

October 29, 2014

Ambassador Darci Vetter  
Chief Agriculture Negotiator  
Office of the United States Trade Representative  
600 17th Street NW  
Washington, DC 20508

Dear Ambassador Vetter:

Thank you for your leadership and the good work of your negotiating team to make progress on a Trans Pacific Partnership (TPP) agreement. We are encouraged to hear that an ambitious and high standard deal is developing and has the potential to provide meaningful benefits to our sector.

Now that negotiating teams are positioned to consult widely at home and work intensely with each other to resolve outstanding issues, we are writing to reinforce our fervent belief that a comprehensive and high standard TPP must include gold standard sanitary and phyto-sanitary (SPS) provisions as a critical element of the agreement. To ensure that the TPP SPS commitments are genuinely meaningful, we believe they must: 1) be enforceable; 2) reflect science based disciplines; and 3) include the key elements laid out in industry's proposal for a "Rapid Response Mechanism" (RRM) to improve food and agriculture trade and expeditiously resolve shipment specific issues.

From the beginning, the U.S. food and agriculture industry has worked extensively with the Obama Administration in pursuit of inclusion of the aforementioned commitments in the TPP. SPS barriers are a significant and growing challenge to market access for a wide range of products, and the TPP was designed with the objective of setting new and higher standards. As such, it is critical that SPS commitments in the agreement go beyond the status-quo and include commercially viable solutions to address these pressing commercial challenges.

A RRM that provides for timely action to expedite resolution of import disputes will add significant value to both SPS and TBT commitments. Given the perishable nature of food and other agricultural products, there are two key elements that must be included in the TPP. First, there needs to be a rapid notification within a few days to the exporter and importer of record when a shipment is restricted or delayed by regulatory actions at import. Second, there must be a formal obligation required of import authorities to work with the importer, exporter and, if needed, the exporter's government representatives to identify options for an expedited resolution within a matter of days. In this way, regulatory requirements can be met that enable the release of shipments for disposition in less than a few weeks.

We are committed to efforts that can bring about a TPP agreement that develops solutions to this important set of issues. We look forward to continuing our work with you and your talented negotiating team to achieve this objective.

Please do not hesitate to contact us in this regard.

Sincerely,

Archer Daniel Midlands Company  
Cargill, Incorporated  
National Grain and Feed Association  
North American Export Grain Association