

Module 3

Opening Meeting (Step 2)

COOL Retail Reviewer Training Course



Lesson Objectives

At the end of the lesson, you will be able to:

- Describe the purpose of the opening meeting.
- Understand what do to if the store is closed.
- Understand what forms to bring with you.
- Understand the questions to ask based on the type of retail surveillance review.



Opening Meeting

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



Bring Your Forms

Remember to bring with you from the appropriate workbook:

- 1 copy of the [Information Form](#); and,
- 2 copies of the appropriate [Checklist](#).



Closed Store

- **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, write "store was closed upon arrival;" and,
 - Submit the picture and workbook to FDLD.

*****Prior to the reviewer traveling to the store location, a phone call must be made to verify retail store is operational.*****



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

Store ID Number	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:
 - Introduce yourself as a representative of USDA and show an official government identification;
 - Request a meeting with the store manager or other appropriate representative;
 - Explain the scope and objective of the review; and,
 - Provide a copy of the **Information Sheet**.

	Agricultural Marketing Service	Country of Origin Labeling Division	1400 Independence Avenue, SW. Room 2620-S, ST OP 0216 Washington, DC 20250-0216	Information Form March 22, 2016
Mandatory Country of Origin Labeling (COOL) - Final Rule				
Date of Review	9/1/2016	Store Name	ABC Retailer	
Reviewer's Name	John Doe	Store Address	50 Main Street	
File Name	UT 16 F2344	City, State Zip	Sak 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

- Inform the retail representative that you will:
 - Review covered commodities to verify that country of origin and method of production information is available to consumers.
 - Identify what type of review will be conducted (initial or follow-up). If it's a follow-up review, explain why (i.e. no records were provided or no response was received during the prior year's review).



Opening Meeting

- Inform the retail representative that you will:
 - Count the number of covered commodities at the retail location.
 - Review the labels of covered commodities to ensure country of origin and method of production information are available to consumers.
 - Either ask questions about how records are maintained or seek specific records to review.



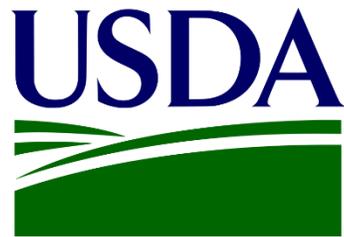
Opening Meeting

- 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), email address, and corporate contact email address.
- Inform the retail representative that they may accompany you during the review.



Opening Meeting

- Inform the retail representative that you will hold a closing meeting after the review. Confirm time and location.
- Answer any questions pertaining to the review or the COOL regulations.



Opening Meeting

For initial retail surveillance reviews, ask the store representative about their recordkeeping practices by asking the following 5 questions:

- 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?
- Q2 – Where are records maintained?
- Q3 – How long are records maintained?
- Q4 – As the responsible store authority, please briefly explain your knowledge of the COOL requirements and your systems to ensure compliance.
- Q5 – Would you be interested in receiving additional outreach materials and guidance from USDA on country of origin to assist your staff and consumers?



Opening Meeting

For follow-up retail surveillance reviews, you must request records for up to six (6) covered commodities chosen at random using the designated recordkeeping categories on the retailer assignment list.

- If the records are not maintained at the retail location, provide the retail representative with a **Records Request Form**.
- Records must be provided within 5 business days to the e-mail address or fax number listed in the Records Request Form.



Records

- Why are records important?
- FDLA conducts supplier traceback audits to verify the accuracy of the country of origin information for a covered commodity.
- Records collected during follow-up reviews allow FDLA to conduct the audits.



Retailer Changed Ownership

- Retailer ownership may change based on a variety of circumstances.
- If during the opening meeting, the retail representative informs you the store has changed ownership, record the change of name in the Checklist and provide any additional information in the comment section.



Retail Representative is Not Cooperative

- Do not confront an angry or non-cooperative facility representative!
- Your safety and well-being is our priority.
- If the retail representative refuses to cooperate with the review, gather as much information as possible and leave the store.
- Document the specifics of the incident, including the retail representative's name, if possible.
- Immediately contact your COOL State manager and FDLA Marketing Specialist with the information and further guidance.



Communication is Key

- It is important for the 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 scope and purpose of the retail review and contact the Reviewer if they have additional questions.



Opening Meeting Reminders

- **Retailer Contact Information**

- Verify the name of the person who is the responsible authority, email address, mailing address, and phone number. This information is required for the issuance of a non-compliance notice.

- **Information Form**

- Verify the retailer has a copy of the Information Form in order to ensure they have information on the COOL requirements.



Collard Greens
4614 \$1.99 ea.

Turnip Greens
4619 \$1.99 ea.

Red Swiss Chard
4587 \$1.99 ea.

Green Onion
(Scallions)
99¢

Thank you for completing
Module 3!