations must be specific and accurate. It is ultimately the retailer's responsibility to provide country of origin information to consumers.



EXEMPTIONS AND EXCLUSIONS

Food Service Establishments are exempt from COOL requirements. Food service establishments include restaurants, cafeterias, food stands, bars, taverns, lounges, delicatessens, salad bars or other similar facilities operating as an enterprise and providing ready-to-eat foods to the public.

Processed foods are excluded from COOL requirements. Processed food items derived from a covered commodity:

1. That have undergone specific processing resulting in a change of character (e.g., cooking, curing, smoking, restructuring); or
2. That have been combined with another food component.

Examples of processed foods:

- Teriyaki Flavored Pork Loin
- Flank Steak with Portabella Stuffing
- Roasted Peanuts
- Breaded Chicken Tenders
- Fish Sticks
- Canned Tuna
- Marinated Garlic Shrimp



COOL for Muscle Cuts of Meat

- A. Product of the U.S.**—meat derived from animals born, raised, and slaughtered in the United States or from animals present in the United States on or prior to July 15, 2008.
- B. Product of the U.S., Country X**—meat derived from animals born in Country X and raised and slaughtered in the United States. Meat from these animals were not exclusively born, raised, and slaughtered in the United States or imported for immediate slaughter. Countries may be listed in any order.
- C. Product of Country X, U.S.**—meat from animals imported into the United States for immediate slaughter.
- D. Product of Country X**—foreign meat imported into the United States.

COOL for Ground Meat

The label shall list all countries contained therein or that may be reasonably contained therein in any order. When a raw material from a specific origin is not in a processor's inventory for more than 60 days, that country shall no longer be included as a possible country of origin.

COOL for Perishable Agricultural Commodities (PAC), Nuts & Ginseng

The origin declaration will be where the product is grown/harvested. State, regional, and locality may be used for the country of origin declaration. Examples include: *Product of the U.S.*, *Produce of the U.S.*, *Grown in the U.S.*, or *Country X*.

COOL for Fish and Shellfish

- A. Product of the U.S.**—covered farm-raised fish and shellfish that are hatched, raised, harvested, and processed in the United States or covered wild fish and shellfish harvested in waters of the United States or by a United States flagged vessel and processed in the United States and that have not undergone substantial transformation outside of the United States.
- B. Product of Country X**—imported fish and shellfish that have not undergone substantial transformation in the United States as declared by U.S. Customs and Border Protection (CBP).
- C. From Country X, Processed in the U.S. or Product of Country X, U.S.**—imported fish and shellfish that have undergone substantial transformation in the United States.

Fish and shellfish covered commodities must be labeled with the method of production (wild or farm-raised) and the country of origin declaration.

COOL for Commingled Commodities

Origin declarations must be specific for covered commodities of the same type that have been prepared from raw material sources having different origins that are contained within the same package. Meat covered commodities (e.g., rib eye steaks) derived from U.S. and mixed origin animals that are commingled during a production day may carry the mixed origin claim, *Product of the U.S.*, *Country X*, *Country Y*. Mixed origin perishable agricultural commodities, nuts, and ginseng shall list all countries contained therein.



COOL LABELING OPTIONS

- | | |
|-----------|---------|
| Placard | Sign |
| Sticker | Band |
| Twist Tie | Pin Tag |

The declaration must be legible and placed in a conspicuous location, so as to render it likely to be read and understood under normal conditions of purchase.