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## Montana's meat label law illegal, group says

BECKY BOHRER - AP Farm Writer - 6/20/05 helenair.com | Posted: Sunday, June 19, 2005 11:00 pm

BILLINGS -- As the fight continues in Congress over mandatory meat labels, one also may be brewing in Montana over the state's labeling law.

The American Meat Institute, a meatpackers' trade group, contends federal law -- namely, the federal Meat Inspection Act -- prohibits the state from requiring country of origin meat labels.

"No state may impose a labeling requirement that is different than or in addition to what's allowed under federal law," Mark Dopp, AMI senior vice president for regulatory affairs and general counsel, said in a recent interview.

The Montana law, set to take effect next year, requires placards denoting the country of origin of beef, lamb, pork and poultry products sold at grocery stores and other retail outlets. Products whose origin is not known would be labeled as such.

State Agriculture Director Nancy K. Peterson said the law is considered a "catch all" that would be in effect if the federal labeling requirement stalls but would be void if the national plan took effect.

Federal country of origin labeling for meat has been delayed before and is currently set to take effect nationally in September 2006. However, the U.S. House this month voted to delay it again.

Packers and processors are among those who have opposed the requirement, citing the cost of implementing the program.

Ranchers, like Dennis McDonald, believe labeling would benefit both consumers and producers, helping shoppers make more informed decisions and helping U.S. livestock producers by driving up demand for meat they produce. McDonald, who is president of the Montana Cattlemen's Association, said labeling would also allow ranchers to differentiate their products from those of competitors.

Those advocating the current system are "in a very small minority," he said.

"The meat processors presently can buy cheap, foreign beef and disguise it as U.S. product and sell it at the retail level, ultimately, for a substantial profit," he said. "From their perspective, it's nothing personal; it's just dollars and cents."

AMI, with the Montana Retail Association and Food Marketing Institute, wrote Montana's governor and attorney general in late April, saying the mandatory labeling provisions of the state measure are "pre-empted" by the federal Meat Inspection and Poultry Products Inspection acts. Dopp said he hasn't heard back.

A spokeswoman for the governor said Saturday she was not immediately aware of a response.

Brad Griffin, the retail association's president, calls Montana's law an "emotional bill that, in the end, isn't going to be enforced." He said his group was looking at all options for prevent enforcement.

Griffin said implementing the measure could mean additional costs that get passed on to consumers. He also believes it would lead to a lot of "country of origin unknown" placards.

"Until such time as the cattle industry can identify exactly where the beef comes from, retailers will have no way of knowing," he said.

Bill Donald, a rancher and president of the Montana Stockgrowers Association, said he agrees with the concept of labeling but worries about who Montana's law would actually help. Placards indicating unknown origin could raise doubt in consumers' minds, he said, and because sources of other meat, like chicken, can be traced more easily, there's the potential for beef to be put at a competitive disadvantage.

McDonald disagrees. He believes the Montana law is workable and that labeling will be a positive for producers and consumers.

"To think to the contrary, you would have to take the position that consumers are better off with less knowledge than more knowledge," he said.