



May 18, 2010

*Via E-mail*

Dr. Craig A. Morris  
Deputy Administrator  
Livestock and Seed Program  
United States Department of Agriculture  
South Agricultural Building  
1400 Independence Avenue, SW  
Room 2092  
Washington, DC 20250

Dear Dr. Morris:

I write today regarding issues with country of origin labeling (COOL) violation letters. Food Marketing Institute (FMI) members<sup>1</sup> take very seriously their obligations under the COOL law and industry compliance rates are 97 percent. FMI appreciated how AMS considered our input in the implementation of COOL and we have very much valued all of the help your staff has given us in answering compliance questions since. We would like to make a suggestion regarding COOL violation letters.

Most of our members deal with COOL violation letters in their corporate offices. Typically, specific individuals within corporate offices are tasked with responding to these letters and ensuring that any COOL issues are remedied. Currently, we understand it is USDA policy for violation letters to be sent to individual store locations. FMI believes this policy should be changed because these letters often fail to reach the proper staff in corporate offices which manage COOL matters. USDA should seek to identify a designated COOL point of contact within the corporate office of each retailer. It is our understanding the COOL Branch has taken steps to do so. FMI requests that violation letters be addressed to the designated COOL point of contact within corporate offices rather than to individual store locations to ensure they are received by the appropriate staff. In some circumstances, violation letters have been sent to the incorrect staff members or to an individual that did not work for the retailer. In addition, reviewers should note items that were corrected on-site during the inspection and not send letters referencing such items.

---

<sup>1</sup> FMI is the national trade association that conducts programs in public affairs, food safety, research, education and industry relations on behalf of its 1,500 member companies – food retailers and wholesalers – in the United States and around the world. FMI's members in the United States operate approximately 26,000 retail food stores and 14,000 pharmacies. Their combined annual sales volume of \$680 billion represents three-quarters of all retail food store sales in the United States. FMI's retail membership is composed of large multi-store chains, regional firms, and independent supermarkets. Our international membership includes 200 companies from more than 50 countries.

Dr. Craig A. Morris

May 18, 2011

Page 2 of 2

We appreciate your attention to this important matter. If you have any questions please feel free to contact me at [elieberman@fmi.org](mailto:elieberman@fmi.org) or (202) 220-0614.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik R. Lieberman". The signature is fluid and cursive, with the first name "Erik" being the most prominent.

Erik R. Lieberman  
Regulatory Counsel