

Module 3

Opening Meeting (Step 2)

COOL Retail Reviewer Training Course



Purpose

- The purpose of the opening meeting is to:
 - Introduce yourself as a USDA Retail Surveillance Reviewer.
 - Explain the purpose of your visit.
 - Answer any questions or concerns the retailer representative may have.



Upon Arrival

Important:

Verify you have one (1) copy of the Information Form and two (2) copies of the appropriate Checklist.



Store is Closed

- If the store is closed upon arrival:
 - Take a picture of the front of the store.
 - Fill out the workbook with the File Name, Date Reviewed, Store Information, and Reviewer's Information.
 - Select "Store Closed" in the "Finding Identified?" field.
 - In the Comments section, describe store was closed upon arrival.
 - Submit picture and workbook to the COOL Division.



Store Closed: Submitted Workbook



Country of Origin Labeling Division	1400 Independence Avenue, SW. Room 2614-S, STOP 0216 Washington, DC 20250-0216	Spell Check	Checklist May 8, 2017
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Country of Origin Labeling (COOL) Follow-up Retail Surveillance Review

WI 17 F2184A	Reviewer's Name	Susanne Keener	
Date Reviewed	9/22/2017	Reviewer's Email	susanne.keener@ams.usda.gov
Store Name	Sentry Foods	Reviewer's Phone Number	(303) 916-0775
Store ID Number	2869	Store Representative	
Physical Address	801 North Wisconsin Street	Responsible Authority's Name	
City, State ZIP	Elkhorn, Wisconsin 53121	Responsible Authority's Position	
Store Phone Number	(262) 723-2626	Responsible Authority's Email	
Corporate Contact Email		Findings Identified?	Store Closed



Opening Meeting

- Upon arrival at the retail store, the Reviewer shall:
 - Introduce themselves as a representative of USDA with an official government identification.
 - Request a meeting with the store manager, counter manager, or other appropriate official.
 - Explain the scope and objective of the review.
 - Provide a short summary of what you will be looking for by providing a copy of the **Information Sheet**.

	Agricultural Marketing Service	Country of Origin Labeling Division	1400 Independence Avenue, SW. Room 2620-S, STOP 0216 Washington, DC 20250-0216	Information Form March 22, 2016
Mandatory Country of Origin Labeling (COOL) - Final Rule				
Date of Review	3/11/2016	Store Name	ABC Retailer	
Reviewer's Name	John Doe	Store Address	50 Main Street	
File Name	UT 16 F2344	City, State Zip	Salt Lake City, Utah 84103	
COOL Website	www.ams.usda.gov/cool	COOL E-mail Address	COOLAudit@ams.usda.gov	
COOL Retail Surveillance Information Form				
Summary				
The 2002 and 2008 Farm Bill amended the Agricultural Marketing Act of 1946 (Act) to require designated retailers to notify their customers of the country(ies) of origin and method(s) of production (wild or farm raised as applicable) of covered commodities. Covered commodities include muscle cuts of lamb, chicken, and goat; ground lamb, ground chicken, and ground goat; wild and farm-raised fish and shellfish; perishable agricultural commodities; macadamia nuts; pecans; ginseng; and peanuts. Covered commodities are exempt from COOL requirements if they are an ingredient in a processed food item. Retailers determined to be in violation of the Act must be notified of the violation and provided with a 30-day period during which they may take the necessary steps to comply. If upon completion of the 30-day period it is determined that the retailer has willfully violated the Act, the retailer may be fined up to \$1,000 for each violation.				
Identification Requirements				
To convey the country of origin and method of production information, retailers may use a placard, sign, label, sticker, band, twist tie, pin tag, stamp, mark, or other clear and visible sign on the covered commodity or on the package, display, holding unit, or bin containing the commodity at final point of sale to consumers. The declaration of the country(ies) of origin and method(s) of production may be typed, printed, or handwritten provided it is in conformance with other Federal labeling laws and does not obscure other required labeling information. The declaration for country of origin and method of production must be legible and be placed in a conspicuous location, so as to render it likely to be read and understood by a customer under normal conditions of purchase.				
Record Keeping Requirements				
Upon request by USDA representatives, suppliers, and retailers subject to this Act shall make records available that verify the COOL claims and provide supplier information. Such records may be maintained in any location and shall be provided within 5 business days of the request. For pre-labeled products, the label itself is sufficient evidence on which the retailer may rely to establish the products' country of origin, method of production; however, the retailer must provide a record that identifies the immediate previous supplier information. The supplier information must include at a minimum the supplier name, city and state. For items that are not pre-labeled or if the information from the pre-labeled container is not available, records maintained in the normal course of business must be available which specify the product, country of origin, method of production, and retailer's immediate previous supplier. Records must be maintained for a period of 1 year from the date the declaration is made at retail.				
Types of Findings				
-Failure to convey country of origin and method of production information to consumers. -Failure to provide accurate country of origin and method of production information to consumers. -Failure to convey animal production steps for meat muscle cuts to consumers, (i.e., born, raised, harvested). -Failure to maintain records that substantiate the COOL claims and provide supplier information.				
Questions? Contact the COOL Division at (202) 720-4486				
USDA is an equal opportunity employer and provider.				



Opening Meeting (cont.)

- When providing the short summary inform the store representative that you will:
 - Verify that country of origin and method of production information is available to consumers.
 - Ask questions to access retailer's compliance with COOL recordkeeping requirements.
 - Tailor your summary depending on the type (i.e., initial or follow-up review) of retail review that will be conducted on site.



Opening Meeting (cont.)

- If an **Initial Retail Surveillance Review** is being conducted:
 - Interview the store representative on recordkeeping requirements by asking the five (5) questions when conducting an initial retail review.

Interview Questions to Assess Retailer Compliance with Recordkeeping Requirements
Q1: What types of records used in the normal course of business are received from suppliers that you rely on to create your own labels, such as signs, placards, and scale printers? Invoices, Bill of Lading, Master Containers, and Purchase Orders
Q2: Where are records maintained? Records are maintained at the retail store for 30 days before they are transferred to our corporate office located in Kansas City, MO.
Q3: How long are records maintained? The records are stored by the corporate office in electronic form for 3 years.
Q4 : As the responsible store authority, please briefly explain your knowledge of COOL requirements and your systems to ensure compliance. Generally, our corporate office provides COOL training once a year and they provide the procedures that we have to follow. Our employees reference the procedures any time they have questions.
Q5: Would you be interested in receiving additional outreach materials and guidance from USDA's COOL program to assist your staff and consumers? Yes



Opening Meeting (cont.)

- If an **Follow-up Retail Surveillance Review** is being conducted:
 - Request records for up to six (6) covered commodities chosen at random using the designated recordkeeping categories included in the retailer assignment list. Information about the previous supplier along with identifiers unique to the transaction will permit traceability to the importer or the supplier that is responsible for initiating the COOL claims. Determine what type of records the facility maintains to provide this information. If the records are not maintained at the facility, verify that the records can be submitted within 5 business days of the review. Provide the store representative with a Records Request Form that contains the e-mail address or fax number to submit the records to and the due date upon which the records must be received.



Opening Meeting (cont.)

- Continue with opening meeting and...
 - Verify the retailer name, physical address, and telephone number are accurate.
 - Record the responsible authority's name (Person who will receive noncompliance letter, when applicable), responsible authority's email, and corporate contact email.
 - Answer any questions pertaining to the review or the COOL regulations.
 - Inform the store representative that they may accompany you during the review.
 - Inform retail representative a closing meeting will be conducted at the conclusion of the review. Confirm time and location if necessary.



Retailer Changed Ownership

- If during the opening meeting the store representative confirms the store has now changed ownership, record the change of name in the Checklist and provide any additional information in the comment section.



Store Representative is NOT Cooperating

- Do not confront an angry or non-cooperative facility representative!!
- If the facility representative refuses to cooperate with the review, contact your state COOL Manager and COOL Division with the information.



Communication is Key

- It is important for Reviewer to answer any questions related to the retail review and provide their contact information (Name, business phone number, and business email). This will ensure the retail representative understands the objective of the review and they are able to contact the Reviewer if they have additional questions.
- Retailer Contact Information – Verify the name of the retail responsible authority, email address, mailing address and phone number is accurate. This information is required for the issuance of the review notification letter.
- Information Form – Verify retailer has a copy of the Information Form in order to ensure they are well informed of the COOL requirements.



Thank you for completing
Module 3!