



Agricultural Marketing Service

# COOL

## Country of Origin Labeling

### Supplier Information

#### What is COOL?

Country of Origin Labeling (COOL) is a labeling law that requires retailers to provide information to consumers regarding the source of certain foods referred to as “covered commodities.”

#### Who has to follow COOL?

Suppliers who directly or indirectly provide covered commodities to retail establishments are required to convey COOL information to their subsequent buyers, including retailers. Retailers subject to licensing under the Perishable Agricultural Marketing Act of 1930, which include most grocery stores, supermarkets, and warehouse club stores, are required to convey COOL information to consumers.

#### Who is exempt from COOL?

Hotels, restaurants, bars, taverns, delicatessens, salad bars, farmers markets, or other similar institutions that provide ready-to-eat foods are EXEMPT from the COOL requirements.



#### Responsibility of Suppliers

In order for retailers to comply with COOL, any person engaged in the business of supplying a covered commodity to a retailer, directly or indirectly, must provide accurate country of origin and method of production information (if applicable) to their buyers. Country of origin and method of production information can be provided either on the product itself, master container, or in a document that accompanies the product through retail sale.

#### Recordkeeping Requirements

Suppliers such as importers, growers, distributors, handlers, packers, and processors have recordkeeping requirements under COOL.

- Suppliers must maintain records of a covered commodity for 1 year from the date of the transaction. In order to verify the supply chain, records must include who they purchased the commodity from and who they sold it to.

- COOL information may be provided either on the product itself, on the master shipping container, or in a document that accompanies the product through retail sale.
- Records used in the normal course of business that are legible may be maintained in either hard copy or electronic format.
- Records may be maintained at any location.
- Upon request by a USDA representative, a supplier must provide records within 5 business days.

#### What are COOL Covered Commodities?

A covered commodity is one that must have COOL information at the point of sale. These include: fruits and vegetables; wild & farm-raised fish and shellfish; muscle cuts and ground chicken, lamb, and goat products; peanuts, pecans, macadamia nuts; and ginseng.

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**What are excluded items?**

Processed foods are excluded from COOL requirements. Processed foods are 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 covered commodity or substantive food component.

Examples of Processed Foods:

- Teriyaki Flavored Chicken
- Roasted Peanuts
- Breaded Chicken Tenders
- Fish Sticks
- Hash Browns
- Canned Tuna
- Mixed Vegetables
- Arugula and Baby Spinach Mix
- Salad Kit
- Marinated Garlic Shrimp

**Labeling Requirements**

**Muscle Cuts of Meat: Chicken, Lamb, & Goat**

The Omnibus Spending Act of 2016 amended the Agricultural Marketing Act of 1946 by repealing mandatory COOL requirements for beef and pork muscle cuts, ground beef, and ground pork. Requirements did not change for chicken, lamb and goat.

- For U.S. origin muscle cut chicken, lamb, and goat products, the label must state, "Born/Hatched, Raised, Slaughtered/Harvested in the U.S."

- Meat derived from animals where production steps occurred in multiple countries including the U. S., must be labeled with production steps at the point of sale. The label may state, "Born in Country X, Raised and Harvested in the U.S." or "Born and Raised in Country X, Slaughtered in the U.S."
- Country of Origin declarations for imported meat are determined by U.S. Customs and Border Protection. All production steps occur outside of the U.S. and therefore are not required at the retail point of sale. The label may state, "Product of Country X."

**Ground Meat: Chicken, Lamb, & Goat**

COOL requirements for ground meat products must list all possible countries included or that may be reasonably included. If a raw material from a specific origin is in a processor's inventory within the past 60 days, that country is a possible country of origin and must be listed as an origin.

**Perishable Agricultural Commodities: Fruits, Vegetables, Peanuts, Pecans, Macadamia Nuts, & Ginseng**

- The country of origin declaration is the location where the product was harvested.
- State, regional, or distinct locality designations may be used as the country of origin declaration for perishable agricultural commodities.



**Fish & Shellfish**

Fish and shellfish must include country of origin and method of production (farm-raised or wild-caught) at the point of sale.

- U.S. origin is derived from farm-raised fish and shellfish that are hatched, raised, harvested, and processed in the United States or from 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.
- Imported fish or shellfish that have undergone substantial transformation in the U.S. should be labeled as "From Country X, Processed in the U.S." or "Product of X, U.S."
- Imported fish or shellfish that has not undergone substantial transformation in the U.S. shall have the country of origin declared by the U.S. Customs and Border Protection.

**COOL Compliance**

1. First, the COOL Division conducts thousands of retail surveillance reviews at retail establishments each year. During the review a USDA representative will ensure:

- Covered commodities are labeled with a country of origin and method of production at the point of sale; and,
- Country of origin and method of production declarations are accurate based on an assessment of retailer's recordkeeping practices.

2. Second, the COOL Division conducts supplier traceback audits stemming from records collected during retail surveillance reviews to determine the accuracy of the country of origin and method of production claims through the chain of commerce. All direct and indirect suppliers involved in the transaction of the covered commodity are audited to verify consistency of information.

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