

# Letter from Langdon: The Fight for Labeling

By RICHARD OSWALD

With Canada and Mexico claiming to have been harmed by the U.S.'s Country of Origin Labeling, advocates find themselves fighting for the law on multiple fronts. Some lawmakers suggest scaling back COOL, but others say cutting some fat would equal a surrender.



COOL requires the country of origin label meatpackers are required to include country-of-origin labels on their products to denote where the meat was raised and slaughtered. The law is in dispute.

Both Canada and Mexico have claimed harm from U.S. Country of Origin Labeling (COOL) that identifies sources of our food.

In spite of the fact that a study by Dr. Robert Taylor of Auburn University shows no harm to foreign markets, the U.S. House

of Representatives, led by the House Agriculture Committee, has repealed COOL for U.S. beef, pork, and poultry.

Four U.S. Courts approved the legality of COOL before the World Trade Organization (WTO) complaint was filed. But American laws were subverted by free trade deals allowing WTO statutes to take precedence over our own U.S. law.

Action in the Senate is pending. I hope they take the patriotic route, but with trade sanction retaliation threatened by Canada

and Mexico, weak knees in the Senate may prevail just as they did in the House.

USDA has recently approved chicken imports from China even though China's food safety record is atrocious. The Obama Administration has also approved the

**Without COOL, American consumers will be in the dark about food safety like never before.**

import of beef from foot-and-mouth disease afflicted regions of South America, at great

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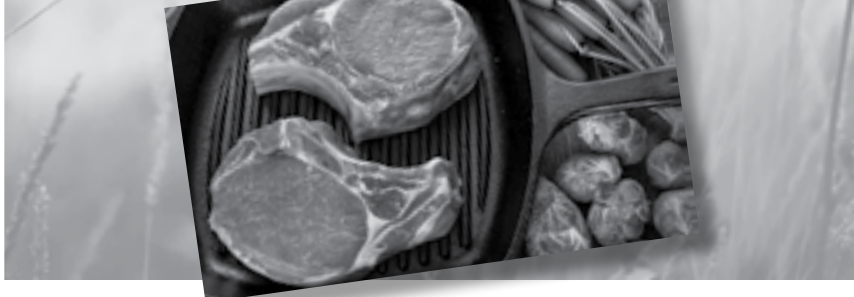
<http://www.dailyonder.com/letter-langdon-fight-labeling/2015/07/06/7897Ag> and Trade

*Disclaimer: The opinions of the authors presented in our newsletter are their own and are not intended to imply the organizations position. OCM has membership with diverse viewpoints on all issues. OCM is committed to one and only one principal; competition.*

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AGENDA (Tentative)

07:00	Registration	
08:10	Welcome	Mike Callicrate
08:30	Conference Purpose	Fred Stokes
08:45	Case for Alliances & Coalitions	Bill Bullard Diana Moss
09:45	Coalition Report HSUS on our side OIG FOIA Issue	Joe Maxwell Angela Huffman Matt Penzer
10:30	BREAK	
10:45	Beef Tax Report	Fred Stokes
1:00	Contract Poultry Producers	Mike Weaver
11:15	Action Plan	Mike Callicrate
12:00	LUNCH (Buffet available @ \$25)	
1:00	Discussion avoiding "Chickenization"	Mike Callicrate
2:30	OCM Membership Meeting	Mike Callicrate
4:00	Adjourn	



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LABELING (continued from page 1)

peril to American beef herds. And every so often Canada reports another case of mad cow disease, the brain destroying disease that might affect humans the same way.

Without COOL, American consumers will be in the dark about food safety like never before.

Senator Debbie Stabenow (D-MI) has proposed modifying the COOL law of mandatory labeling for muscle cuts of beef and pork to one of voluntary labeling, while preserving mandatory labeling for chicken, ground beef, and ground pork. Those are the products where the risk of food borne illness is greatest.

Some farm groups who said they supported COOL never stepped up to defend it. Farm Bureau, National Cattlemen's Beef Association, and National Pork Producers Council never questioned the unfounded WTO complaint. That's because they represent corporate business interests ahead of small family farms.

Other, more farmer friendly groups see any retreat from mandatory labeling as a betrayal.

Those are some of the same farm groups who argued that mandatory labels were the only way consumers could be sure. They felt voluntary labels let packers and importers off the hook by not forcing them to label everything. But that was when COOL supporters had the upper hand.

Preserving COOL now might mean voluntary labels or nothing at all.

Success or failure of labeling strategies depends on consumers recognizing differences between brand names and misleading advertising on the one hand, and a straightforward label on the other.

Our best customers ~ U.S. consumers ~ need to know where their food comes from.

And family farm food producers deserve protection from China-ization of our food supply, where Walmart-like tactics undercut supply and demand,

like flooding our markets with cheap merchandise until competition is destroyed.

Most importantly, foreign takeover of our food supply removes American control of our most important resource.

It's already begun. Smithfield Foods, with labels in practically every U.S. grocers meat case, has been bought lock, stock, and barrel by a Chinese government backed Corporation named Shuanhui. Of course, Smithfield already owned what was once the largest U.S. farmer owned pork cooperative, Kansas City based Farmland Industries.

Would Farmland ever have failed if the U.S. Government had defended fair competition and markets? We'll never know.

Now the largest packer in the world, JBS of Brazil, after having already bought out other American companies, has purchased Cargill Incorporated's pork unit worth almost a billion and a half dollars. Among companies comprising Cargill's patchwork of pork assets were holdings of MFA Incorporated, another Missouri based farm cooperative.

Missouri, at the center of our nation, sits at the center of pork buyouts as well.

All that points out why labeling is so important. Our government has backed free trade deals for years, saying they mean more American jobs. But so far the evidence is that they mean more foreign jobs, and foreign consumption of America's basic resources. Those resources are then returned to us as value added products.

Once reserved for manufactured goods, free trade is now beginning to represent greater foreign control of our food supply. COOL got in the way of that. Now big food wants it gone. But more than 70 other nations have their own versions of COOL. The WTO isn't complaining about those. Only America's COOL is under the gun.

That seems lopsided, especially since Canada likes to say their consumers prefer Canadian beef nine to one, and want it labeled in stores so they can find it. Yes. Canada has COOL, and U.S. authorities have not complained.

Among the few defenders of American farmers and ranchers is aforementioned Senator Stabenow, who has proposed a voluntary label for muscle cuts of beef (because that's the mandatory label our trading partners complained about) which would preserve mandatory labeling for ground beef and pork, and chicken.

Keep in mind that farm groups have fought a decades-long battle just to get this far. We've invested our political capital as well as our dollars. Some of us believe consumers will rebel. They hope full repeal will awaken a sleeping giant during Congressional elections. While consumer groups have supported COOL, they haven't really fought for it the way some farm groups have.

Should we expect that to change?

Those with the greatest investment want to save at least part of the law we've fought so hard to gain. The National Farmers Union wants to preserve the COOL law to the best of our ability because given the volatile state of Congress, odds of them ever passing another labeling law are slim to none.

The NFU says maybe only a voluntary label for some meat products is better than none.

Especially if it saves the COOL law.

Giant multinational corporations are battling to control not only our food and profits it generates, but the basic knowledge of where food is grown and processed. Both farmers and consumers should hold government fully accountable in food wars to come.

You can't win battles by giving back what you've gained.

That's why anything less than COOL is like unilateral surrender.

*Richard Oswald, a fifth generation farmer, lives in Langdon, Missouri, and is president of the Missouri Farmers Union.*

# LETTER TO SENATORS

FROM JOHN HANSEN

July 8, 2015

Dear State Senators:

I hope your summer is going well. Below is yesterday's joint op ed from the *Washington Post* by Rep. Marcy Kaptur and Willie Nelson that does an excellent job of describing the status and short history of efforts to provide basic rights and protections for contract poultry producers that were included in the 2008 Farm Bill. The poultry processors have used their political muscle to use the Appropriations process to include riders prohibiting USDA from implementing the reforms they were directed by Congress to develop, including rules against retaliation. This article is very instructive as you consider efforts by Senator Schilz to move hog production in Nebraska towards the contract poultry model in the session ahead.

As Chair of the National Farmers Union's Legislative Committee, I was very much involved with the Farm Bill efforts in 2008 and since then to update USDA's GIPSA regulations to accommodate the changes in livestock production and the proliferation of one sided, processor dominated production contracts. I have worked closely with the poultry growers and members of Congress to get these badly needed and long overdue basic reforms implemented, including Rep. Marcy Kaptur and Rep. Jeff Fortenberry. I find the poultry industry opposition to reforms preventing them from practicing retaliation against their contract growers both telling, and indefensible. Say what you will about Willie Nelson, he continues to stand up for the interests of family farmers and ranchers. He has stood with the poultry growers of America long before 2008 in their struggle to get basic fairness in production contracts. For that, I tip my hat to him.

All the best,

John K. Hansen, President  
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## U.S. poultry farmers' rights are under siege

*Washington Post*

BY WILLIE NELSON AND REP. MARCY KAPTUR

*Willie Nelson is a musician and the president of Farm Aid. Marcy Kaptur, a Democrat, represents Ohio in the House of Representatives.*

As Americans, we cherish our rights to speak freely, to assemble peacefully and to address our government representatives without fear of retaliation. But for tens of thousands of America's poultry farmers, those rights are under siege by the poultry companies that control much of their lives.

In May of 2010, Agriculture Secretary

Tom Vilsack and then-U.S. Attorney General Eric Holder traveled to Alabama for a hearing examining abuses and anticompetitive practices in the poultry industry.

Poultry farmers at this and similar events described a widespread culture of fear. Growers reported retaliation in the form of canceled contracts, substandard chicks and feed, unannounced audits, rigged prices and expensive upgrade requirements if they chose to speak publicly

or to their congressional representatives, or to organize with fellow growers to defend their interests.

How can this be?

The story of the modern poultry industry is one of corporate consolidation, where companies such as Tyson, Perdue, Pilgrim's Pride and Koch Foods exert almost complete control over farmers. In 1977, the top four U.S. poultry processing companies had a combined 17 percent market share. By 2012, that number was 57 percent. Many areas have only one processing facility where farmers can deliver their chickens, creating localized monopolies.

This lack of competition means many

Please see POULTRY FARMERS on page 6



# LETTER TO THE EDITOR

BY JAMES STOTTS, LLANO, TX

As of June 10, 2015 the U.S. House of Representatives passed HR 2393 which will deny all Americans from knowing where their beef, chicken or pork comes from. Country of Origin Labeling (COOL) of our food is essentially on its way out, if we don't fight to stop the greed of Multi-National companies. Three hundred of our U.S. Representatives have already caved to greed of Multi National Meat Packers and foreign trade tribunals (WTO).

My Congressman, Texas Representative Mike Conaway, introduced HR 2393 as "a targeted response that will remove uncertainty, provide stability and bring us back into compliance." In actuality it is a targeted response that will benefit the Multi National Meat Packers only, remove any certainty about where our meat comes from, and provide stability for the Packers alone and force Americans into compliance with a ruling made by foreigners concerning our laws. All the while we get cheated out of knowing where our food comes from. Some people might question which country Mike Conaway is actually representing and for all of you Free Traders, this just proves that American Sovereignty and its laws are trumped by trade laws.

Not all Representatives are like Mr. Conaway. Some actually support American sovereignty like Rep. Rosa DeLauro (D-CT). She spoke for seven minutes on behalf of COOL and all of the Americans who support it. Rep. DeLauro said it all when she said, "People deserve to know where their food comes from. American farmers and ranchers deserve the opportunity to distinguish their products. It is an economic truism that complete and accurate information is one of the cornerstones of a free market."

June 25, 2015 the Senate Ag Committee held their hearing on COOL with five witnesses wanting to repeal COOL and the Ag Committee knew these witnesses would be against COOL and one witness that I would have assumed to be for COOL turned out to be for voluntary COOL. With witnesses like these COOL never stood a chance.

The big Multi National Meat companies and their associations have been fighting the Labeling Law since its inception in 2002. The Multi Nationals have been getting the World Trade Organization (WTO) involved for years and the latest WTO ruling is Mexico and Canada can retaliate in trade with the U.S. in November. We already import 85% of Canada's beef in one form or another, mostly going into the unlabeled restaurant and food service industry, how much more do we have to take? I for one have had enough of this Anti American betrayal from both parties trying to outdo the other, all in an effort to placate foreign interests before the interests of the American people.

As I have said in previous letters to the editor, "Americans should not be taking buying protein from Mexico, when millions of Mexican citizens need their cattle, hogs, chickens and their meats to stay in Mexico and be buyable to their citizens." Just because we can pay more for their meat and cattle than they can doesn't mean that we should buy their food sources from them. It begs the question, should Multi National grain companies buy grain from Ethiopia and sell to us? We can pay more for it but should we take their food sources from them?

In the *Livestock Weekly* of June 11, 2015 on page 10, "Mexico estimates the U.S. Law COOL has cost them \$653 million in damages." Anyone want to hazard a guess at how much it is costing American taxpayers to now support ¼ of Mexico's citizens, here in the U.S. illegally, through welfare, prisons and jobs lost to the illegals? I believe that it can be safely said that it involves only billions and billions of dollars.

Our fight with the WTO is not over yet because now Canada and Mexico will go to its Tribunal and try to prove that we have hurt them monetarily. If the WTO Tribunal were comprised of caring individuals they would insist that Mexico not sell any beef,

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**When Congress changes American laws in order to placate a few Multi National Meat Packers and other nations, if that is not treason, it is at least a betrayal.**

pork or chicken until all of their own people are fed and clothed first. The Tribunal would also insist that Canada clean up their BSE problem once and for all so as not to feed their own people contaminated protein much less the rest of the world.

The NCBA and other Multi National Meat Packer lackeys can beat the export drum all they want but it won't make a difference to those other countries who want to be assured that the beef from America actually came from American cattle not Canadian or Mexican cattle. In February, of this year, it was reported that 5 different nations were wanting assurance that the beef they imported didn't come from Canada, proving that the world wants to know where their beef comes from. Voluntary COOL, that some people want, has already proven to be not enough because we had voluntary COOL for years and the Packers wouldn't label the meat for us but they would tell all of the foreign countries where the meat comes from. If it is good enough for the world, why not us?

283 groups representing millions of American consumers, farms, ranches, manufacturing and communities have sent repeated letters to Congress showing strong support of COOL. A 2014 Consumer Reports survey found that 90% of consumers support COOL. How is it that only 300 people who are obviously out of touch with their constituents as well as consumers kill the only decent law that Americans have been afforded in years?

When Congress changes American laws in order to placate a few Multi National Meat Packers and other nations, if that is not treason, it is at least a betrayal.

James Stotts  
Llano, TX

growers have to accept whatever terms they are offered. Poultry processors can lure new growers to the industry with promises of a lucrative investment and an easy way to make a living. In these times of rural economic decline, it's an offer many rural residents cannot refuse.

But farmers cannot enter the poultry business without a contract. And to secure a contract requires an initial investment of hundreds of thousands of dollars at a minimum. Many farmers go as much as \$1 million into debt to construct a vast complex of automated chicken houses that can each house tens of thousands of birds.

The company may show its hand only after the grower is on the hook for these costs: a take-it-or-leave-it contract that imposes significant costs and risks on growers and limits their ability to contest the deal or negotiate a better one in the future.

In such cases, everything is on the line for these growers; many have put up their homes and land as collateral on their loans. Such situations are not only exploited by the industry but also are part of its operating structure and can leave growers trapped in a cycle of debt and under the thumb of the poultry giants.

The result? The Agriculture Department estimates that growers earn about 34 cents for every chicken they raise, while poultry processing companies take in about \$3.23 for the same bird. Under such a consolidated system, when local farmers are trapped in debt and intimidated from speaking out, the rights of free speech and assembly seem distant.

The good news is that we have laws on the books to protect these farmers. All we have to do is enforce them.

In the 2008 farm bill, Congress directed the USDA to develop rules to protect farmers from retaliation and stop decep-

tive and anticompetitive practices by processors. The USDA did as directed, using findings from the aforementioned workshops to develop strong rules protecting poultry growers' basic rights.

One of these rules prohibits industry retaliation "in response to the lawful expression, spoken or written, association, or action of a poultry grower." In other words, growers have the right to speak freely and peaceably assemble. Other provisions prohibit deceptive or anticompetitive practices.

The powerful meat lobby has pressured Congress year after year to block funding to enforce these rules. Today, farmers remain vulnerable to industry retaliation, discrimination and deception. A funding bill that would allow the USDA to protect farmers from these unfair practices has started to move in Congress, but the same powerful interests that stopped it before will not be far behind. Members of Congress need to hear from their constituents on this issue immediately.

The First Amendment guarantees that Congress shall make no law "abridging the freedom of speech, or ... the right of the people peaceably to assemble, and to petition the government for a redress of grievances." The United States was built on these freedoms and Congress has a responsibility to protect them. Yet America's poultry growers are trapped in a system that punishes them for exercising these constitutional rights.

As one family farm supporter and one member of Congress – and foremost as two concerned Americans – we humbly submit that this system needs to change.

To view this story at its original source, follow this link:

[http://www.washingtonpost.com/opinions/us-poultry-farmers-rights-are-under-siege/2015/07/07/cce6ad60-23fc-11e5-b77f-eb13a215f593\\_story.html](http://www.washingtonpost.com/opinions/us-poultry-farmers-rights-are-under-siege/2015/07/07/cce6ad60-23fc-11e5-b77f-eb13a215f593_story.html)

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# REGISTRATION FORM

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