**Consumer Federation of America**

Nov. 3, 2025

Ambassador Jamieson Greer
United States Trade Representative

**Re: Docket Nos. USTR–2025–0004 and USTR–2025–0005] Request for Public Comments and Notice of Public Hearing Relating to the Operation of the Agreement Between the United States of America, the United Mexican States, and Canada**

*SUBMITTED VIA REGULATIONS.GOV*

Dear Ambassador Greer,

The Consumer Federation of America (CFA) appreciates the opportunity to submit these comments with respect to ongoing trade negotiations with Canada and Mexico, and to urge you to negotiate concessions with Canada and Mexico that clear the path for reinstatement of mandatory Country-of-Origin Labeling requirements for beef and pork (COOL). These rules have benefitted consumers and ranchers alike and should receive priority under any conceivable trade policy bearing the moniker "America First."

The story of COOL is one of corrupt institutions' brazen capture by a transnational meatpacking oligopoly.[1] USDA once required labels on beef and pork products to inform consumers of where the source animal was born, raised, and slaughtered.[2] Meatpackers tried and failed to defeat the law in federal courts.[3] They then proceeded to partner with Canada and Mexico to challenge COOL as an unlawful trade barrier before the World Trade Organization (WTO). The WTO authorized the two countries to levy over $1 billion in tariffs on U.S. goods,[4] and less than two weeks later, Congress passed a rider repealing COOL.[5] Tucked into a 2,000 page, $1.1 trillion

[1] *See* Thomas Gremillion The High Price of Free Trade: Country-of-Origin Labeling and the World Trade Organization, 29 Loy. Consumer L. Rev. 252 (2017). Available at: https://lawecommons.luc.edu/lclr/vol29/iss2/3
[2] Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-Raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng, and Macadamia Nuts, 74 Fed. Reg. 2658 (Jan. 15, 2009).
[3] Charles Abbott, "New U.S. meat label rule survives challenge by meat packers," REUTERS (Sept. 11, 2013), https://www.reuters.com/article/business/new-u-s-meat-label-rule-survives-challenge-by-meat-packers-idUSBRE98A14V/
[4] Decision by the Arbitrator, *United States – COOL Requirements*, WTO Doc. WT/DS384/ARB; WT/DS386/ARB (adopted Dec. 7, 2015).
[5] *See* Public Law No: 114-113 (12/18/2015), Sec. 759.

omnibus spending bill, the rider's proponents made clear that it was meant to avoid "economically devastating tariffs."[6]

United States law has required products to indicate country of origin on their labeling for over 125 years.[7] However, it was not until 2009 that these requirements applied to beef and pork.[8] This legal change was prompted in part by increased imports from Canada and Mexico of cattle and hogs, which sometimes were immediately slaughtered and labeled "Made in the USA." The policy also responded to U.S. authorities tracing a case of mad cow disease back to Canada.[9] Congressional leaders cited sustainability, support for domestic ranchers, and a basic consumer right-to-know when they passed legislation applying COOL to beef and pork in the 2002 Farm Bill.[10] All of these reasons still apply today.

Less clear is whether the threat of retaliatory sanctions still applies as a reason *not* to reinstate COOL. USTR should make that clear. Currently, legislation to reinstate COOL enjoys bipartisan support in Congress. This past February, Senate Majority Leader John Thune reintroduced the American Beef Labeling Act (S.421), and in the House, Representative Harriet Hageman published a companion bill.[11] The bills' opponents, like the National Cattlemen's Beef Association, are quick to point out that new COOL rules "may violate international trade laws," potentially "subjecting the U.S. to severe retaliatory tariffs."[12] But do they? If the Administration refuses to negotiate concessions to allow COOL, it should explain to the public why. Does it agree with the meatpackers that the benefits to ranchers and consumers do not justify the additional recordkeeping expense? Or is the United States' negotiation position just not strong enough to demand the right to set our own labeling laws? The public deserves to know where the Administration stands.

USTR's apparent neglect of COOL until now in its USMCA trade negotiations raises particular concerns with the recent decision to quadruple the tariff rate quota for beef from Argentina, stressing domestic cattle ranchers and increasing the likelihood of consumers unwittingly opting for foreign products.[13] By and large, consumers want to support domestic ranchers. Polling commissioned by CFA has shown that an overwhelming majority—89%–of Americans strongly support mandatory country of origin labeling for fresh meat.[14] But while USDA has insisted that it is "expanding …consumer transparency" and "ensuring consumers have clear, truthful information

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[6] Michael Conaway, *Country of Origin Labeling: All Cost, No Benefit | Commentary*, ROLL CALL (May 18, 2015, 7:15 AM), http://www.rollcall.com/news/country_of_origin_labeling_all_cost_no_benefit_commentary-241873-1.html

[7] *See* Am. Meat Inst. v. U.S. Dep't of Agric., 760 F.3d 18, 23-24 (D.C. Cir. 2014) (citing Tariff Act of 1890, ch. 1244, § 6, 26 Stat. 567, 613)

[8] Joel L. Greene, *Country of Origin Labeling for Food and the WTO Trade Dispute on Meat Labeling, Analyst in Agriculture Policy,* CONG. RESEARCH SERV. At 2, Appx. B (Dec. 8, 2015).

[9] *Bovin Spongiform Encephalopathy in Dairy Cow,* CDC (Jan. 9, 2004), https://www.cdc.gov/mmwr/preview/mmwrhtml/mm5253a2.htm

[10] 107 CONG. REC H153740 (daily ed. Apr. 24, 2002) (Statements of Bono and Reps. Thune and Thurman)

[11] https://www.americanagnetwork.com/2025/10/27/montana-coalition-calls-on-its-congressional-delegation-to-co-sponsor-m-cool-bill/

[12] https://www.ncba.org/Media/NCBAorg/Docs/2024-ncba-policy-book.pdf

[13] https://thehill.com/homenews/house/5580401-republican-lawmakers-argentinian-beef-imports-undermine-american-cattle-producers/

[14] https://consumerfed.org/press_release/large-majority-of-americans-strongly-support-requiring-origin-information-on-fresh-meat/

about American beef," its "plan to fortify the American beef industry" does not go beyond the voluntary "Product of USA" labeling requirements introduced during the Biden Administration.[15]

These voluntary standards do not go far enough. They do not require beef from Argentina, for example, to bear a label reading "Product of Argentina." Consumers deserve this information, or at the very least, they deserve an explanation as to why their elected leaders will not require this information on labels. International law and the threat of retaliatory sanctions would no longer seem to apply; the Administration has unilaterally raised tariffs on Canada and Mexico, and on the rest of the world, increasing prices for consumers and disrupting domestic ranchers' and other producers' operations. USTR could negotiate terms to allow COOL's reinstatement at comparatively little cost. Its continued failure to do so undercuts the Administration's stated commitment to American consumers and cattle ranchers alike.

Thank you for considering these comments.

Sincerely,

Thomas Gremillion
Director, Food Policy Institute
Consumer Federation of America

15 https://www.usda.gov/sites/default/files/documents/USDA%20Beef%20Industry%20Plan%20White%20Paper.pdf