This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 52


Country of Origin Labeling of Packed Honey

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule; clarification.

SUMMARY: AMS published a final rule in the Federal Register on January 4, 2011, amending the Code of Federal Regulations (CFR) governing inspection and certification of processed fruits, vegetables, and miscellaneous products regarding Country of Origin Labeling (COOL) of Packed Honey. This document clarifies obligations for a honey packer regarding country of origin labeling. In an effort to promote fair competition in the honey industry, this document clarifies that honey packers must include conspicuous and indelible labeling, in English, naming the country of origin of all imported products, regardless of whether the product labeling uses approved USDA marks or grade statements.

DATES: Effective July 6, 2018.


SUPPLEMENTARY INFORMATION: AMS published a final rule on January 4, 2011 (76 FR 251) for Country of Origin Labeling of Packed Honey based on the 2008 Farm Bill. The rule amended the regulations governing inspection and certification of processed fruits, vegetables, and miscellaneous products, 7 CFR part 52, to include provisions for COOL for packed honey and debarment of services for mislabeling.

On August 8, 2016, the National Honey Packers and Dealers Association (NHPDA), the American Honey Producers Association (AHPA), the American Beekeeping Federation (ABF), and Sioux Honey Association (SHA) submitted a request asking the U.S. Department of Agriculture’s (USDA) Agricultural Marketing Service (AMS) to address and clarify country of origin labeling as required by U.S. Customs law and AMS regulations. Specifically, the request sought clarification of whether country of origin labeling is required for honey that does not bear official grade marks. A copy of the request is available as a supporting document for this document at http://www.regulations.gov.

AMS acknowledges the request of the NHPDA, WSHPDA, AHPA, ABF, and SHA. The Country of Origin Labeling of Packed Honey Final Rule, which appeared on pages 251–253 in the Federal Register (76 FR 251–253), was published pursuant to Section 10402 of the 2008 Farm Bill (Pub. L. 110–246), which amended section 1622(h) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627, 1635–1638) to require that all packed honey bearing any official USDA mark or statement also bear “legibly and permanently in close proximity (such as on the same side(s) or surface(s)) to the certificate, mark, or statement, and in at least a comparable size, the country or countries of origin of the lot or container of honey, preceded by the words ‘Product of’ or other words of similar meaning.”

Section 52.53 provides for the use of approved identification marks, and paragraph (h) describes prohibited uses of approved identification.

In an effort to promote fair competition in the honey industry, this document clarifies that honey packers must include conspicuous and indelible labeling, in English, naming the country of origin of all imported products, regardless of whether the product labeling uses approved USDA marks or grade statements.


Dated: July 2, 2018.

Bruce Summers,

Administrator, Agricultural Marketing Service

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