

# COUNTRY OF ORIGIN LABELING

## A Guide for Louisiana Cattle Producers

Mandatory Country of Origin Labeling (COOL) took effect on September 30, 2008 and indirectly impacts livestock producers engaged in production of beef, pork, lamb (meat produced from sheep and includes mutton), chicken and goat (whether whole muscle or ground meat) products. COOL was initially part of the 2002 Farm Bill but revisions as set forth in the 2008 Farm Bill (Food, Conservation and Energy Act) have been incorporated into the final interim rule by USDA Agricultural Market Service (AMS). This fact sheet is published with the intent to provide livestock producers in the state of Louisiana with the knowledge not only to be in compliance with COOL, but also to sign an affidavit on the origin of their livestock with confidence. *(Revisions to this fact sheet were made following the publishing of the final rule by AMS on January 12, 2009 which takes effect March 16, 2009. Copies of the final rule and additional information are available at <http://www.ams.usda.gov/COOL>.*

COOL was originally part of the 2002 Farm Bill, but was delayed on two separate occasions. Sections covering fish and seafood became effective in 2006. *(COOL also applies to perishable commodities such as fresh fruits and vegetables, plus peanuts, pecans, macadamia nuts and ginseng.)*



### Product Categories

Four categories based on origin of that product were created by COOL:

- Animals that were born, raised and slaughtered in the United States qualify as products of the United States. This classification extends to all animals that were in the United States on July 15, 2008, provided the animal did not leave the United States prior to slaughter.
- Animals from multiple countries of origin will be labeled as product of the United States and country X and/or country Y. This category likely would be applied to ground meat products and labeled as “may contain product of countries X, Y and Z.”
- Animals that are imported for immediate slaughter will be classified as product of country X and the United States.
- Imported finished product to be sold at retail will be labeled as product of country X.

Although labeling will be the responsibility of slaughtering facilities, it will be the producer’s responsibility to accurately provide records to buyers/sellers and other entities in the marketing channel on the origin of the livestock involved in the transaction. Maintaining these records will aid in a producer verifying origin of animals should an audit ever occur.

### Documentation Requirements

Animals do not have to be individually identified provided that a group of animals is of the same origin/product category (see above section). If animals are of different origins or product categories, producers should permanently identify those animals or pen them separately. Cattle that are imported from Mexico or Canada are permanently identified upon entrance into the United States. Because of the “grandfathering” of cattle in the United States that occurred on July 15, 2008, producers should document their herd size and composition to ensure compliance especially regarding breeding stock that may not be sold for several years.

The rule provides for claims to be substantiated with “records maintained in the normal course of business.” COOL also requires that records on the origin of livestock involved in a transaction must be maintained for one year from the date of the transaction. Producers are required to be able to identify the immediate previous source and immediate subsequent recipient of any livestock they buy or sell. Records on breeding stock should be retained for as long as the animal is retained, plus one year from the date the producer sells the animal. Affidavits are acceptable forms of documentation to provide to buyers of livestock, and two samples are included in

this fact sheet. USDA has stated their intent to accept the second affidavit. Affidavits, however, should be supported by documentation kept by the producer to substantiate the claim should an audit take place.

For cattle, producer affidavits based on visual inspection are sufficient to verify origin. Animals must not have markings indicating the animal is of foreign origin. These markings include “CAN” for Canada and “M” for Mexico.

## Recommended Documentation

Most producers’ existing records are sufficient to document animal origin. Producers are encouraged not to forget to verify the status of breeding stock that were on farm on July 15, 2008, since it could be several years before they are sold. The following types of records are acceptable forms to document claims of origin:

- Beginning/ending inventory
- Herd/calving records
- Balance sheet, income statement or other financial records
- Health papers, vaccinations/health treatment records or receipts
- Scale tickets and purchase and sales receipts
- Feed records or bills

This list is but a sample of acceptable records that USDA AMS define as acceptable. It may be advantageous to have a written statement of standard operating procedures for record keeping, identification methods of animals or other documentation procedures used. This will document with employees and buyers how origin claims are verified in the operation.

Mandatory tagging of livestock is not a part of COOL, nor can it be required by USDA. Tagging, however, can be one tool to accurately document cattle on the premises, especially if the producer is operating a stocker system. The costs and benefits of a tagging system should be considered prior to implementation. Benefits include, but are not limited to, ease of identifying animals from a specific source (i.e., purchased from another producer) or origin (i.e., Mexico, Canada or the United States) as well as linking that group of animals to a specific set of herd management records.

Voluntary participation in the National Animal Identification System (NAIS) provides sufficient documentation to be in compliance with COOL, specifically NAIS 840 ear tags. Participation in USDA Quality System Verification Programs (QSVP) including the USDA Process Verified Program (PVP) and the Quality Systems Assessment (QSA) Program that contain a source verification component is also considered as acceptable evidence to substantiate COOL claims. Since USDA cannot dictate what to use, as long as the next person within the animal supply chain will accept your method of notification and it can be then passed on, USDA would evaluate it for supplying the required information accurately, but not requiring specific programs or forms.

## APPENDIX

### Recommended Country of Origin Affidavit/Declaration statements

- Continuous Country of Origin Affidavit/Declaration
- Origin Declaration Language for Seller/Buyer Invoices and Other Sales Documents with Continuous Declaration on Record or as a Stand-Alone Declaration of Origin
- Appended Declaration Statement for Immediate/Direct Supplier Transactions to Packers

### Affidavit of ownership for stock born in the U.S.A.

### COOL record sheets

- Breeding stock records of sale
- Cow-Calf records of sale
- Feeder stock records of sale



# Country of Origin Label Declaration

Date: \_\_\_\_\_

## *Seller contact information*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City and State: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Number of animals: \_\_\_\_\_

General description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Based on the documents in my possession these animals**

**were born in \_\_\_\_\_ and**

**were raised in \_\_\_\_\_.**

**Signed: \_\_\_\_\_, Seller**

The Iowa COOL Coalition representing the Iowa Farm Bureau, Iowa Cattlemen's Association, Iowa Pork Producers Association, Iowa Department of Agriculture and Land Stewardship and the Iowa Pork Industry Center and Iowa Beef Center at Iowa State University have prepared the above example affidavit for sellers to sign and present to buyers of cattle, hogs and sheep to establish an audit trail required by USDA as published in the October 30, 2004 Federal Register announcement of Mandatory Country of Origin Labeling. Used with permission.

## Recommended Country of Origin Affidavit/ Declaration Statements

**Continuous Country of Origin Affidavit/Declaration:** *(The following affidavit statement could be used by any operation in the livestock chain attesting to the Country of Origin of livestock but particularly for first-level producers.)*

As an affidavit is deemed by USDA as an official record of Country of Origin, I attest through first-hand knowledge, normal business records, or producer affidavit(s) that all livestock referenced by this document or other communications specific to the transaction and transferred are of

\_\_\_\_\_ origin. Should the origin of my livestock become other than that described above, I agree to notify the buyer/agent when this occurs.

This affidavit/declaration shall remain in effect until revoked in writing by the undersigned and is delivered

to \_\_\_\_\_ (agent/buyer).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Business/Farm/Ranch Names/Location

**Country of Origin Declaration Language for Seller/Buyer Invoices and Other Sales Documents with a Continuous Declaration on Record or as a Stand-Alone Declaration of Origin:** *(The following declaration of Country of Origin statement would be used as a supporting declaration of origin specific to transactions involving livestock from persons with a continuous affidavit on file, or as a stand alone affidavit/declaration on specific transaction(s) on invoices, check-in sheets and other sales documents.)*

I attest that all livestock referenced by this document and transferred are of \_\_\_\_\_ origin.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Appended Declaration Statement for Immediate/Direct Supplier Transactions to Packers:** *(Some packers may request that their immediate/direct suppliers add the following language to the continuous or sales record affidavit/declaration statements to affirm the period of time in which Country of Origin records would be maintained by their immediate suppliers. This may be necessary as packers are required by law to maintain Country of Origin records for one year, and they must be able to obtain records from their immediate suppliers within that one-year period to substantiate country of origin claims.)*

I attest that \_\_\_\_\_ (Insert business name) has, and will maintain records of livestock origin for one year from the date of delivery of the livestock to the packer/buyer.

I attest that these records reflecting specific transactions are available for inspection for the sole purpose of compliance with an audit as described by the country-of-origin labeling provisions contained in the Farm Security and Rural Investment Act of 2002 as amended. (P.L. 108-767, USCA section 1638a, 2003).

# COOL Compliant Recordkeeping • Cow-Calf Operator

Ranch Name: \_\_\_\_\_

Premise ID#: \_\_\_\_\_  
*(dependant upon if you registered under a state or national ID system "589632")*

Owner(s) of Livestock: \_\_\_\_\_

Contact Information: \_\_\_\_\_ ( ) \_\_\_\_\_  
*address area code/phone number*

	Date	# of head	Animal/ Tag ID#	Brand	Sex	Year of Birth	Age	Origin of Birth	Weaning Date	Sale Date	Buyer	Comments
<b>example</b>	4/8/2008	1	528	★	F	2008	6 mos.	Idaho, USA	11/1/2008	11/15/2008	Blackfoot Auction	
<b>cow-calf</b>												
1												
2												
3												
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# COOL Compliant Recordkeeping • Breeding Stock

Ranch Name: \_\_\_\_\_

Premise ID#: \_\_\_\_\_  
*(dependant upon if you registered under a state or national ID system "589632")*

Owner(s) of Livestock: \_\_\_\_\_

Contact Information: \_\_\_\_\_ ( ) \_\_\_\_\_  
*address area code/phone number*

	Date	# of head	Animal/ Tag ID#	Brand	Sex	Year of Birth	Age	Origin of Birth	Weaning Date	Sale Date	Buyer	Comments
<b>example</b>	7/15/2008	1	987		F	2004	4 yr.	USA	11/4/2008	11/15/2008	John Q. Rancher	breeding stock-cull
<b>breeding stock</b>												
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# COOL Compliant Recordkeeping • Feeders

Ranch Name: \_\_\_\_\_

Premise ID#: \_\_\_\_\_  
*(dependant upon if you registered under a state or national ID system "589632")*

Owner(s) of Livestock: \_\_\_\_\_

Contact Information: \_\_\_\_\_ ( ) \_\_\_\_\_ area code/phone number  
 \_\_\_\_\_ address

	Date	# of head	Animal/ Tag ID#	Brand	Sex	Year of Birth	Age	Origin of Birth	Weaning Date	Sale Date	Buyer	Comments
<b>example</b>	7/15/2008	10	001 to 010	Lazy UI	Steer	2007	16 mos.	USA	11/1/2007	10/1/2008	Low Ball Feeders	feeders
<b>feeders</b>												
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