



United States Department of Agriculture

Office of the Secretary  
Washington, D.C. 20250

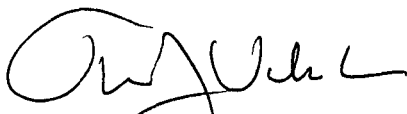
OCT 23 2009

The Honorable Blanche Lincoln  
Chairwoman  
Committee on Agriculture, Nutrition,  
and Forestry  
United States Senate  
328A Russell Senate Office Building  
Washington, D.C. 20510

Dear Madam Chairwoman:

As required by section 3205 (h) of the Food, Conservation, and Energy Act of 2008, the Department of Agriculture is submitting the enclosed annual report describing the activities of the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate. Additionally, as directed in the Joint Explanatory Statement accompanying the Omnibus Appropriations Act, 2009, this report is provided to the Committees on Appropriations of the House of Representatives and the Senate.

Sincerely,



Thomas J. Vilsack  
Secretary

Enclosures

**The Department of Agriculture (USDA) 2009 Activities Report of the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products (Consultative Group)**

**Establishment of Management Team.** To ensure close coordination of the activities of the Consultative Group with other government agencies involved in child labor and forced labor issues, USDA created an interagency Management Team, which includes representatives from the Foreign Agricultural Service and the Agricultural Marketing Service of the Department of Agriculture, the Bureau of International Labor Affairs of the Department of Labor, and the Bureau of Democracy, Human Rights, and Labor and the Office to Monitor and Combat Trafficking in Persons of the Department of State. The Management Team will ensure that the work of the Consultative Group supports and advances the objectives of the Trafficking Victims Protection Act of 2000, particularly in relation to provisions to ensure that products made by forced labor and child labor in violation of international standards are not imported into the United States.

**Drafting of Charter.** The Management Team drafted a proposed charter for the Consultative Group. The charter was issued in USDA Departmental Regulation 1043-50. A copy of the Consultative Group charter is attached.

**Solicitation of Nominations for Non-government Members.** The legislation provides for four government members and nine non-government members of the Consultative Group. A notice requesting nominations of individuals to serve as non-government members of the Consultative Group was published in the Federal Register on January 21, 2009. The application period closed on March 9, 2009. A second notice extending the application period for non-government members was published on April 29, 2009. The application period closed on May 13, 2009.

**Review and Approval of Consultative Group Members.** Applications received in response to the two Federal Register notices were reviewed by an interagency panel. The Secretary announced on September 23, 2009, the appointment of the 13 members of the Consultative Group. Deputy Under Secretary for Farm and Foreign Agricultural Services Bud Philbrook will chair the Consultative Group. Members of the Consultative Group are attached.

**Future Meetings.** The first meeting of the Consultative Group is being planned for the first half of October 2009. Recommendations on a standard set of practices to reduce the likelihood that agricultural products imported into the United States are produced with the use of forced labor or child labor are scheduled to be provided to the Secretary by June 2010.

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>		Number: 1043-50
<b>SUBJECT: Charter of the Consultative Group to Eliminate Child Labor and Forced Labor in Imported Agricultural Products</b>	<b>DATE:</b> September 10, 2009	
	<b>OPI: Foreign Agricultural Service</b>	

1. PURPOSE

- a. The Consultative Group to Eliminate the Use Of Child Labor and Forced Labor in Imported Agricultural Products (hereinafter the "Consultative Group") is established by the Secretary of Agriculture in cooperation with the Department of Labor pursuant to Section 3205 of the Food, Conservation, and Energy Act of 2008.
- b. The normal requirements of an advisory committee under the Federal Advisory Committee Act (FACA) are not applicable to the Consultative Group, as stated in Section 3205(g) of the Food, Conservation, and Energy Act of 2008.

2. SPECIAL INSTRUCTIONS/CANCELLATIONS

The Consultative Group will terminate on December 31, 2012.

3. MEMBERSHIP AND OFFICERS

- a. The composition of the Consultative Group will include representatives of:
  - (1) Department of Agriculture (2 representatives)
  - (2) Department of Labor, Bureau of International Labor Affairs, Deputy Under Secretary for International Affairs  
(1 representative)
  - (3) Department of State (1 representative)
  - (4) Private agriculture-related enterprises, which may include retailers, food processors, importers, and producers, of whom at least 1 member shall be an importer, food processor, or retailer who utilizes independent, third-party supply chain monitoring for forced labor or child labor (3 representatives)
  - (5) Higher education/research institutions (2 representatives)
  - (6) Organizations that provide independent, third-party certification services for labor standards for producers or importers of agricultural commodities and products  
(1 representative)

(7) Organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 that have expertise on the issues of international child labor and do not possess a conflict of interest associated with establishment of the guidelines described in section 3 below, as determined by the Bureau of International Labor Affairs of the Department of Labor, including representatives of consumer organizations and trade unions if appropriate (3 representatives)

b. The Secretary of Agriculture, or his designee, shall appoint the members of the Consultative Group except that the Secretary of State, or her designee, shall appoint the representative of the U.S. Department of State and the Deputy Under Secretary of Labor for International Affairs shall be the representative of the U.S. Department of Labor. The members of the Consultative Group shall serve at the pleasure of and for the terms specified by the Secretary of Agriculture, except that the representative of the Department of State shall serve as specified by the Secretary of State. The Deputy Under Secretary of Labor for International Affairs is specifically named by the 2008 Farm Bill as a member of the Consultative Group.

#### 4. DUTIES

- a. The Consultative Group will develop and make recommendations to the Secretary of Agriculture relating to guidelines to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor or child labor. These recommendations, which will relate to a standard set of practices for independent, third-party monitoring and verification for the production, processing, and distribution of agricultural products or commodities, will be submitted to the Secretary by June 18, 2010. Thereafter, the Consultative Group will continue to advise the Secretary as necessary.
- b. On the basis of these recommendations, the Secretary shall release guidelines for a voluntary initiative to enable entities to address child labor and forced labor issues raised by the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.). These guidelines will be published in the Federal Register and be available for public comment for a period of 90 days.

#### 5. ESTIMATED ANNUAL OPERATING EXPENSES

- a. Annual operating costs are estimated to be \$14,348, which includes 0.14 staff years of support time.
- b. Members shall serve without reimbursement for travel or travel-related expenses.

#### 6. NUMBER AND FREQUENCY OF MEETINGS

- a. The Consultative Group will be chaired by a representative of the Department of

Agriculture.

- b. The Consultative Group shall meet no fewer than four times per year.

## 7. REPORT/SUPPORT

- a. The Chairperson will prepare annual reports that describe the activities and recommendations of the Consultative Group, for submission by the Secretary to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate. The first annual report will be submitted no later than June 18, 2009.
- b. The Foreign Agricultural Service will provide administrative and other necessary support for the Consultative Group.

-END-

Approved Members for the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products

Last Name	Title and Organization	Category
Athreya, Bama	Executive Director International Labor Rights Forum Washington, D.C.	Nongovernment Organization (NGO)
Beyer, Dorianne	Agricultural Labor Consultant Social Accountability International New York, NY	Certification Organization
Edmonds, Eric	Associate Professor of Economics Dartmouth University Hanover, NH	Academic/Research
Elliott, Kimberly	Senior Fellow, Center for Global Development Visiting Fellow, Peterson Institute Washington, D.C.	Academic/Research
Guyton, Bill	President World Cocoa Foundation Washington, D.C.	Agricultural Enterprise
Macray, Dennis	Director, Ethical Sourcing and Global Responsibility Starbucks Coffee Co. Seattle, WA	Agricultural Enterprise
Philbrook, Bud (Chairperson)	Deputy Under Secretary for Farm and Foreign Agricultural Services, Department of Agriculture	Government
Polaski, Sandra	Deputy Under Secretary for International Affairs, Department of Labor	Government
Potter, Edward	Director, Global Workplace Rights Coca-Cola Co. Atlanta, GA	Agricultural Enterprise
Roggensack, Margaret	Policy Director Free the Slaves Washington, D.C.	Nongovernment Organization (NGO)
Stewart, Karen	Assistant Secretary (Acting), Bureau of Democracy, Human Rights and Labor, Department of State	Government
Van Heerden, Aurret	President and CEO Fair Labor Association Washington, D.C.	Nongovernment Organization (NGO)
Wright, Ann	Deputy Under Secretary for Marketing and Regulatory Programs, Department of Agriculture	Government