

April 15, 2103

The Honorable Michael Froman
Deputy National Security Advisor for International Economic Affairs
The White House
Washington, DC 20510

Dear Mr. Froman:

The undersigned food and agricultural organizations and companies strongly support negotiation of a comprehensive, high-standard Trans-Pacific Partnership (TPP) agreement and believe that strong sanitary and phytosanitary (SPS) provisions are a critical element to achieving that goal. In order to ensure that TPP SPS commitments are genuinely commercially meaningful, they must be enforceable.

The U.S. food and agriculture sector has worked extensively with this administration in pursuit of improved and science-based disciplines on the application of SPS measures. This reflects the reality that SPS barriers are a significant and growing impediment to market access for a wide range of our products in foreign markets. TPP is intended to set a new and higher standard in many areas; we believe it is critical that this includes forging a more effective path forward with respect to SPS commitments.

The biggest potential value in such work is where TPP breaks new ground through “WTO-plus” SPS provisions – that is, obligations that go beyond the WTO SPS Agreement on issues like risk assessment, risk management, transparency, border checks/laboratory testing and facilitating trade through regulatory coherence measures. In addition, significant value could be added to both SPS and TBT commitments through the inclusion of a Rapid Response Mechanism (RRM) to help improve trade facilitation and resolve shipment-specific issues.

We appreciate the receptivity that the administration has shown to including these elements in TPP. To ensure that agricultural traders throughout the TPP region can truly count on those commitments, however, it is essential that the U.S. now focus on finding a way to make the WTO-plus commitments in TPP enforceable. Without the threat of penalties for noncompliance, trading partners are unlikely to adhere to their obligations; this is of course why dispute settlement exists. SPS commitments should not be given short-shrift in this regard; they too must be enforceable requirements.

The pending launch of the Transatlantic Trade and Investment Treaty gives added weight to our concerns given the likelihood that TPP will serve as a precedent for that agreement with the European Union. The depth and breadth of EU SPS barriers are well known and were a driving force in the need to establish a better global model for SPS commitments through TPP.

We are committed to continuing to work with the Administration in developing solutions to this important topic for the U.S. food and agriculture community.

Sincerely,

American Farm Bureau Federation
American Feed Industry Association
American Meat Institute
American Potato Trade Alliance
American Seed Trade Association
American Soybean Association
American Sugar Alliance
Archer Daniels Midland Co.

California Apple Commission
California Association of Wheat Growers
California Blueberry Commission
Cape Cod Cranberry Growers Association
Cargill Incorporated
Corn Refiners Association
CropLife America
Florida Citrus Mutual
Georgia Poultry Federation
Glanbia Foods USA
Grocery Manufacturers Association
Hilmar Cheese Company, Inc.
Idaho Potato Commission
Kraft Foods Group, Inc.
Land O'Lakes
Leprino Foods
International Dairy Foods Association
National Associations of State Departments of Agriculture
National Association of Wheat Growers
National Chicken Council
National Confectioners Association
National Corn Growers Association
National Council of Farmer Cooperatives
National Farmers Union
National Grain and Feed Association
National Grange
National Milk Producers Federation
National Oilseed Processors Association
National Potato Council
National Renderers Association
National Turkey Federation
National Pork Producers Council
North American Export Grain Association
Northwest Horticultural Council
Pet Food Institute
U.S. Apple Association
U.S. Dairy Export Council
U.S. Dry Bean Council
U.S. Grains Council
U.S. Meat Export Federation
U.S. Wheat Associates
USA Poultry & Egg Export Council
USA Rice Federation
Virginia Poultry Federation
Washington State Potato Commission
Western Growers
Western United Dairymen
Wine Institute

cc:

Secretary Tom Vilsack, U.S. Department of Agriculture
Ambassador Demetrios Marantis, Office of the U.S. Trade Representative

Chairman Max Baucus, Senate Finance Committee
Chairman Dave Camp, House Ways and Means Committee
Chairwoman Debbie Stabenow, Senate Agriculture, Nutrition and Forestry Committee
Chairman Frank Lucas, House Agriculture Committee
Ranking Member Orrin Hatch, Senate Finance Committee
Ranking Member Sandy Levin, House Ways and Means Committee
Ranking Member Pat Roberts, Senate Agriculture, Nutrition and Forestry Committee
Ranking Member Collin Peterson, House Agriculture Committee