

THE WHITE HOUSE
WASHINGTON

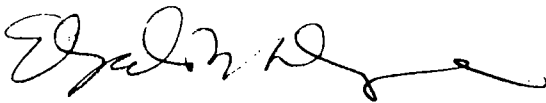
June 16, 1997

John Elkins, Chief
Food and Chemicals Branch
U.S. Customs Service
Regulations and Rulings
1301 Constitution Avenue, NW
Washington, DC 20229

Dear Mr. Elkins:

Attached are materials shared with the White House Domestic Policy Council regarding your proposed country of origin marketing requirements for frozen imported produce. I am forwarding them to you for inclusion in the public docket. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Drye", with a long horizontal flourish extending to the right.

Elizabeth Drye
Associate Director for Consumer
and Public Health Policy
Domestic Policy Council

cc: Sally Katzen

Attachments

AMERICAN
ALLIANCE
for **HONEST**
LABELING

FACTSHEET

AAHL BACKGROUND

- The American Alliance for Honest Labeling (AAHL) was formed to promote enactment of a U.S. Customs Service clarification of a current law which would require front panel foreign country-of-origin marking for frozen produce packaging.
- The American Alliance for Honest Labeling has more than 800,000 members nationwide. Our membership currently includes the following:
 - the National Farmers Union
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 - Santa Cruz County (CA) Farm Bureau
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 - individual growers from California, Georgia, Mississippi and Tennessee
- In less than three months, the AAHL has reached a nationwide audience of more than two million people through the media; interviews with Alliance members have been conducted with television, radio and newspaper reporters nationwide, including *Associated Press*, *Journal of Commerce*, *Frozen Food Age*, and *Reuters Newswire*.

INDUSTRY SNAPSHOT

- In 1995, Americans purchased 1.4 billion pounds of frozen vegetables; this total accounted for \$1.8 billion in sales.
- 100 percent of the frozen okra and 75 percent of the frozen broccoli sold in the United States is imported from other countries.

PUBLIC REACTION

- The American Farm Bureau has adopted a policy on foreign country-of-origin labeling which declares that "labels on imported products should state on the main display panel of the package that the product is imported in letters not less than one-half the size of the product name."
- 83% of Americans surveyed in a recent poll conducted for the AAHL said that they had never noticed a label on a frozen vegetable package stating in which country the vegetables were grown. 69% of respondents favored a requirement for such a label and 73% said they would be most likely to notice such a label if it were on the front of a frozen produce package.



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CONGRESSIONAL SUPPORT

The following Members of the U.S. Senate and U.S. House have written to Treasury Secretary Rubin and/or Customs Commissioner George Weise to express their support for the front-panel country-of-origin labeling proposal currently under consideration by the U.S. Customs Service.

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Rep. Marcy Kaptur

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Rep. Zach Wamp

Republicans in plain text
Democrats in italic text

revised 4/2/97



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Front Package Labeling of Foreign Frozen Produce U.S. Customs Service Issue Backgrounder

THE PROPOSED AMENDMENT: On September 23, 1996, the comment period officially closed on a proposed amendment to the Tariff Act of 1930 regarding country of origin labeling of commercial products imported into the United States. In this amendment, the Customs Service "proposes to amend its regulations to require that the country of origin of imported produce be marked on the front panel of packages of frozen produce" to comply with the statutory requirement that it be in a "conspicuous place." The proposed amendment is designed to ensure a "uniform standard for the country of origin marking of frozen produce."

BACKGROUND: Section 304 of the Tariff Act of 1930 (as amended) requires that any product (or its container) imported into the United States be labeled in a "conspicuous place...legibly, indelibly, and permanently" to ensure that the purchaser is aware of its country of origin. This is the Federal statute which the proposed Customs amendment seeks to clarify.

The proposed amendment has as its basis an appeal filed by a domestic produce packer in May of 1988 to the Customs Service regarding what constituted a "conspicuous place" for country of origin marking and whether the language in the statute required that such marking be placed on the front of the package. At that time, Customs ruled that marking in a conspicuous place did not require front of the package labeling. The domestic produce packer appealed the matter to the Court of International Trade (CIT) which ruled that the "conspicuous place" requirement did mean that such country of origin identification must appear on the front of each package.

Customs then appealed the CIT ruling to the Court of Appeals for the Federal Circuit (CAFC) on the grounds that the CIT did not have standing on which to rule on the matter. The CAFC reversed the CIT, ruling that the packers had not exhausted all of their appeals and recommending that they file further appeals with Customs. Over the course of the next several years, Customs has continued to field competing requests from domestic produce packers, labor unions and food trade associations on the labeling requirement. In an effort to clear up the confusion and settle the issue completely, Customs announced in an advanced notice of proposed rulemaking on February 2, 1995, that it would proceed with an amendment to the statute requiring front panel labeling of country of origin information.

CURRENT STATUS: Customs is reviewing the comments received in reference to their proposed rulemaking requiring country of origin labeling on the front of frozen produce packaging. Customs may announce a final rule in 1997: changes to current law will be effective 18 months after the final announcement is issued.



National Survey Summary Frozen Vegetable Labeling Issues

The Mellman Group conducted a national survey of 1020 adults who were interviewed by telephone November 22-24, 1996. The study is based on a random digit dialing (RDD) probability sample of all telephone households in the continental United States which ensures that every telephone household had an equal chance of participating in the survey. The margin of error for the sample as a whole is +/- 3.1 percentage points at the 95% confidence level. The margin of error for subgroups varies and may be larger.

Key Findings

1. **83%** of Americans surveyed had never noticed a label on a frozen vegetable product stating in which country the vegetables were grown. (**14%** had noticed and **3%** did not know).
2. Two-thirds of Americans surveyed (**65%**) were not sure whether the Federal Government requires country of origin labeling on frozen vegetable packages. (**17%** believed there is a requirement and **18%** believed there was not a requirement).
3. **69%** of Americans surveyed favor requiring a label indicating the country in which the product was grown (**57%** strongly favored, **12%** favored, but not strongly). Only **7%** opposed such a label (**5%** not strongly, **2%** strongly). **24%** were either not sure or did not know.
4. Assuming that frozen vegetable packages are required to carry a label stating the country (if not the US) in which the contents were grown, **73%** of Americans surveyed would be most likely to see the label if it were on the front of the package (**12%** would be most likely to see such information on ingredients list, **10%** would be most likely to see it on the side or back of package, **1%** said somewhere else, and **4%** did not know).
5. Assuming that costs were the same, **73%** of Americans surveyed would be much more likely to buy vegetables grown in the United States (**6%** would be somewhat more likely). No respondents indicated that they would be more likely to buy frozen vegetables grown in Mexico or Central America. **3%** were not sure, **16%** responded that it made no difference and **2%** said that their answer depended on other factors.
6. **42%** of Americans believe that the fact that buying American grown vegetables helps American farmers is the best reason for purchasing frozen vegetables grown in the U.S. **37%** of Americans surveyed indicated that the superiority of American standards was the best reason for purchasing frozen vegetables grown in the U.S. (**13%** cited their belief that American grown vegetables are inspected by the US government; **12%** cited their belief that in foreign countries, health and sanitation standards for vegetables are not as strict as they are in the US; and **12%** cited their belief that some pesticides that are banned in the US are used on vegetables grown in other countries). **7%** of respondents felt that American grown vegetables are fresher and cited this belief as their reason for preferring American grown vegetables. **6%** of respondents believed that buying American grown vegetables helps our international balance of trade. Another **6%** did not know and the final **2%** cited other opinions.



QUESTIONS AND ANSWERS

Q: What is the AAHL?

A: The American Alliance for Honest Labeling (AAHL) is a national organization that seeks to unite American farmers, growers, harvesters, processors, consumers, industry, and state, local and national associations that support foreign country-of-origin labeling on frozen produce packaging.

Q: Who belongs to the AAHL?

A: The AAHL has more than 800,000 members nationwide including: the National Farmers Union, the National Association of Farmer Elected Committeemen, the National Farmers Organization, the American Corn Growers Association, the U.S. Beet Sugar Association, the Florida Farm Bureau, the Alabama Farmers Federation, the Rhode Island Farm Bureau, the American Agricultural Movement of Arkansas, United Foods, the San Mateo (CA) County Farm Bureau, the Santa Cruz (CA) County Farm Bureau, and individual growers in four states.

Q: Why was the AAHL created?

A: The AAHL was formed to build support for a U.S. Customs Service proposal (issued in the form of a proposed amendment to a current regulation) which would require front- of-package labeling of foreign country-of-origin on every frozen produce package. In a recent national poll, 83% of Americans surveyed said that they had never noticed a label on a frozen vegetable product stating in which country the vegetables were grown, despite the existing Federal requirement for such a label. This poll, conducted for the AAHL in November 1996, also indicates that nearly three out of four Americans (73%) surveyed would be most likely to see such a label if it were on the front of the package.

Q: What are the goals of the AAHL?

A: The AAHL will work to bring together American growers, consumers and industry in a cooperative effort to build nationwide, grassroots support for the Customs Service proposal that will result in the proposal's enactment. It is our belief that if we are successful in promoting the final enactment of the amended regulation, we will be able to help build more interest in and support for American-grown produce.

Q: What AAHL activities support its goals?

A: The Alliance conducted a national poll of consumers on frozen produce package labeling in November of 1996. We released the results of this survey in early January 1997, in a nationwide news release which also announced our formation as a national group. We continue to conduct outreach to other growers, harvesters and processors; local, state and national farm and grower associations; local, state and national consumer organizations; the U.S. Congress; and local, state and national media. We continue to publicize the additions of new organizations to our membership rolls to build growing awareness of our strong national support.

We have also launched a new consumer program, the *Frozen Okra Challenge*, which challenges consumers to find frozen okra and broccoli packages which have been labeled correctly under current law. One hundred percent of frozen okra and 75 percent of frozen broccoli sold in the United States is grown outside of this country. Under current law, these products should be clearly labeled as to their country-of-origin. Consumers are challenged to look for correct labeling on these packages. If such labeling cannot be found, consumers should call the AAHL toll-free line (888-LABEL YES) to learn more about how to support enactment of the Customs proposal.

Q: If there is a current law, why is a new regulation necessary? Why is the Customs Service concerned about this issue?

A: Although current law requires that packages containing frozen produce grown outside the U.S. carry a label identifying their country-of-origin, many companies fail to comply. As the Customs Service noted in their final regulation proposal, the labeling of frozen produce packages after importation into the United States makes it difficult for the Customs Service to enforce the current law. A simple requirement that such labeling be on the front of each package will ease enforcement difficulties and provide a clearly identifiable point of information for consumers.

Over the course of the last ten years, the Customs Service has fielded competing requests from domestic produce packers, labor unions and food trade associations for clarification of the labeling requirement. In an effort to clear up the confusion and settle the issue completely, Customs announced, in an advance notice of proposed rulemaking on February 2, 1995, that it would proceed with an amendment to the statute requiring front panel labeling of country-of-origin information.

Q: What would the amended regulation require? When would it take effect?

A: With this amendment to the current regulation, the Customs Service "proposes to amend its regulations to require that the country-of-origin of imported produce be marked on the front panel of packages of frozen produce" to comply with the statutory requirement that it be in a "conspicuous place." The proposed amendment is designed to ensure a "uniform standard for the country-of-origin marking of frozen produce."

The Customs Service is reviewing the comments received in reference to their proposed rulemaking requiring country-of-origin labeling on the front of frozen produce packaging. There is no deadline for a final decision from the Customs Service, although a final rule may be announced sometime during 1997. Changes to current law will then be effective 18 months after the final announcement is issued.

Q: What impact would the proposed Customs Service regulation have on American consumers? Do consumers care about this issue?

A: The Customs Service is to be commended for proposing the front-of-package labeling requirement amendment. Accurate, honest product information unites consumers, growers and the agricultural industry behind a common purpose: providing the American consumer with freedom of choice based on honest information on the origin of the frozen produce they buy for their families.

In a recent national poll, nearly 4 out of 5 Americans surveyed indicated they would prefer to buy vegetables grown in the United States (assuming costs were the same for competing products). Survey respondents cited a desire to support American farmers as their primary reason for preferring to buy American-grown produce.

Q: Would the Customs proposal affect any products other than frozen produce? Are any further regulations on other frozen products being proposed?

A: The Customs Service proposal would only affect frozen produce. In a letter to Congressman John Tanner of Tennessee in January of 1997, Customs Commissioner George Weise confirmed this fact, saying, "The proposed regulation would affect only the packaging of frozen vegetables or mixtures of frozen vegetables provided for in Chapter 7 of the Harmonized Tariff Schedule of the United States, or frozen fruits or mixtures of frozen fruits provided for in Chapter 8 of the Harmonized Tariff Schedule of the United States. Customs has no proposals under consideration regarding the country of origin marking of any other frozen food products."

Q: What can I do to express my support for this regulation?

A: You may call our toll-free national hotline (1-888-LABEL YES) and leave your name, address and message. You may also write to us at the address listed below. There are two specific action steps each American can take to help build support for the Customs proposal:

- contact your Congressional representatives to let them know of your support for the Customs Service proposal (let us know if you need Congressional contact information)
- contact your local media (newspapers, magazines, radio and television) to let them know of your support for this common-sense proposal (again, contact us if you need updated information or sample letters)

Q: How do I get information about joining the AAHL? How do I find out about its activities?

A: Our mailing address is American Alliance for Honest Labeling, P.O. Box 65196, Washington, D.C. 20035. Our phone number is 202-326-1797. Our toll-free national comment line is 1-888-LABEL YES (1-888-522-3593). Should you need an additional copy of this questions and answers document -- or copies of our factsheet, survey summary, news releases or membership list -- you may request this information by writing to the address above or by calling the toll-free national hotline and selecting option four.

Teamsters Joint Council No. 92

Affiliated with International Brotherhood of Teamsters

ED J. MIRELES, *President*
JACK D. COX, *Vice President*
RICHARD ESQUIVEL, *Recording Secretary*
RANDY CAMMACK, *Secretary Treasurer*

JIM MINISCI, *Coordinator/Trustee*



RON COSTA, *Trustee*
LEO T. REED, *Trustee*

JIM GUALTIERE, *Advisory Committee*
BOB HAHN, *Advisory Committee*
BOB MOLINA, *Advisory Committee*

April 14, 1997

Sent Via Facsimile
(202) 456-7828

Mr. Bruce Reed, Director of Domestic Policy Council
Executive Office of the President, White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. Bruce Reed, Director of Domestic Policy Council:

I'm writing to urge you to contact Treasury Secretary Robert Rubin and ask him to adopt the proposed Customs Service rule requiring multinational food processors to clearly label frozen fruits and vegetables with their country of origin.

The recent outbreak of hepatitis among school children in Michigan is a stark reminder of the need for customers to know where their food is grown and processed. Frozen fruits and vegetables are of particular concern since there has been a 10-fold increase in the amount of frozen produce imported into the United States -- 1.4 billion pounds a year. This includes 63% of all frozen broccoli, 29% of all frozen cauliflower, and almost 100% of frozen okra. NAFTA has accelerated this rate as multi-national agribusinesses rush to move their operations to Mexico and other low-wage countries where they can take advantage of tax breaks and workers who make \$3.00 a day or less.

Under current Customs rules, food processors are supposed to label the country of origin "conspicuously" on the package. But many companies fail to comply, and those that do often use ink that smudges easily or put their label in hard-to-find places. A recent poll showed that 83% of Americans have never noticed a country-of-origin label on frozen produce, although 79% would prefer to buy U.S. frozen products.

Customs has proposed a new rule requiring front-of-package labeling, but legal and delaying tactics by agribusiness has blocked action. We believe it's time for Customs to stand up for the right of consumers to know where their food is coming from so they can make informed choices that protect their families.

Again, we urge you to contact Secretary Rubin as soon as possible and encourage him to adopt the proposed Customs rule on front-panel labels for frozen foods and vegetables.

Sincerely,

Ed J. Mireles
President





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Eliz.
FMI
BR

F A X T R A N S M I S S I O N

PLEASE DELIVER THE FOLLOWING

8

PAGES (INCLUDING COVER)

TO NAME Bruce Reed

COMPANY _____

FAX NUMBER 456-2878

DESCRIPTION _____

FROM NAME Neal Flieger

PHONE 371-0200

(If there is a problem in receiving this transmission, please call this number.)

DATE 4/3 TIME 1:00

COMMENTS Thank you for your
call; it was good talking
with you.



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THE PROPOSED AMENDMENT: On September 23, 1996, the comment period officially closed on a proposed amendment to the Tariff Act of 1930 regarding country of origin labeling of commercial products imported into the United States. In this amendment, the Customs Service "proposes to amend its regulations to require that the country of origin of imported produce be marked on the front panel of packages of frozen produce" to comply with the statutory requirement that it be in a "conspicuous place." The proposed amendment is designed to ensure a "uniform standard for the country of origin marking of frozen produce."

BACKGROUND: Section 304 of the Tariff Act of 1930 (as amended) requires that any product (or its container) imported into the United States be labeled in a "conspicuous place...legibly, indelibly, and permanently" to ensure that the purchaser is aware of its country of origin. This is the Federal statute which the proposed Customs amendment seeks to clarify.

The proposed amendment has as its basis an appeal filed by a domestic produce packer in May of 1988 to the Customs Service regarding what constituted a "conspicuous place" for country of origin marking and whether the language in the statute required that such marking be placed on the front of the package. At that time, Customs ruled that marking in a conspicuous place did not require front of the package labeling. The domestic produce packer appealed the matter to the Court of International Trade (CIT) which ruled that the "conspicuous place" requirement did mean that such country of origin identification must appear on the front of each package.

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Key Findings

1. **83%** of Americans surveyed had never noticed a label on a frozen vegetable product stating in which country the vegetables were grown. (**14%** had noticed and **3%** did not know).
2. Two-thirds of Americans surveyed (**65%**) were not sure whether the Federal Government requires country of origin labeling on frozen vegetable packages. (**17%** believed there is a requirement and **18%** believed there was not a requirement).
3. **69%** of Americans surveyed favor requiring a label indicating the country in which the product was grown (**57%** strongly favored, **12%** favored, but not strongly). Only **7%** opposed such a label (**5%** not strongly, **2%** strongly). **24%** were either not sure or did not know.
4. Assuming that frozen vegetable packages are required to carry a label stating the country (if not the US) in which the contents were grown, **73%** of Americans surveyed would be most likely to see the label if it were on the front of the package (**12%** would be most likely to see such information on ingredients list, **10%** would be most likely to see it on the side or back of package, **1%** said somewhere else, and **4%** did not know).
5. Assuming that costs were the same, **73%** of Americans surveyed would be much more likely to buy vegetables grown in the United States (**6%** would be somewhat more likely). No respondents indicated that they would be more likely to buy frozen vegetables grown in Mexico or Central America. **3%** were not sure, **16%** responded that it made no difference and **2%** said that their answer depended on other factors.
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QUESTIONS AND ANSWERS

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A: The American Alliance for Honest Labeling (AAHL) is a national organization that seeks to unite American farmers, growers, harvesters, processors, consumers, industry, and state, local and national associations that support foreign country-of-origin labeling on frozen produce packaging.

Q: Who belongs to the AAHL?

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Q: Why was the AAHL created?

A: The AAHL was formed to build support for a U.S. Customs Service proposal (issued in the form of a proposed amendment to a current regulation) which would require front- of-package labeling of foreign country-of-origin on every frozen produce package. In a recent national poll, 83% of Americans surveyed said that they had never noticed a label on a frozen vegetable product stating in which country the vegetables were grown, despite the existing Federal requirement for such a label. This poll, conducted for the AAHL in November 1996, also indicates that nearly three out of four Americans (73%) surveyed would be most likely to see such a label if it were on the front of the package.

Q: What are the goals of the AAHL?

A: The AAHL will work to bring together American growers, consumers and industry in a cooperative effort to build nationwide, grassroots support for the Customs Service proposal that will result in the proposal's enactment. It is our belief that if we are successful in promoting the final enactment of the amended regulation, we will be able to help build more interest in and support for American-grown produce.

Q: What AAHL activities support its goals?

A: The Alliance conducted a national poll of consumers on frozen produce package labeling in November of 1996. We released the results of this survey in early January 1997, in a nationwide news release which also announced our formation as a national group. We continue to conduct outreach to other growers, harvesters and processors; local, state and national farm and grower associations; local, state and national consumer organizations; the U.S. Congress; and local, state and national media. We continue to publicize the additions of new organizations to our membership rolls to build growing awareness of our strong national support.

We have also launched a new consumer program, the *Frozen Okra Challenge*, which challenges consumers to find frozen okra and broccoli packages which have been labeled correctly under current law. One hundred percent of frozen okra and 75 percent of frozen broccoli sold in the United States is grown outside of this country. Under current law, these products should be clearly labeled as to their country-of-origin. Consumers are challenged to look for correct labeling on these packages. If such labeling cannot be found, consumers should call the AAHL toll-free line (888-LABEL YES) to learn more about how to support enactment of the Customs proposal.

Q: If there is a current law, why is a new regulation necessary? Why is the Customs Service concerned about this issue?

A: Although current law requires that packages containing frozen produce grown outside the U.S. carry a label identifying their country-of-origin, many companies fail to comply. As the Customs Service noted in their final regulation proposal, the labeling of frozen produce packages after importation into the United States makes it difficult for the Customs Service to enforce the current law. A simple requirement that such labeling be on the front of each package will ease enforcement difficulties and provide a clearly identifiable point of information for consumers.

Over the course of the last ten years, the Customs Service has fielded competing requests from domestic produce packers, labor unions and food trade associations for clarification of the labeling requirement. In an effort to clear up the confusion and settle the issue completely, Customs announced, in an advance notice of proposed rulemaking on February 2, 1995, that it would proceed with an amendment to the statute requiring front panel labeling of country-of-origin information.

Q: What would the amended regulation require? When would it take effect?

A: With this amendment to the current regulation, the Customs Service "proposes to amend its regulations to require that the country-of-origin of imported produce be marked on the front panel of packages of frozen produce" to comply with the statutory requirement that it be in a "conspicuous place." The proposed amendment is designed to ensure a "uniform standard for the country-of-origin marking of frozen produce."

The Customs Service is reviewing the comments received in reference to their proposed rulemaking requiring country-of-origin labeling on the front of frozen produce packaging. There is no deadline for a final decision from the Customs Service, although a final rule may be announced sometime during 1997. Changes to current law will then be effective 18 months after the final announcement is issued.

Q: What impact would the proposed Customs Service regulation have on American consumers? Do consumers care about this issue?

A: The Customs Service is to be commended for proposing the front-of-package labeling requirement amendment. Accurate, honest product information unites consumers, growers and the agricultural industry behind a common purpose: providing the American consumer with freedom of choice based on honest information on the origin of the frozen produce they buy for their families.

In a recent national poll, nearly 4 out of 5 Americans surveyed indicated they would prefer to buy vegetables grown in the United States (assuming costs were the same for competing products). Survey respondents cited a desire to support American farmers as their primary reason for preferring to buy American-grown produce.

Q: Would the Customs proposal affect any products other than frozen produce? Are any further regulations on other frozen products being proposed?

A: The Customs Service proposal would only affect frozen produce. In a letter to Congressman John Tanner of Tennessee in January of 1997, Customs Commissioner George Weise confirmed this fact, saying, "The proposed regulation would affect only the packaging of frozen vegetables or mixtures of frozen vegetables provided for in Chapter 7 of the Harmonized Tariff Schedule of the United States, or frozen fruits or mixtures of frozen fruits provided for in Chapter 8 of the Harmonized Tariff Schedule of the United States. Customs has no proposals under consideration regarding the country of origin marking of any other frozen food products."

Q: What can I do to express my support for this regulation?

A: You may call our toll-free national hotline (1-888-LABEL YES) and leave your name, address and message. You may also write to us at the address listed below. There are two specific action steps each American can take to help build support for the Customs proposal:

- contact your Congressional representatives to let them know of your support for the Customs Service proposal (let us know if you need Congressional contact information)
- contact your local media (newspapers, magazines, radio and television) to let them know of your support for this common-sense proposal (again, contact us if you need updated information or sample letters)

Q: How do I get information about joining the AAHL? How do I find out about its activities?

A: Our mailing address is American Alliance for Honest Labeling, P.O. Box 65196, Washington, D.C. 20035. Our phone number is 202-326-1797. Our toll-free national comment line is 1-888-LABEL YES (1-888-522-3593). Should you need an additional copy of this questions and answers document -- or copies of our factsheet, survey summary, news releases or membership list -- you may request this information by writing to the address above or by calling the toll-free national hotline and selecting option four.

Teamsters Joint Council No. 92

Affiliated with International Brotherhood of Teamsters

ED J. MIRELES, *President*
JACK D. COX, *Vice President*
RICHARD ESQUIVEL, *Recording Secretary*
RANDY CAMMACK, *Secretary Treasurer*

JIM MINISCI, *Coordinator/Trustee*



RON COSTA, *Trustee*
LEO T. REED, *Trustee*

JIM GUALTIERE, *Advisory Committee*
BOB HAHN, *Advisory Committee*
BOB MOLINA, *Advisory Committee*

April 14, 1997

Sent Via Facsimile
(202) 456-7828

Mr. Bruce Reed, Director of Domestic Policy Council
Executive Office of the President, White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. Bruce Reed, Director of Domestic Policy Council:

I'm writing to urge you to contact Treasury Secretary Robert Rubin and ask him to adopt the proposed Customs Service rule requiring multinational food processors to clearly label frozen fruits and vegetables with their country of origin.

The recent outbreak of hepatitis among school children in Michigan is a stark reminder of the need for customers to know where their food is grown and processed. Frozen fruits and vegetables are of particular concern since there has been a 10-fold increase in the amount of frozen produce imported into the United States -- 1.4 billion pounds a year. This includes 63% of all frozen broccoli, 29% of all frozen cauliflower, and almost 100% of frozen okra. NAFTA has accelerated this rate as multi-national agribusinesses rush to move their operations to Mexico and other low-wage countries where they can take advantage of tax breaks and workers who make \$3.00 a day or less.

Under current Customs rules, food processors are supposed to label the country of origin "conspicuously" on the package. But many companies fail to comply, and those that do often use ink that smudges easily or put their label in hard-to-find places. A recent poll showed that 83% of Americans have never noticed a country-of-origin label on frozen produce, although 79% would prefer to buy U.S. frozen products.

Customs has proposed a new rule requiring front-of-package labeling, but legal and delaying tactics by agribusiness has blocked action. We believe it's time for Customs to stand up for the right of consumers to know where their food is coming from so they can make informed choices that protect their families.

Again, we urge you to contact Secretary Rubin as soon as possible and encourage him to adopt the proposed Customs rule on front-panel labels for frozen foods and vegetables.

Sincerely,

Ed J. Mireles
President





•Strength from the Land•

American Agriculture Movement, Inc.
Box 950
Des Arc, Arkansas 72040
1-501-256-4766 - FAX: 256-4846

FACSIMILE COVER PAGE

TO: Mr. Bruce Reed

FROM: Harvey Joe Sanner

DATE: 4/3/97

PAGES INC. COVER: (1)

MESSAGE: Hi Bruce, we met on March 8th during the President's weekly radio address. I promised to send you material on the Parity Giving idea. This idea would provide tax incentives to those who donate food to the hungry. The material will be forthcoming.

This message is to lend our support to the American Alliance for Honest Labeling. It is my understanding their representatives will be meeting with you and/or other White House officials tomorrow on the important issue of country of origin food labeling.

Thank you for the visit and any consideration you can give the AAHL folks. I feel sure they are on the right track.

CASHDOLLAR-JONES & COMPANY

1629 K Street, N.W., Suite 1100

(202) 728-4058 Fax (202) 466-5283

FAXTo: *Elizabeth Dye*Fax: *456-7028*

From: Bob Cashdollar

Date: *3/27/97*Number of Pages (including cover) *4***Comments:***Mr. Dye -**Barbara Woolley suggested I contact you regarding the White House Food Safety Initiative.**Attached is a recent letter to the President suggesting that proposed regulation of the Customs Service regarding front panel Country of origin labeling on imports of frozen vegetables and fruits. For more information please me at (202) 728-4058*



March 25, 1997

The Honorable William J. Clinton
President of the United States
The White House
1500 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

I would like to present you with a supportive suggestion that may serve as a perfect complement to your Food Safety Education Initiative as you approach its announcement in the coming week.

As you may know, the U.S. Customs Service has proposed an amendment to current rules regarding country-of-origin labeling of commercial products imported into the United States. This amendment clarifies existing law to require an easy-to-read, uniform standard for foreign country-of-origin marking on all frozen vegetables and fruits. The Customs Service has proposed this change, which requires the country-of-origin marking on the front-panel of frozen produce packages, because there is widespread noncompliance by the frozen vegetable industry with existing Customs requirements. In its Federal Register notice, Customs wrote that the clarification in policy was necessary because current standards allow variation in labeling which could "create confusion or be misleading."

The Treasury Department has responded to industry concerns about technical details to insure that the law would be reasonable to implement and comply with. The amendment is label friendly and does not require specific type size, font, or placement, etc... In addition, the proposal calls for an 18-month compliance period to allow ample time for industry to update packaging.

Education is the common denominator in this proposed amendment and your Food Safety Initiative. As you know, food and health professionals agree that more information and education are needed to improve food safety. Although we are drawing no correlation between food safety concerns and foreign-country produce, it seems logical that providing more information, such as product origin, will contribute to supporting knowledgeable purchasing decisions and consumer choice.

AMERICAN ALLIANCE FOR HONEST LABELING
P.O. Box 65196 • Washington, DC 20035 • (202) 326-1797
1-888-LABEL YES (522-3593)

- 2 -

It is significant to mention that a national consumer survey of more than 1,000 Americans conducted in November 1996 reported that 69% strongly favor requiring a label indicating the country in which a product is grown. However, 83% had never noticed such a label on a frozen vegetable product.

If you were to finalize this proposed amendment in the coming week, I believe there would be many benefits:

- Consumers would see immediate action to support their interests and food education initiatives.
- Consumers would see their right-to-know strengthened at no additional costs to taxpayers.
- This would support states in which agriculture is of paramount importance such as California and Florida.
- No legislation would be required.
- Execution would be accomplished with minimal cost to the frozen produce industry since labels are frequently redesigned.

Mr. President, I am writing to you on behalf of the American Alliance for Honest Labeling. This national grassroots coalition was formed to promote enactment of this proposal and currently has a membership of more than 800,000 from family farms, farm organizations, as well as frozen food processors and individual growers across the United States.

I respectfully ask that you announce finalization of Proposed Amendment RIN-1515-AB61 this week, and demonstrate to consumers that immediate action is being taken to support their food education efforts.

Sincerely,



Donald Dresser

Member

American Alliance for Honest Labeling



FACTSHEET

AAHL BACKGROUND

- The American Alliance for Honest Labeling (AAHL) was formed to promote enactment of a U.S. Customs Service clarification of a current law which would require front panel foreign country-of-origin marking for frozen produce packaging.
- The American Alliance for Honest Labeling has more than 800,000 members nationwide. Our membership currently includes the following:
 - the National Farmers Union
 - the National Farmers Organization
 - the American Corn Growers Association
 - the National Association of Farmer Elected Committeemen
 - the U.S. Beet Sugar Association
 - the American Agriculture Movement of Arkansas
 - the Alabama Farmers Federation
 - the Florida Farm Bureau Federation
 - the Rhode Island Farm Bureau Federation
 - San Mateo County (CA) Farm Bureau
 - Santa Cruz County (CA) Farm Bureau
 - United Foods
 - individual growers from California, Georgia, Mississippi and Tennessee
- In just over two months, the AAHL has reached a nationwide audience of more than two million people through the media; interviews with Alliance members have been conducted with television, radio and newspaper reporters nationwide, including the *Journal of Commerce*, *Frozen Food Age*, and *Reuters Newswire*.

INDUSTRY SNAPSHOT

- In 1995, Americans purchased 1.4 billion pounds of frozen vegetables; this total accounted for \$1.8 billion in sales.
- 100 percent of the frozen okra and 75 percent of the frozen broccoli sold in the United States is imported from other countries.

PUBLIC REACTION

- The American Farm Bureau has adopted a policy on foreign country-of-origin labeling which declares that "labels on imported products should state on the main display panel of the package that the product is imported in letters not less than one-half the size of the product name."
- 83% of Americans surveyed in a recent poll conducted for the AAHL said that they had never noticed a label on a frozen vegetable package stating in which country the vegetables were grown. 69% of respondents favored a requirement for such a label and 73% said they would be most likely to notice such a label if it were on the front of a frozen produce package.

revised 3/20/97



FOR INTERNAL USE ONLY

CONGRESSIONAL SUPPORT

The following Members of the U.S. Senate and U.S. House have written to Treasury Secretary Rubin and/or Customs Commissioner George Weise to express their support for the front-panel country-of-origin labeling proposal currently under consideration by the U.S. Customs Service.

Alabama (1)

Sen. Richard Shelby

California (12)

Rep. George E. Brown, Jr.

Rep. Sonny Bono

Rep. Tom Campbell

Rep. Walter Capps

Rep. Gary Condit

Rep. Ronald V. Dellums

Rep. Sam Farr

Rep. Vic Fazio

Rep. Stephen Horn

Rep. Zoe Lofgren

Rep. George Miller

Rep. Frank Riggs

Florida (7)

Rep. F. Allen Boyd, Jr.

Rep. Jim Davis

Rep. Peter Deutsch

Rep. Mark Foley

Rep. Carrie Meek

Rep. Karen Thurman

Rep. Robert Wexler

Tennessee (10)

Sen. Bill Frist

Rep. Ed Bryant

Rep. Bob Clement

Rep. John J. Duncan, Jr.

Rep. Harold Ford, Jr.

Rep. Bart Gordon

Rep. Van Hilleary

Rep. William L. Jenkins

Rep. John Tanner

Rep. Zach Wamp

Marcy Kaptur
Tim Johnson

Republicans in plain text

Democrats in italic text

revised 4/2/97



Bob Coshdollar
 Neil Fieger
 Edelman P.R. Worldwide

March 25, 1997

The Honorable William J. Clinton
 President of the United States
 The White House
 1500 Pennsylvania Avenue
 Washington, DC 20500

Dear Mr. President:

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Education is the common denominator in this proposed amendment and your Food Safety Initiative. As you know, food and health professionals agree that more information and education are needed to improve food safety. Although we are drawing no correlation between food safety concerns and foreign-country produce, it seems logical that providing more information, such as product origin, will contribute to supporting knowledgeable purchasing decisions and consumer choice.

It is significant to mention that a national consumer survey of more than 1,000 Americans conducted in November 1996 reported that 69% strongly favor requiring a label indicating the country in which a product is grown. However, 83% had never noticed such a label on a frozen vegetable product.

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revised 3/20/97

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CASHDOLLAR-JONES & COMPANY
Government Relations

ROBERT CASHDOLLAR

1629 K STREET, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

4/4/97

Bob Cashdollar -

Represent ~~United~~ ~~Food~~ Foods in Tennessee

Law not respected now
many packages not labeled at all

Pollings

#1 reason consumers want to know - want to buy Americans

#2 reason is food safety.

Customs Polices it

not easy, because have repackaging
facilities, eg in Kansas city.

AFFI - opposed

Treasury going with next couple of months -
trying to get consumer groups to join alliance.



Eliz.
FMI
BR

F A X T R A N S M I S S I O N

PLEASE DELIVER THE FOLLOWING

8

PAGES (INCLUDING COVER)

TO NAME Bruce Reed

COMPANY _____

FAX NUMBER 456-2878

DESCRIPTION _____

FROM NAME Neal Flieger

PHONE 371-0200

(If there is a problem in receiving this transmission, please call this number.)

DATE 4/3 TIME 1:00

COMMENTS Thank you for your
call; it was good talking
with you.



•Strength from the Land•

American Agriculture Movement, Inc.
Box 950
Des Arc, Arkansas 72040
1-501-256-4766 - FAX: 256-4846

FACSIMILE COVER PAGE

TO: Mr. Bruce Reed

FROM: Harvey Joe Sanner

DATE: 4/3/97

PAGES INC. COVER: (1)

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