

SCOMM

138:20

Representative Beth Kerttula

Alaska State Legislature District 3

MEMORANDUM

DATE: January 19, 2005

TO: House Special Committee on Fisheries
Representative Bill Thomas, Co-Chair
Representative Gabrielle LeDoux, Co-Chair

FROM: Representative Beth Kerttula *Beth*

RE: Hearing Request for HJR 6, Labeling Of Fish Products

I respectfully request that House Joint Resolution 6 be scheduled for a hearing in the House Special Committee on Fisheries.

Attached you will find:

- Current version of House Joint Resolution 6
- Sponsor Statement
- Copy of pages of Federal Register dealing with processed food items

Thank you for your consideration.

Representative Beth Kerttula

Alaska State Legislature District 3

MEMORANDUM

DATE: January 19, 2005
TO: Representative Gabrielle LeDoux
FROM: Representative Beth Kerttula
RE: House Joint Resolution 6, Labeling Of Fish Products

As Alaskans, we all know that Alaskan fish tastes better and is healthier than farmed fish. Alaskans have long shown their support of country-of-origin labeling (COOL) and labeling of farmed or wild fish. Labeling for fish has been delayed from September 2004 to April 2005. Included in the proposed regulations for COOL is an exclusion for processed food items, which would include canned and smoked fish. Many Alaskan fish products are processed in some way and sometimes these are the only products available to many Americans.

House Joint Resolution supports the timely implementation of COOL and opposes the exclusion of processed food items from the requirements. I would be honored if you would consider cosponsoring this legislation.

Representative Beth Kerttula

Alaska State Legislature District 3

HJR 6

Labeling of Fish Products

Sponsor Statement

As Alaskans, we all know that Alaskan fish tastes better and is healthier than farmed fish. Alaskans have long shown their support of country-of-origin labeling (COOL) and labeling of farmed or wild fish. These national labeling standards will help maintain the vitality of Alaska's fishing industry by allowing consumers to make informed choices in the marketplace.

Under the Farm Security and Rural Investment Act of 2002, COOL requirements for fish were to be implemented on September 30, 2004. However, the United States Department of Agriculture (USDA) has pushed the effective date to April 2005 and extended the comment period on proposed regulations to February 2, 2005. Included in the proposed regulations is an exclusion for processed food items, which would include canned and smoked fish. Many Alaskan fish products are processed in some way and sometimes these are the only products available to many Americans.

House Joint Resolution supports the timely implementation of COOL and opposes the exclusion of processed food items from the requirements.

**HOUSE OF REPRESENTATIVES
COSPONSOR REQUEST**

TO: CHIEF CLERK

Please add my name as co/cross sponsor
to the following:

HJR 6
Bill or work order number

*Use one slip for each request.

1/25/05
Date

Gabrielle LeDoux
Member's printed name

Chad LeDoux
Member's signature

To: Lynn Barnes / Leg Legal FAX: 465-2029
From: Kimberly Wallace
Date: 1/24/05 A RESOLUTION

Relating to the labeling of fish and shellfish to identify the country of origin and to distinguish between wild and farmed fish.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS Americans deserve wholesome foods and information about the contents and production of their food supply; and

WHEREAS Alaska's fish production is distinct from farmed fish production because Alaska fish are wild, free-ranging and, therefore, naturally wholesome and health; and

WHEREAS there are numerous outstanding issues regarding public policy, fair trade, and the social and economic consequences of farmed fish production; and

WHEREAS more and more consumers are expressing a preference for, and requesting, wild fish over farmed fish; and

WHEREAS both the Alaska State Legislature and the United States Congress have passed labeling laws specifically to inform consumers about fish and shellfish and other food products; and

WHEREAS the United States Department of Agriculture has exempted processed food items from federal country of origin labeling requirements; and

WHEREAS many Alaskan fish and shellfish readily available to Americans are canned, smoked, cured, or cooked without significantly changing the nature of the fish or shellfish;

BE IT RESOLVED that the Alaska State Legislature supports the timely labeling of fish and shellfish in the market place to identify the country of origin and to distinguish between wild and farmed fish; and be it

FURTHER RESOLVED that the Alaska State Legislature supports adding canned, smoked, cured, or cooked fish and shellfish to the labeling requirements to identify the country of origin of fish and shellfish and to distinguish between wild or farmed fish and shellfish.

same list of recipients

Please draft a fisheries committee
CS for HJR 6 using the above
language.
Thank you, Linn

24-LS0383VF

Utermohle

1/25/05

CS FOR HOUSE JOINT RESOLUTION NO. 6(FSH)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered:

Referred:

Sponsor(s): REPRESENTATIVES KERTTULA, Gara, Seaton, Harris, Foster, Chenault, Elkins, Anderson, Olson, Gatto, Coghill, Cissna, Ramras, Gruenberg, Wilson, Samuels, Kott, Kapsner, Guttentberg, Neuman, McGuire

A RESOLUTION

1 **Relating to the labeling of fish and shellfish to identify the country of origin and to**
2 **distinguish between wild and farmed fish and shellfish.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** Americans deserve wholesome foods and information about the contents
5 and production of their food supply; and

6 **WHEREAS** Alaska's fish production is distinct from farmed fish production because
7 Alaska fish are wild, free-ranging, and, therefore, naturally wholesome and healthy; and

8 **WHEREAS** there are numerous outstanding issues regarding public policy, fair trade,
9 and the social and economic consequences of farmed fish production; and

10 **WHEREAS** more and more consumers are expressing a preference for, and
11 requesting, wild fish over farmed fish; and

12 **WHEREAS** both the Alaska State Legislature and the United States Congress have
13 passed labeling laws specifically to inform consumers about fish and shellfish and other food
14 products; and

15 **WHEREAS** the United States Department of Agriculture has exempted processed
16 food items from federal country of origin labeling requirements; and

1 **WHEREAS** many Alaska fish and shellfish readily available to Americans are
2 canned, smoked, cured, or cooked without significantly changing the nature of the fish or
3 shellfish;

4 **BE IT RESOLVED** that the Alaska State Legislature supports the timely labeling of
5 fish and shellfish in the marketplace to identify the country of origin and to distinguish
6 between wild and farmed fish and shellfish; and be it

7 **FURTHER RESOLVED** that the Alaska State Legislature supports adding labeling
8 requirements for canned, smoked, cured, or cooked fish and shellfish to identify the country
9 of origin of the fish and shellfish and to distinguish between wild and farmed fish and
10 shellfish.

11 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
12 of the United States; the Honorable Don Evans, United States Secretary of Commerce; the
13 Honorable Mike Johanns, United States Secretary of Agriculture; and the Honorable Ted
14 Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young,
15 U.S. Representative, members of the Alaska delegation in Congress.



Federal Register

Tuesday,
October 5, 2004

Part IV

Department of Agriculture

Agricultural Marketing Service

7 CFR Part 60

Mandatory Country of Origin Labeling of
Fish and Shellfish; Interim Rule

maintained for a period of 1 year from the date the origin and production designations are made at retail.

How Does This Regulation Impact Existing State Country of Origin Labeling Programs?

To the extent that State country of origin labeling programs encompass commodities which are not governed by this regulation, the States may continue to operate them. For those State country of origin labeling programs that encompass commodities that are governed by this regulation, these programs are preempted.

Can Food Products That Are Not Covered by This Regulation Be Voluntarily Labeled With COOL Information?

Yes. Such voluntary claims must be truthful and accurate and adhere to existing Federal labeling regulations.

Prior Documents in This Proceeding

This interim final rule is issued pursuant to the Farm Bill, the 2002 Appropriations, and the 2004 Appropriations, which amended the Act.

On October 11, 2002, AMS published Guidelines for the Interim Voluntary Country of Origin Labeling of Beef, Lamb, Pork, Fish, Perishable Agricultural Commodities, and Peanuts (67 FR 63367) providing interested parties with 180 days to comment on the utility of the voluntary guidelines.

On November 21, 2002, AMS published a notice requesting emergency approval of a new information collection (67 FR 70205) providing interested parties with a 60-day period to comment on AMS' burden estimates associated with the recordkeeping requirements as required by the Paperwork Reduction Act of 1995 (PRA). On January 22, 2003, AMS published a notice extending this comment period (68 FR 3006) an additional 30 days.

On October 30, 2003, AMS published the proposed rule for the mandatory COOL program (68 FR 61944) with a 60-day comment period. On December 22, 2003, AMS published a notice extending the comment period (68 FR 71039) an additional 60 days.

Overview of the Law

Section 10816 of Public Law 107-171 (7 U.S.C. 1638-1638d) amended the Act (7 U.S.C. 1621 *et seq.*) to require retailers to inform consumers of the country of origin of covered commodities beginning September 30, 2004.

The intent of this law is to provide consumers with additional information on which to base their purchasing decisions. COOL is a retail labeling program and as such does not provide a basis for addressing food safety. Seafood products, both imported and domestic, must meet the food safety standards of the Food and Drug Administration (FDA). The law defines the term "covered commodity" as muscle cuts of beef (including veal), lamb, and pork; ground beef, ground lamb, and ground pork; farm-raised fish and shellfish; wild fish and shellfish; perishable agricultural commodities; and peanuts. The law excludes items from needing to bear a country of origin declaration when a covered commodity is an "ingredient in a processed food item." The law defines the terms "retailer" and "perishable agricultural commodity" as having the meanings given those terms in PACA. The law defines the term "wild fish" as naturally-born or hatchery-raised fish and shellfish harvested in the wild and excludes net-pen aquacultural or other farm-raised fish.

The law specifically outlines the criteria a covered commodity must meet in order to bear a "United States country of origin" declaration. In the case of farm-raised fish and shellfish, the covered commodity must be derived from fish or shellfish hatched, raised, harvested, and processed in the United States. In the case of wild fish and shellfish, the covered commodity must be derived from fish or shellfish harvested in the waters of the United States or by a U.S. flagged vessel and processed in the United States or aboard a U.S. flagged vessel. In addition, the law also requires that fish and shellfish covered commodities be labeled to indicate whether they are wild or farm-raised.

To convey the country of origin information, the law states that retailers may use a label, stamp, mark, placard, or other clear and visible sign on the covered commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers. Food service establishments, such as restaurants, cafeterias, food stands, and other similar facilities are exempt from these labeling requirements.

The law makes reference to the definition of "retailer" in section 1(b) of PACA as the meaning of "retailer" for the application of the labeling requirements under the COOL law. Under this interim final rule, a retailer is any person engaged in the business of selling any perishable agricultural commodity at retail. Retailers are

required to be licensed when the invoice cost of all purchases of produce exceeds \$230,000 during a calendar year. Since fish markets and similar specialty shops do not generally sell fruits and vegetables, they do not meet the PACA definition of a retailer and therefore are not covered by this rule.

The law requires any person engaged in the business of supplying a covered commodity to a retailer to provide the retailer with the product's country of origin information. In addition, the law states the Secretary of Agriculture may require that any person that prepares, stores, handles, or distributes a covered commodity for retail sale maintain a verifiable recordkeeping audit trail. The law prohibits the Secretary from using a mandatory identification system to verify the country of origin of a covered commodity and provides examples of existing certification programs that may be used to certify the country of origin of a covered commodity. The law contains enforcement provisions for both retailers and suppliers that include civil penalties of up to \$10,000 for each violation. The law also encourages the Secretary to enter into partnerships with States with enforcement infrastructure to the extent possible to assist in the program's administration.

II. Highlights of This Interim Final Rule

Covered Commodities

The term "covered commodity" includes: farm-raised fish and shellfish (including fillets, steaks, nuggets, and any other flesh) and wild fish and shellfish (including fillets, steaks, nuggets, and any other flesh).

Exclusion for Ingredient in a Processed Food Item

Items are excluded from labeling under this regulation when a covered commodity is an ingredient in a processed food item. Under this interim final rule, a "processed food item" is defined as: a retail item derived from fish or shellfish that has undergone specific processing resulting in a change in the character of the covered commodity, or that has been combined with at least one other covered commodity or other substantive food component (breeding, tomato sauce), except that the addition of a component (such as water, salt, or sugar) that enhances or represents a further step in the preparation of the product for consumption, would not in itself result in a processed food item. Specific processing that results in a change in the character of the covered commodity includes cooking (e.g., frying, broiling, grilling, boiling, steaming, baking,

roasting), curing (e.g., salt curing, sugar curing, drying), smoking (cold or hot), and restructuring (e.g., emulsifying and extruding, compressing into blocks and cutting into portions). Examples of items excluded include fish sticks, surimi, mussels in tomato sauce, seafood medley, coconut shrimp, soups, stews, and chowders, sauces, pates, salmon that has been smoked, marinated fish fillets, canned tuna, canned sardines, canned salmon, crab salad, shrimp cocktail, gefilte fish, sushi, and breaded shrimp.

Labeling Covered Commodities of United States Origin

The law prescribes specific criteria that must be met for a covered commodity to bear a "United States country of origin" declaration. The specific requirements for each commodity are as follows:

(a) **Farm-raised Fish and Shellfish**—covered commodities must be derived exclusively from fish or shellfish hatched, raised, harvested, and processed in the United States, and that has not undergone a substantial transformation (as established by U.S. Customs and Border Protection) outside of the United States.

(b) **Wild Fish and Shellfish**—covered commodities must be derived exclusively from fish or shellfish either harvested in the waters of the United States or by a U.S. flagged vessel and processed in the United States or aboard a U.S. flagged vessel, and that has not undergone a substantial transformation (as established by U.S. Customs and Border Protection) outside of the United States.

Labeling Country of Origin for Imported Products That Have Not Been Substantially Transformed in the United States

Under this interim final rule, an imported covered commodity shall retain its origin as declared to U.S. Customs and Border Protection at the time the product enters the United States, through retail sale, provided it has not undergone a substantial transformation (as established by U.S. Customs and Border Protection) in the United States.

Covered commodities imported in consumer-ready packages are currently required to bear a country of origin declaration on each individual package under the Tariff Act of 1930 (Tariff Act). This interim final rule does not change these requirements.

Labeling Imported Products That Have Been Substantially Transformed in the United States

Under this interim final rule, in the case of wild fish and shellfish, if a covered commodity was imported from country X and substantially transformed (as established by U.S. Customs and Border Protection guidelines and policies) in the United States or aboard a U.S. flagged vessel, the product shall be labeled at retail as "From [country X], processed in the United States." The covered commodity must also be labeled to indicate that it was derived from wild fish or shellfish.

In the case of farm-raised fish, if a covered commodity was imported from country X at any stage of production and substantially transformed (as established by U.S. Customs and Border Protection guidelines and policies) in the United States, the product shall be labeled at retail as "From [country X], processed in the United States." The covered commodity shall also be labeled to indicate that it was derived from farm-raised fish or shellfish.

Defining Country of Origin for Blended Products

Under this interim final rule, the country of origin declaration of blended or commingled retail food items comprised of the same covered commodity (e.g., bag of shrimp) having different origins, shall indicate the countries of origin for covered commodities in accordance with existing Federal legal requirements when the commingled product contains imported covered commodities that have not subsequently been substantially transformed in the United States. When the retail product contains imported covered commodities that have subsequently undergone substantial transformation in the United States commingled with other imported covered commodities that have subsequently undergone substantial transformation in the United States (either prior to or following substantial transformation in the United States) and/or U.S. origin covered commodities, the declaration shall indicate the countries of origin contained therein or that may be contained therein.

Remotely Purchased Products

For sales of a covered commodity in which the customer purchases a covered commodity prior to having an opportunity to observe the final package (e.g., Internet sales, home delivery sales, etc.) the retailer may provide the country of origin and method of production information (wild and/or

farm-raised), either on the sales vehicle or at the time the product is delivered to the consumer.

Markings

Under this interim final rule, the country of origin declaration and method of production (wild and/or farm-raised) designation may be provided to consumers by means of a label, stamp, mark, placard, band, twist tie, pin tag, or other clear and visible sign on the covered commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers. The country of origin declaration and method of production (wild and/or farm-raised) designation may be combined or made separately. Except as provided in § 60.200(g) and § 60.200 (h)(2) of this regulation, the declaration of the country(ies) of origin of a product shall be listed according to existing Federal legal requirements.

Abbreviations and variant spellings that unmistakably indicate the country of origin, such as "U.K." for "The United Kingdom of Great Britain and Northern Ireland" are acceptable. The adjectival form of the name of a country may be used as proper notification of the country(ies) of origin of imported commodities provided the adjectival form of the name does not appear with other words so as to refer to a kind or species of product. Symbols or flags alone may not be used to denote country of origin.

With respect to the production designation, various forms of the production designation are acceptable, including "wild caught," "wild," "farm-raised," "farmed," or a combination of these terms for blended products that contain both wild and farm-raised fish or shellfish provided it can be readily understood by the consumer and is in conformance with other Federal labeling laws. Designations such as "ocean caught," "caught at sea," "line caught," "cultivated," or "cultured" do not meet the requirements of this regulation. Alternatively, the method of production (wild and/or farm-raised) designation may also be in the form of a check box. However, the labeling requirements under this rule do not supersede any existing Federal legal requirements, unless otherwise specified, and any such country of origin and method of production (wild and/or farm-raised) notification must not obscure or intervene with other labeling information required by existing regulatory requirements.

In order to provide the industry with as much flexibility as possible, this rule does not contain specific requirements

**United Southeast Alaska Gillnetters**

P.O. Box 23370, Ketchikan, AK 99901 Phone & Fax (907) 247 2471 Email usa_gillnetters@att.net

January 21, 2005

The Honorable Beth Kerttula
House of Representatives
State Capitol, Room 430
Juneau, AK 99801

Send Via Fax to: 465-4748

Dear Representative Kerttula,

The United Southeast Alaska Gillnetters (USAG) is an association of about 150 small business owners who catch salmon by drift gillnetting in Southeast Alaska and market salmon throughout the United States. Many of our members also participate in other fisheries such as crab, shrimp, longline, and dive fisheries. USAG supports HJR 6 which supports the application of the federal country of origin labeling legislation (COOL) to processed as well as unprocessed seafood items. We believe the American consumer wants to know and has the right to know if the fish and seafood products they are purchasing are wild or farm raised. This is particularly important if we are to realize the maximum benefit from ASMI's "wild" Alaska seafood marketing efforts. In trade publication articles, salmon farmers have written that ASMI's "wild" salmon marketing has increased the sales of all salmon because the consumer cannot distinguish the difference between farmed and wild salmon in retail outlets. This is a totally unacceptable situation and we wholeheartedly support your efforts to encourage the federal government to apply the COOL regulations to all seafood products.

We also believe the State of Alaska should continue to work with other agriculture states to have the COOL regulations apply to all food items consumed in this country. Again, thank you for introducing this resolution and for your continuing support of our Alaska seafood industry.

Yours truly,

Kenneth Duckett
Executive Director

cc: Representative Bill Thomas
Co-chair House fisheries Committee

Via Fax to: 465-2652



UNITED FISHERMEN OF ALASKA

January 24, 2005

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

Representative Gabrielle LeDoux, Co-Chair
Representative Bill Thomas, Co-Chair
House Fisheries Committee
Alaska State Legislature
State Capitol (Mail stop 3100)
Juneau, AK 99801-1182

Dear Representative LeDoux,

United Fishermen of Alaska supports the CS for IJR 6 relating to the labeling of fish products and processed food items containing fish. Americans have expressed their desire to know whether their seafood product is farmed or wild caught as well as to distinguish what country it was harvested in. UFA has been working diligently for the last five years on such regulations which will benefit the northwest commercial fishing salmon industry along with many others.

United Fishermen of Alaska represents 31 Alaska Commercial fishing organizations and hundreds of individual fishermen and fishing related businesses. We support the CS for IJR 6 and thank you for your attention to this matter.

Sincerely,

Mark Vinsel
Executive Director

CC: Representative Beth Kerttula

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Armstrong Keta • At sea Processors Association • Bristol Bay Preserve
Concerned Area "M" Fishermen • Cordova District Fishermen United • Crab Rationalization and Buyback Group • Douglas Island Pink and Chum • Fishing Vessel Owners Association • Groundfish Forum
Kodiak Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association • Kodiak Seiners Association • North Pacific Fisheries Association • North Pacific Scallop Cooperative
Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation
Purse Seine Vessel Owners Association • Seafood Producers Cooperative • Southeast Alaska Herring Seiners Marketing Association • Southeast Alaska Regional Dive Fisheries Association
Southern Southeast Regional Aquaculture Association • United Chitchee Boats • United Salmon Association • United Southeast Alaska Gillnetters
Valdez Fishery Development Association • Western Gulf of Alaska Fishermen

Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway
Juneau, AK 99801



Phone 907-586-6652

Fax 907-523-1168

E-mail: seafa@gci.net

January 25, 2004

House Special Committee on Fisheries
House Resource Committee
State Capitol
Juneau, AK 99801-1182

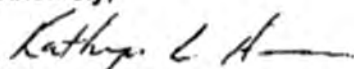
RE: Support for HJR 6

The Southeast Alaska Fishermen's Alliance supported the federal Country of Origin Labeling (COOL) legislation that requires labeling of fish and shellfish and distinguishes between wild and farmed fish and shellfish. We support HJR 6 that has the Alaska legislature supporting the implementation of COOL regulations. It is important that the federal government understand during this comment period that the regulations be extended to cover labeling of canned, smoked, and cured products and reverse the current decision that exempts these products.

We appreciate that the legislature would be willing to send a resolution during this comment period supporting labeling and asking that the labeling be extended to canned and smoked products. Consumers are asking for wild salmon again it is important that the products be labeled so they can make informed choices and receive the product they wish to buy.

The Southeast Alaska Fishermen's Alliance is a non-profit membership based fishermen's organization representing permit holders involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska.

Sincerely,


Kathryn L. Hansen

Cordova District Fishermen United



Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska

P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

E-mail: cdfu@ak.net

January 25, 2005

Representative Gabrielle LeDoux, Co-Chair
House Fisheries Committee
Alaska State Legislature
State Capitol (Mail stop 3100)
Juneau, AK 99801-1182

FL

Dear Representative LeDoux,

Cordova District Fishermen United (CDFU) supports the CS for HJR 6 relating to the labeling of fish products and processed food items containing fish. CDFU, along with United Fishermen of Alaska, has been working for several years to have these type of federal regulations implemented. The American public would like to have their seafood products identified as farmed or wild as well as know what country their seafood was harvested in.

Cordova District Fishermen United represents hundreds of commercial fishermen in Area E Copper River and the Prince William Sound. We support the CS for HJR 6 and appreciate your attention to this matter.

Sincerely,

Diane Platt

Diane Platt
Executive Director

CC: Representative Beth Kerttula

Alaska State Legislature

Official Business



State Capitol
Juneau, Alaska
99801-1182

January 31, 2005

Country of Origin Labeling Program
Room 2092-S
Agricultural Marketing Service, USDA
Stop 0249
1400 Independence Avenue SW
Washington, DC 20250-0249

Faxed to (202) 720-3499
Original to follow in mail

To Agricultural Marketing Service, USDA:

We are writing to submit comment on the proposed regulations for Mandatory Country of Origin Labeling of Fish and Shellfish, 7 CFR Part 60. The Alaska State Legislature has passed resolutions in support of labeling fish, shellfish, and fishery food products in the market place to identify the country of origin and to distinguish between wild fish and farmed fish. We reiterate our support for Country of Origin Labeling (COOL), including labeling of processed fishery food products.

National labeling standards will allow consumers to make informed and healthy choices in the market place as well as support our American fishing industry. We support implementation of the fish and shellfish labeling requirements of the Farm Security and Rural Investment Act of 2002.

We are concerned by the definition of processed food items as presented in the proposed regulations. Because processed food items would be excluded from COOL requirements, under the proposed definition canned, smoked, cured, or cooked fish and shellfish would not be subject to labeling requirements. We encourage the USDA to change this and ensure that canned, smoked, cured, and pouched fish and shellfish are covered by COOL requirements.

Thank you for your consideration of our comments.

Sincerely,

Members of the Alaska State Legislature



Alaska Trollers Association

130 Seward St., No. 211

Juneau, Alaska 99801

(907) 586-9400

(907) 586-4473 Fax

February 2, 2004

Representative Gabrielle LeDoux, Co-Chair

Representative Bill Thomas, Co-Chair

House Special Committee on Fisheries

Alaska State Legislature

Juneau, AK 99811

Dear Representatives LeDoux, Thomas, and Committee Members:

I am writing to express the Alaska Trollers Association's (ATA) support for HJR6, which advocates labeling of canned and smoked seafood products for country of origin, as well as distinguishing between wild and farm raised.

ATA has long supported reasonable labeling programs, as a means to provide consumers with information they need and want to make informed choices about the foods they eat. Recent passage by Congress of Country of Origin Labeling (COOL) is a substantial step toward that end.

Unfortunately, the USDA chose during the regulatory drafting process to omit simple canned and smoked seafood products from the list of covered commodities. The USDA considers those foodstuffs to be "processed". While much of Alaska's seafood is canned and smoked, it is not significantly altered and still retains its natural characteristics. It is difficult to believe that those items are what most people consider "processed food" - as they would the protein in some TV dinners, or other products that are blended with other foods, sauces, or chemicals.

Consumers are becoming much more discerning when it comes to selection of seafood, but in the marketplace it is often hard to distinguish where it comes from or how it is harvested. And, this is becoming increasingly difficult as a greater number of species are being raised in more countries around the world. Labeling will provide a service to those people who care to know. And, Alaska seafood is likely to fare well in their purchasing decisions, which is why the state should care.

While ATA strongly supports labeling of seafood, we also appreciate some of the concerns that have been expressed by those who will have to implement the program. Therefore, we support working with others in the food service industry where necessary, to ease unnecessary burdens.

Please don't hesitate to contact me if I can be of assistance on this or other matters.

Best Regards,

Dale Kelley

Executive Director

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HJR 6
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Environmental Conservation
Title Labeling of fish products RDU Environmental Health
Component Food Safety and Sanitation
Sponsor Rep Kertula
Requester House Fisheries Component No. 2343

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal: ☐

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This House Joint Resolution has no fiscal impact on the department.

Prepared by: Kristin Ryan, Director Phone (907) 269-7644
Division Environmental Health Date/Time 1/25/05 11:59 AM
Approved by: Kurt Fredriksson Date 1/25/2005
Agency Department of Environmental Conservation

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number:

Bill Version:

HJR 6

() Publish Date:

Revision Date/Time (Note if correction):

Dept. Affected:

Fish and Game

Title

Labeling of Fish Products

RDU

Component

Sponsor

Representative Kerttula

Requester

House Special Committee on Fisheries

Component No.

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES

CHANGE IN REVENUES ()

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson
Division: Legislative Liaison

Approved by: Acting Commissioner Wayne Regelin
Agency: Alaska Department of Fish & Game

Phone 465-6137
Date/Time 1/25/05 11:47 AM

Date 1/25/2005



UNITED FISHERMEN OF ALASKA

*Lead +
Return to:
Luu*

January 24, 2005

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

Representative Gabrielle LeDoux, Co-Chair
Representative Bill Thomas, Co-Chair
House Fisheries Committee
Alaska State Legislature
State Capitol (Mail stop 3100)
Juneau, AK 99801-1182

Dear Representative LeDoux ,

United Fishermen of Alaska supports the CS for HJR 6 relating to the labeling of fish products and processed food items containing fish. Americans have expressed their desire to know whether their seafood product is farmed or wild caught as well as to distinguish what country it was harvested in. UFA has been working diligently for the last five years on such regulations which will benefit the northwest commercial fishing salmon industry along with many others.

United Fishermen of Alaska represents 31 Alaska Commercial fishing organizations and hundreds of individual fishermen and fishing related businesses. We support the CS for HJR 6 and thank you for your attention to this matter.

Sincerely,

Mark Vinsel
Executive Director

CC: Representative Beth Kerttula

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Armstrong Keta • At-sea Processors Association • Bristol Bay Reserve Concerned Area "M" Fishermen • Cordova District Fishermen United • Crab Rationalization and Buyback Group • Douglas Island Pink and Chum • Fishing Vessel Owners Association • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association • Kodiak Seiners Association • North Pacific Fisheries Association • North Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owners Association • Seafood Producers Cooperative • Southeast Alaska Herring Seiners Marketing Association • Southeast Alaska Regional Dive Fisheries Association • Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Salmon Association • United Southeast Alaska Gilnetters • Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen



Representative Beth Kerttula

Alaska State Legislature District 3

DATE: February 16, 2005
TO: Representative Gabrielle LeDoux
FROM: Representative Beth Kerttula
RE: Country of Origin Labeling for Fish and Shellfish

Thank you very much for signing the COOLest letter in the Legislature.

I've attached a copy of the letter submitted to the United States Department of Agriculture on the proposed Country-of-Origin Labeling regulations. We were able to gather 41 signatures. This was an outstanding show of support for our fishing industry!

Alaska State Legislature

Official Business



State Capitol
Juneau, Alaska
99801-1182

February 2, 2005

Country of Origin Labeling Program
Room 2092-S
Agricultural Marketing Service, USDA
Stop 0249
1400 Independence Avenue SW
Washington, DC 20250-0249

Faxed to (202) 720-3499
Original to follow in mail

To Agricultural Marketing Service, USDA:

We are writing to submit comment on the proposed regulations for Mandatory Country of Origin Labeling of Fish and Shellfish, 7 CFR Part 60. The Alaska State Legislature has passed resolutions in support of labeling fish, shellfish, and fishery food products in the market place to identify the country of origin and to distinguish between wild fish and farmed fish. We reiterate our support for Country of Origin Labeling (COOL), including labeling of processed fishery food products.

National labeling standards will allow consumers to make informed and healthy choices in the market place as well as support our American fishing industry. We support implementation of the fish and shellfish labeling requirements of the Farm Security and Rural Investment Act of 2002.

We are concerned by the definition of processed food items as presented in the proposed regulations. Because processed food items would be excluded from COOL requirements, under the proposed definition canned, smoked, cured, pouched, or cooked fish and shellfish would not be subject to labeling requirements. We encourage the USDA to change this and ensure that canned, smoked, cured, pouched, and cooked fish and shellfish are covered by COOL requirements.

Thank you for your consideration of our comments.

Sincerely,

Members of the Alaska State Legislature

Alaska State Legislature

Official Business



State Capitol
Juneau, Alaska
99801-1182

Signature: *Beth Kerttula*
Title: *State Representative*

Signature: *K. S. G.*
Title: *State Senator*

Signature: *[Signature]* *HUM E. OLSON*
Title: *STATE REPRESENTATIVE*

Signature: *Max Huenberg*
Title: *State Representative*

Signature: *Max Klee*
Title: *State Rep. Dist. 15*

Signature: *WILLARD*
Title: *STATE Rep DIST - 5*

Signature: *Samuel Cassia*
Title: *State Rep.*

Signature: *Al Chini*
Title: *State Rep.*

Alaska State Legislature

Official Business



State Capitol
Juneau, Alaska
99801-1182

Signature: *Belinda L. Day*

Title: Rep- House District 36

Signature: *Paul R. Seaton*

Title: Rep. House Dist 35

Signature: *John H. Harris*

Title: Dist 12

Signature: *Mike Alvarado*

Title: Rep House District 34

Signature: *Beggy Wilson*

Title: State Rep Alaska Dist 2

Signature: *Donna M. Moe*

Title: Rep Dist. 2

Signature: *Bob Day*

Title: State Rep. District 39

Signature: *Buy R*

Title: Rep. District 10

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State Capitol
Juneau, Alaska
99801-1182

Signature:

Title:

John B. Cichetti
Rep. Dist 11, Majority Leader

Signature:

Title:

DA SA
Rep. Dist 29

Signature:

Title:

Mary Kapsner
Representative, House District 38

Signature:

Title:

Kull
Rep. Les Gare

Signature:

Title:

Tom Anderson
CHAIR, LABOR & COMMERCE COMMITTEE

Signature:

Title:

Pete Dett
Chair, Legislative Council

Signature:

Title:

UABR at
Democratic Leader

Signature:

Title:

Cui Opt
Rep. Dist 26

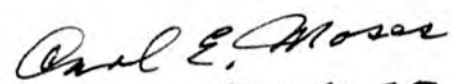
Alaska State Legislature

Official Business

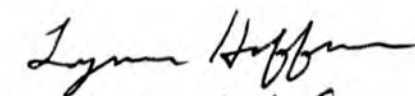


State Capitol
Juneau, Alaska
99801-1182

Signature: 
Title: Senator Dist H

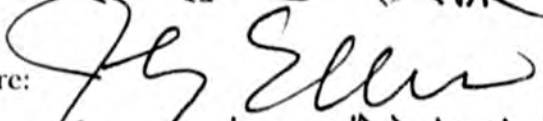
Signature: 
Title: Rep. District 37

Signature: 
Title: Senator District P

Signature: 
Title: Senate dist. S

Signature: 
Title: House District 32

Signature: 
Title: Senate Dist. R

Signature: 
Title: Senate District L

Signature: 
Title: House District -13

Alaska State Legislature

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State Capitol
Juneau, Alaska
99801-1182

Signature:

Mike Kelly

Title:

State Representative District 7

Signature:

Gene Theriault

Title:

State Senate District F

Signature:

Allan M. Kooker

Title:

State Senate District C

Signature:

K. Mearns

Title:

State Representative District 30

Signature:

Leslie McSee

Title:

State Representative District 28

Signature:

Berta Gardner

Title:

Alaska State Representative, District 24

Signature:

John J. Condees

Title:

Senator

Signature:

Archie W. Allen

Title:

State House (AK)

Alaska State Legislature

Official Business



State Capitol
Juneau, Alaska
99801-1182

Signature: *Norman Rokkeberg*

Title: *Representative, House District 27*

Signature:

Title:

Signature:

Title:

Signature:

Title:

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Signature:

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Signature:

Title: