



## WTO Ruling Blasts U.S. Sovereignty; TPP Threatens More of Same

As the World Trade Organization delivers another blow against U.S. sovereignty, President Obama's Trans-Pacific Partnership (TPP) is poised to add more international judicial attacks against American liberty and independence.



The May 18 ruling by a WTO appellate tribunal declaring a U.S. federal law illegal should have caused giant shock waves across America and should have sunk any hopes of congressional passage of the TPP, which, twinned with the Transatlantic Trade and Investment Partnership (TTIP), forms the centerpiece of the ObamaTrade globalist agenda.

Both the TPP and the TTIP would [create international courts](#) that could (and would) override American federal, state, and local laws, as well as federal and state court decisions, and even federal and state constitutions, as *The New American* has reported previously (see [here](#) and [here](#)).

The May 18 WTO ruling was the fourth time in three years the organization has struck down the United States' country of origin labeling (COOL) law, ruling that it violates international trade laws.

In an article in March, we provided this summary of the WTO-COOL battle:

A few short months ago, on October 20, 2014, the World Trade Organization ruled that the U.S. Country Of Origin Labeling (COOL) law is illegal, even though a U.S. federal court had upheld the law. COOL, which requires imported foreign meat to carry a label naming the country of origin, was challenged as discriminatory by meat exporters from our NAFTA partners Mexico and Canada. It should be noted that the COOL law does not prohibit or restrict any product; it merely says American consumers have a right to know where foreign meat is coming from so they can make an informed decision on whether or not to buy it. To most Americans that probably sounds not only reasonable, but also an issue that we have a right to decide for ourselves, without international interference. That was also the opinion of the U.S. Court of Appeals for the District of Columbia Circuit. The U.S. court ruled against Canada and Mexico and concluded that COOL complies with the U.S. Constitution and that Congress had authority to enact the law.

But WTO considers itself above the U.S. Constitution, above U.S. laws, and above U.S. courts. Not surprisingly, the WTO ruled against COOL and the right of Americans to know if the food they're eating was produced in a foreign country.

"More cases are pending before NAFTA and WTO courts," we noted. "And if the TPP is passed, we will, most assuredly, be afflicted with new TPP tribunals that will offer even more potential for subversive attacks on every aspect of our political and economic systems."



Written by [William F. Jasper](#) on May 27, 2015

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## **Will Congress Surrender on COOL?**

So, how has the U.S. Congress responded to the WTO ruling? Did our senators and representatives tell the international bureaucrats to go take a flying leap? No, the main response, thus far, has been to whimper and knuckle under. On May 19, the day after the WTO ruling, House Agriculture Committee Chair K. Michael Conaway (R-Texas), introduced [H.R.2393](#), "To amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes."

"In light of the WTO's decision and the certainty that we face significant retaliation by Canada and Mexico, we cannot afford to delay action," Conaway said. "This bill is a targeted response that will remove uncertainty, provide stability, and bring us back into compliance. I appreciate the support of so many colleagues on both sides of the aisle as we work quickly to ensure our economy and a broad spectrum of U.S. Industries do not suffer the economic impacts of retaliation."

Representative David Scott (D-Ga.), urged passage of the bill, claiming that a vote for H.R. 2393 would show strong support for American agricultural interests. "Retaliation is real," said Scott. "We're talking billions and billions of dollars." The measure does indeed have the full support of corporate ag interests. The National Cattlemen's Beef Association, National Pork Producers Council, the American Meat Institute, the North American Meat Association, and the National Grocers Association — all dominated by mega-corporations — have praised the WTO ruling and support repeal of COOL. However, organizations more representative of family farms and ranches and consumers — U.S. Cattlemen's Association, American Farm Bureau Federation, National Farmers Union, the Consumer Federation of America, and Ranchers-Cattlemen Action Legal Fund United Stockgrowers of America (R-CALF USA) — support retaining COOL.

Speaking against repeal of COOL, Representative Collin Peterson (D-Minn.) pointed out the European Union has labeling rules that require indication of the country of birth, fattening, and slaughter. Imported beef can be labeled as "non-EU." He asked the committee to slow down and investigate all options before rushing to repeal the law. "I just don't think that repealing it two days after the ruling is going to get us the resolution all of us want," Peterson stated.

Nevertheless, H.R. 2393 passed the committee May 20 by a vote of 38-6, and the bill is expected to be taken up by the House of Representatives in June.

## **Sovereignty, Liberty at Stake**

R-CALF USA CEO Bill Bullard expressed the sentiments of many farmers and ranchers in a critical statement issued by the organization on May 18. "It is amazing that the WTO is accusing COOL of impeding live cattle imports when such imports from Canada and Mexico under the COOL rule hit a 7-year high in 2014 and when imported Canadian and Mexican cattle are commanding historically high prices," said Bullard.

"It is equally amazing that after our U.S. court system has ruled that our U.S. COOL law is constitutional, the leadership of the U.S. House Agriculture Committee appears willing to surrender our COOL law to this international tribunal without even completing the WTO dispute process," Bullard added.

The R-CALF executive said that because Congress decided to cede U.S. sovereignty by subjecting our domestic laws and regulations to an international tribunal, it should at least follow the WTO process all the way to the end. He said there is still an arbitration process where Canada and Mexico actually have



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to prove they have suffered financial harm before the WTO will authorize those countries to impose retaliatory tariffs.

“Surrendering our COOL law at this early juncture would be an unprecedented concession by Congress that it reveres preliminary actions by the WTO more than it reveres our nation’s Constitution,” Bullard said. He noted the WTO COOL ruling should dispel the myths that neither the Fast Track bill being considered by Congress nor the Trans-Pacific Partnership (TPP) soon to be considered by Congress will undermine U.S. laws.

“This COOL ruling demonstrates that the consequence of ceding constitutional authority to the WTO through fast track and free trade agreements is that our domestic laws are undermined,” Bullard commented.

He said another unintended consequence of capitulating to the WTO’s effort to weaken COOL is that when or if the ongoing efforts to begin importing live cattle from Australia, Brazil, and Argentina are successful, then the resulting beef from those much cheaper sources of livestock will sit indistinguishable from U.S. beef in our nation’s grocery stores. “This could cause the demise of the independent, commercial U.S. cattle producer, just as it has already devastated the independent, U.S. commercial sheep producer,” Bullard said.

“We are urging Congress to take no action as a result of this ruling and are encouraging the U.S. Trade Representative to continue defending the sovereign interests of the United States in the next step of the dispute process in which the U.S. can dispute Canada’s and Mexico’s claims of financial harm,” Bullard concluded.

The following day, May 19, the R-CALF exec took aim at the House Agriculture Committee Chairman. “Conaway is misleading Congress and the American people,” said Bullard, adding , “Conaway’s bill is nothing more than a Siren call by the one percent: He is trying to coerce the public into supporting something that will ultimately cause them harm.”

Bullard made note of the fact that Conaway’s bill calls for the removal of chicken from COOL requirements even though the WTO ruling had nothing to do with the labeling of chicken meat. “This is proof that Conaway’s bill is not a ‘targeted response’ to the WTO; but rather, Conaway is exploiting the WTO ruling to support the multinational meatpackers’ decade-long effort to hide the origins of food from consumers,” Bullard said.

The Senate’s Republican leadership joined with the Obama White House to push the “Fast Track” [Trade Promotion Authority through the Senate](#) on Friday, May 22, just before the Memorial Day weekend. The Fast Track/TPA bill will now go to the House. If it passes there, the Trans-Pacific Partnership (TPP) bill will soon follow, loaded with more judicial bombs aimed at blasting U.S. sovereignty to smithereens.

*Related articles:*

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