Meat Industry Upset With Court's Decision to Uphold Origin Labels

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WASHINGTON (AP) — A federal appeals court on Tuesday upheld new government rules requiring labels on packaged steaks, ribs and other cuts of meat to say where the animals were born, raised and slaughtered.

The meat industry has attempted to block the rules, which went into effect last year, saying they are costly and provide no health benefits to the consumer. The industry said in court that the rules go beyond what Congress intended and violate First Amendment rights to freedom of speech by forcing meat producers to provide information about their products without "directly advancing a government interest."

The full appellate panel heard the case after a three-judge appeals panel ruled against the industry but suggested the full court may want to review its decision. The first panel had ruled that the industry's claims were unlikely to succeed in court and said a consumer's interest in choosing domestic meat is worthy of what the court called a "minimal" intrusion on the meat industry's First Amendment rights.

In the opinion issued Tuesday, Judge Stephen F. Williams of the U.S. Court of Appeals for the District of Columbia, who was also on the three-judge panel, upheld the earlier decision and wrote for the majority of the full panel. He wrote that the government's interest in country-of-origin labels is "substantial" because there is a long history of such disclosures, a demonstrated consumer interest in knowing where food comes from and individual health concerns and market impacts that could arise if there is a foodborne illness outbreak in one of the countries.

The lawsuit was led by the American Meat Institute, which represents the nation's largest meatpackers, and joined by other meat industry groups. The meat industry has argued that the paperwork behind the labels is burdensome and that it's not practical to keep cattle and hogs from other countries separate from domestic animals.

In a statement, AMI said the decision is disappointing.

"We have maintained all along that the country of origin rule harms livestock producers and the industry and affords little benefit to consumers," said James H. Hodges, the group's interim president and CEO. "This decision will perpetuate those harms."

Hodges did not say whether the industry will appeal to the Supreme Court. He said the group will "evaluate our options moving forward."

The labeling rules have support from consumer groups, environmental groups and some farm groups. U.S. Ranchers who raise cattle near the northern border and compete with Canadian ranchers have been most supportive of the rules, which Congress wrote in 2002 and revised in 2008 after years of haggling with the meat industry. Ranchers and meatpackers in the Southwest who do a lot of business with Mexico have traditionally opposed it.

Under the rules, a label must be specific. For example, it may say the animal that produced the meat was "born in Mexico, raised and slaughtered in the United States" or "born, raised and slaughtered in the United States." Those rules are a revision from USDA rules originally issued in 2009 that would have been less specific and would have allowed the labels to say "Product of U.S." or "Product of U.S. and Canada." USDA revised the rules after a World Trade Organization challenge from Mexico and Canada.

The meat industry aggressively lobbied Congress to repeal the rules in the most recent five-year farm bill signed by President Barack Obama earlier this year. But farm-state lawmakers said there wasn't enough congressional support for repeal.

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