



August 17, 2018

U.S. Department of Agriculture
Food Safety and Inspection Service
1400 Independence Avenue, SW
Washington, D.C. 20250-3700
Attention: Ms. Mary Porretta, Petitions Manager
Office of Policy and Program Development
Petition "18-05"

USDA/FSIS:

The Northeast Organic Farming Association – New York submits the following comments to support the petition "18-05" to change the Food Safety Inspection Service (FSIS) policy towards the use of the "Product of U.S.A." label for meat and meat products, which has been submitted by the Organization for Competitive Markets (OCM) and American Grassfed Association (AGA) to the FSIS.

Founded in 1983, the Northeast Organic Farming Association – New York (NOFA-NY) is the premier statewide organization growing a strong organic and sustainable agriculture movement in New York State and is part of a regional network of seven Northeast Organic Farming Associations. NOFA-NY provides education and assistance to local organic and sustainable farmers; connects consumers with organic and sustainable farmers; advocates policies that support a sustainable food and farm system at both the state and federal levels; and is the largest USDA-accredited organic certifier in New York certifying over 1,000 organic operations in the state.

New York State is home to a large agricultural sector – in organic alone, we are 3rd in the country for number of organic farms, and 4th in organic land. And, we are also home to one of the biggest consumer markets in country in New York City alone. Over and over again, consumers say they want locally, regionally and sustainably produced food, and they want clear and truthful labels. In order for our farmers – organic as well as all others – to capture this market, and remain profitable, they have turned to labels to help differentiate their products and meet this demand.

The current FSIS labeling policy for "Product of U.S.A." grants foreign countries and foreign interests an unfair marketing opportunity that harms America's family farmers by allowing foreign entities to receive a premium from consumers who unwittingly believe they are buying meat and meat products with ingredients that originate domestically.

Research has shown that as many as 93% of Americans want to know where their food comes from and 75% of Americans indicate the source of origin of their food is a major attribute when making their food choices. The current FSIS policy misleads Americans when they are making their purchases and denies America's family farmers these food dollars. FSIS food labeling policy for "Product of U.S.A." should be based on the source of the ingredients.

The current FSIS labeling policy for "Product of U.S.A." deceives America's consumers who have clearly demonstrated they will pay a premium for meat and meat products sourced domestically by misbranding foreign meat and meat products as "Product of U.S.A."

Australia is a leading beef exporter into the U.S. and has just implemented a mandatory retail Country of Origin Labeling requirement. The current U.S. policy that allows Australian beef to pass through a USDA inspected facility and then to be labeled "Product of U.S.A." clearly gives Australian ranchers and foreign interests a grossly unfair marketing advantage over American family farmers by allowing these foreign interests to receive a premium in both the U.S. and Australian market.

Both the Federal Meat Inspection Act and FSIS regulations clearly establish that meat and meat product labels must not mislead the consumer nor must they be false. FMIA states that meat or meat food products shall be "misbranded" if its "labeling is false or misleading in any particular." The current FSIS policy on labeling "Product of U.S.A." must be clarified to correctly reflect the federal law ensuring U.S. consumers are not misled or deceived.

In passing the Federal Meat Inspection Act (FMIA), Congress acknowledged the financial harm misbranding and mislabeling causes America's livestock producers and clearly stated this as a key basis for the adoption of FMIA.

For these reasons, NOFA-NY strongly supports the OCM/ACA petition (18-05) seeking to change this current policy. FSIS should return to its 1985 language, as recommended in the petition.

FSIS should no longer allow foreign raised meat and meat products to legally be labeled as "Product of the U.S.A.," and should put issues of transparency, fairness, and integrity first.

Sincerely,

A handwritten signature in black ink that reads "Liana Hoodes". The signature is written in a cursive, flowing style.

Liana Hoodes, Policy Advisor