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DATE: February 4, 2020

TO: Members of House Energy and Environment Committee

FROM: Mary Lou Chapman, President, Rocky Mountain Food Industry Association

SUBJECT: HB20-1117, Requiring Additional Labeling of Meat Sold in Colorado

I will be unavailable on Thursday, 2/6, for your hearing on this bill, therefore am sending this letter in advance noting our opposition.

Those of you who were on the Agriculture committees in the past three years have heard various forms of this bill. You also heard the state's livestock and retail industries' arguments as to why this seemingly simple "right to know" idea is a very costly and bad idea on the state level.

I hope you will understand that this bill is extremely problematic for grocers, meat shops and restaurants -- large and small-- who sell meat to the public. It will truly be impossible for retailers to comply with the requirements in the bill. HB1117 asks them to provide labeling information that they will not know, and NO ONE IS REQUIRED TO PROVIDE for them.

Most retailers do not purchase directly from producers, but through a supply chain of distributors and suppliers. Most of our rural, independent grocers purchase through their cooperative warehouses--all of which are located out of state. They will also not have the information in the depth that is stated in this bill.

The Federal Meat Inspection Act (FMIA), under the authority of USDA, occupies the regulatory field for packaging and labeling of meat products in the U.S. The FMIA states that states may not require labeling in addition to nor different than that required by the U. S. Government. The Supremacy Clause of the U.S. Constitution says if there is a conflict between federal and state law, then federal law prevails.

The FMIA does not require packers, distributors, or suppliers of beef products to keep records of the country of origin of products that go through their facilities. Once products are processed in a federally inspected plant, they are deemed products of the USA. It has been that way for over 50 years.

We understand the concern that has been brought with the creation of cell-based meat products. We also know that USDA, FDA, and the meat industry are working on the regulation specifics, and strongly believe that such regulation should continue to be placed at the federal level, not state by state.

Thank you for your consideration to defeat this bill that will impose costs on Colorado businesses and consumers that their counterparts in other states do not incur.

Please contact me if I may provide additional information.

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