



United States Department of Agriculture
Office of the Chief Economist
Room 112-A J.L. Whitten Building
1400 Independence Avenue, SW
Washington, D.C. 20250-3810

July 10, 2015

Mr. Bill Bullard
R-CALF United Stockgrowers of America
P.O. Box 30715
Billings, Montana 59107

Dear Mr. Bullard:

This letter is in response to your May 14, 2015, request, on behalf of R-CALF USA, for a correction of information with respect to USDA's report to Congress entitled, "Economic Analysis of Country of Origin Labeling (COOL)" (COOL Report). The report was submitted to Congress on May 1, 2015, to address subsection 12104(a) of the Agricultural Act of 2014.

In a letter dated June 4, 2015, Dr. Robert Johansson, Acting Chief Economist, informed you that the Office of the Chief Economist's (OCE) information quality guidelines provide that that OCE will review the information provided in support of a request for correction of information; determine whether a correction is warranted; and if so, what action to take within 20 working days.¹ Dr. Johansson also informed you that OCE determined that our response would take more than 20 days to resolve, because of the substantial amount of material that you provided with your request. Finally, he informed you that OCE anticipated that review of your request and determination would be completed by July 13, 2015, consistent with the USDA Information Quality Guidelines that agencies normally can respond within 60 calendar days of receiving a request for correction of information.²

According to USDA's Information Quality Guidelines, the request for correction will be processed by the USDA agency that disseminated the information or information product in question. Thus, OCE has given R-CALF USA's request for correction careful consideration, and its concerns and supporting materials have been thoroughly reviewed. USDA's guidelines also provide that, based on the explanation and evidence submitted with the request for correction, the USDA agency will conduct a review of the information being challenged, the processes that were used to create and disseminate the information, and the conformity of the information and those processes with both OMB's and USDA's Information Quality Guidelines.

In addition to its request for a correction of information, R-CALF USA requested that the USDA issue a formal notice to each recipient of the April 2015 COOL Report as well as to the general public informing them that the COOL Report is being withdrawn pending a review of a complaint filed under the Data Quality Act and related Information Quality Guidelines. USDA's

¹ http://www.usda.gov/oce/about_oce/data.htm

² <http://www.ocio.usda.gov/policy-directives-records-forms/guidelines-quality-information/correction-information>

Mr. Bill Bullard
Page 2

Information Quality Guidelines provide that “USDA agencies are not required to change, or in any way alter, the content or status of information simply because a request for correction has been made.” Accordingly, OCE did not withdraw the COOL Report pending its review of R-CALF USA’s request for correction.

Besides seeking issuance of an official notice that the COOL Report is being withdrawn, R-CALF USA recommended that a new analysis be initiated “that meets the Data Quality Act’s standards for accuracy, reliability, objectivity, integrity and utility.” To that end, OCE reviewed each of the areas outlined in R-CALF USA’s request along with the supporting evidence submitted with the request. OCE’s assessment and detailed responses to each of the reasons outlined in R-CALF USA’s request is enclosed.

OCE considered the evidence and explanations for the requested withdrawal of the COOL Report and initiation of a new analysis. OCE has determined that both the processes that were used to create the COOL Report and the information being challenged, which the request has identified as the report in its entirety, comply with USDA’s Information Quality Guidelines. Therefore, OCE denies R-CALF USA’s request for withdrawal of the COOL Report and initiation of a new analysis.

With respect to the processes that were used to create the COOL Report, the three analyses that serve as the foundation for the report were produced following standard economic research practices and in conformity with USDA’s Information Quality Guidelines. The study contracted with university researchers and included as Appendix A in the COOL Report was conducted independently using well-established economic analysis and modeling procedures. Moreover, the study was peer-reviewed by three well-qualified researchers who were not part of the study team. The final regulatory impacts analyses conducted by USDA and included in the COOL Report in Appendices B and C were the result of public notice and comment rulemaking. As such, preliminary and interim regulatory impact analyses were posted in the Federal Register for public comment. USDA’s Information Quality Guidelines state that “Requests for correction of information shall be made during the comment period for that action and, the agency’s response will normally be incorporated in the next document it issues concerning the matter.” As such, the regulatory impact analyses included in Appendices B and C of the COOL Report already reflect comments received on prior rulemaking dockets.

With regard to the information being challenged, R-CALF USA challenges the objectivity of the COOL Report. Based on the detailed responses in the enclosed assessment, OCE concludes that the COOL Report meets the USDA Information Quality Guidelines’ criteria for objectivity. While R-CALF USA’s request points out some areas where the COOL Report could be improved, OCE does not find that the improvements would alter the substance of the report, nor do we find that withdrawal of the COOL Report and initiation of a new analysis is warranted.

Therefore, we deny R-CALF USA’s request for correction, and the COOL Report will stand as issued. If you disagree with the denial of your request, you may file a Request for Reconsideration with OCE. Further information on the procedure for filing a request for

Mr. Bill Bullard
Page 3

reconsideration can be found at <http://www.ocio.usda.gov/policy-directives-records-forms/guidelines-quality-information/correction-information>. No later than 45 days after the date of this letter, the request should be submitted by letter, fax, or email to:

Dr. Robert Johansson
Acting Chief Economist
United States Department of Agriculture
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1400 Independence Avenue, SW
Washington, D.C. 20250-3810
FAX: (202) 690-4915
Email: rjohansson@oce.usda.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "Warren P. Preston".

Warren P. Preston
Acting Deputy Chief Economist

Enclosure