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TO: Members of House Agriculture, Livestock and Natural Resources Committee

FROM: Mary Lou Chapman, President, Rocky Mountain Food Industry Association

SUBJECT: HB18-1043, Requiring Country of Origin Labeling of Beef Sold in Colorado

Those of you who were on the committee last year heard this same bill as HB1234. You also heard the various industries' arguments as to why this seemingly simple "right to know" idea is a very costly and bad idea on the state level.

I hope you will understand that this bill is extremely problematic for grocers and meat shops-- large and small, who sell uncooked beef to the public. The bill requires food retailers to produce a point of purchase sign, placard, or shelf-talker (all of which are considered labeling in federal regulation) with information on the heritage of the beef product.

The Federal Meat Inspection Act (FMIA), under the authority of USDA, occupies the regulatory field for packaging and labeling of meat products in the U.S. The FMIA states that states may not require labeling in addition to nor different than that required by the U. S. Government. The Supremacy Clause of the U.S. Constitution says if there is a conflict between federal and state law, then federal law prevails.

The FMIA does not require packers, distributors, or suppliers of beef products to keep records of the country of origin of products that go through their facilities. Once products are processed in a federally inspected plant, they are deemed products of the USA. It has been that way for over 50 years.

Most retailers do not purchase directly from producers, but through a supply chain of distributors and suppliers. Most of our rural, independent grocers purchase through their cooperative warehouses, which are all located out of state. Therefore, HB1043 asks them to provide signage with information that they most likely will not know, and NO ONE IS REQUIRED to provide for them!

Last year, I asked the North American Meat Institute to send me a letter with citations regarding the law to help our legislators understand it more thoroughly. I asked them to update it this year...so it is attached.

Because I have been unable to be at the capitol this week, I will ask your staff Meghan to make copies available to each of you. We have also made copies available to CO Farm Bureau, CO Cattlemen's Association, and the CO Livestock Association.

Thank you for your consideration to defeat this bill that will impose costs on Colorado businesses and consumers that their counterparts in other states do not incur.

Please contact me if I may provide additional information.

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