



## COOL Repealed by U.S. Congress

Following a protracted seven year legal battle in the World Trade Organization (WTO), Canada and Mexico prevailed on December 18 when the United States Congress repealed the country of origin labeling (COOL) requirements for muscle cuts of beef and pork, and ground beef and pork. The repeal was contained in an omnibus funding bill that was signed into law by President Obama the same day. Tom Vilsack, the United States Secretary of Agriculture followed up [announcing](#):

“Effective immediately, USDA is not enforcing the COOL requirements for muscle cut and ground beef and pork outlined in the January 2009 and May 2013 final rules.”

The discriminatory COOL measure impacted severely on exports of live Canadian cattle and hogs to the United States by necessitating a costly de facto segregation of imported animals prior to slaughter. The Canadian beef and hog industry estimates the damage caused by COOL to Canadian producers at some \$3 billion annually.

Throughout the dispute the National Cattle Feeders' Association (NCFA) worked closely with industry partners and the federal government. Following repeated victories in the WTO and in the face of continued American intransigence NCFA played a leading role in efforts to persuade the federal government that it would be necessary to be prepared to use WTO sanctioned retaliation in order to secure American compliance with its international obligations. The publication in the *Canada Gazette* in June 2013, of a list of products on which Canada proposed to retaliate, was a turning point in making it clear to the Americans that Canada was ready, if necessary, to exercise its WTO rights to the full.

Finally following four separate findings by the WTO that the United States had violated Canadian and Mexican rights, a WTO arbitration panel ruled Canada and Mexico were entitled to retaliate annually against American imports in the amount of CAD \$1,054.729 million and USD \$227.758 million respectively. The report was formally adopted by the WTO dispute settlement body on December 21. In the meantime, with actual retaliation looming, the U.S. Congress decided to act.

Larry Schweitzer, NCFA Chair, praised both the former Conservative government and the new Liberal government for their strong support of the industry. "Without these significant efforts by both governments I believe we would not have been successful in persuading the Americans to repeal COOL. We are most grateful for this steadfast support," said Schweitzer.

NCFA General Manager Bryan Walton said, "I would like to thank the many Canadian officials who worked with great dedication and resourcefulness both on the WTO legal case and on advocacy efforts to push for repeal in the United States. The united effort of government and the meat and livestock industry working together contributed greatly to this important success." Walton added, "Support inside the United States from key elements of the beef and pork industry also helped to bring about American compliance with its WTO obligations."