

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

DEPARTMENTAL REGULATION		Number: 1043-50
SUBJECT: Charter of the Consultative Group to Eliminate Child Labor and Forced Labor in Imported Agricultural Products	DATE: March 25, 2010	
	OPI: Foreign Agricultural Service	

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 \$18,000, which includes 0.14 staff years of support time.
- b. Members shall serve without reimbursement for travel or travel-related expenses, except that members may be provided meals or refreshments at the meetings in accordance with the invitational travel statute (5 U.S.C. 5703) and the Federal Travel Regulation (41 C.F.R. chapters 301-304).

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.

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