



"Working Together to Make Trade Work"

OUTREACH February 3, 2014

Thank you for your membership in and work with NAEGA

Member participation opportunity:

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- U.S. – FDA Issues Proposed Rule on Sanitary Transportation of Food and Feed Under FSMA

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NAEGA Member Participation Opportunity

Mark Your Calendars for the NAEGA Annual Meeting

Hilton Head, South Carolina – March 31, 2014

We look forward to working with you in Hilton Head, South Carolina in March! The 2014 NAEGA Annual Meeting will take place on Monday, March 31, 2014 in Hilton Head, South Carolina from 12:00pm to 6:30pm. A luncheon with a guest speaker will start at noon and the Members Meeting will begin at 1:00pm. The Board Meeting will immediately follow the Members Meeting.

NAEGA meetings will coincide with the March 30-April 1, 2014 National Grain & Feed Association (NGFA) Convention. Rooms at the Westin Hilton Head can be booked at the NGFA

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rate by clicking [here](#). A special NAEGA registration for the NGFA Convention is now available [here](#).

Thank you for your investment in NAEGA! – We very much appreciate and need your company’s many contributions to the ongoing success of NAEGA. Invoices for NAEGA’s 2014 Membership Dues have been mailed to member representatives and payment is due by February 17. Prompt payment is appreciated. If you have any questions, please contact the NAEGA office.

U.S. – FDA Issues Proposed Rules on Sanitary Transportation of Food and Feed under FSMA

On January 31st, the U.S. Food and Drug Administration (FDA) posted [proposed rules](#) on sanitary transportation of food and Feed under the Food Safety Modernization Act (FSMA). The proposed rule would apply to trucks and rail transportation conveyances, but not barges or vessels.

The comment period deadline is May 31. There will be three public meetings on the proposed rules:

February 27, 2014 in Chicago, Illinois;

March 13, 2014 in Anaheim, California; and

March 20, 2014 in College Park, Maryland (outside of Washington, D.C.).

[Full Details on Upcoming Events can be found in the Meetings & Events Section of the NAEGA Member’s Only Page.](#)

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Reports on NAEGA Actions

Canada-U.S. Grain and Seed Trade Task Group

Last week the [Canada-U.S. Grain and Seed Trade Task Group](#) met to discuss the next steps for the Group. The Group is now re-engaging to on several policy related industry concerns as the might impact US-Canada Grain and Seed Trade, including:

1. Trans Pacific Partnership
2. International Low Level Presence initiative for Biotech enhanced crops
3. Further input to the Canada-U.S. Regulatory Cooperation Council
4. US Food Safety Modernization Act developments.
5. Canada Food Inspection Agency (CFIA) on phytosanitary risk management for imports
6. CFIA policy regarding in-transit grain from the US for export from Canada
7. Canada’s Varietal Registration System.

The Task Group will be revising the list of participants in the group and setting agendas for related dialog and public communications.

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China – Biotech Approval Dilemma

We continue to pursue several actions related to NAEGA Board Directors decisions relative to Syngenta's premature (prior to approval for import into China and other markets) commercialization of two corn events. NAEGA is now focused on the development of recommended contract language for the sale of grain products into the Chinese market, the development of position statements and needed communications with various stakeholders.

NAEGA and NGFA sent a joint letter to Syngenta on January 22, 2014 asking the company to halt commercialization of its Agrisure Viptera® (MIR162) until it receives approval by the Chinese government. The letter expressed concerns about the serious economic harm to exporters, grain handlers and, ultimately, agricultural producers - as well as the United States' reputation to meet its customers' needs - that has resulted from Syngenta's current approach to stewardship of Viptera. The letter also encouraged Syngenta to halt its plans to commercialize their newest product, Duracade, until it receives approval in all major export markets in order to prevent similar damage.

NAEGA and NGFA also issued a [Press Statement](#) on the issue. NAEGA's Board of Directors continues to deliberate this issue and has established an ad hoc strategy committee to consider actions in response to the Syngenta's products Viptera™ (event MIR 162 corn) and Duracade™ trait (event 5307 Corn) which are not yet approved in corn. 162 was commercialized in 2011. Syngenta apparently commercialized 5307 in 2013 - the same year they first applied for Chinese approval. Chinese approval requires a minimum of 2 years to complete meaning 5307 will most likely be found in US corn beginning with the harvest of 2014 - at least a year before China would be able to complete its review to provide for import safety certificates.

U.S. USDA-APHIS Public Meeting on Biotech/DEIS for Nonregulated Status of 2,4-D

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) held a virtual public meeting on January 29, 2014 to receive comments on a draft Environmental Impact Statement (DEIS) for three petitions for nonregulated status. The DEIS analyzes the potential environmental impacts of one corn and two soybean varieties genetically engineered (GE) by Dow AgroSciences, LLC (Dow) to be resistant to the herbicide known as 2,4-D, and several other herbicides.

Most commenters supporting the deregulation of the GE varieties argued that these products allow farmers to continue modern conservation practices, such as no till, and continue the yield trend upward by fighting weeds.

Comments opposing the deregulation of the GE varieties included environmental concerns of dumping herbicides on the land, issues of unwanted drifting of 2,4-D and its effect on non-resistant crops, and the idea that weeds will become resistant to 2,4-D creating “super” weeds.

To see a copy of the transcripts from the virtual public meeting, click [here](#).

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To provide written comments through February 24, 2014, visit:
<http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0042>.

WTO Bali Outcomes

The U.S. Trade Representative’s (USTR) office held a WTO briefing on January 27. At the briefing, Chief Agricultural Negotiator, Ambassador Isi Siddiqui and Deputy Under Secretary for Farm and Foreign Agricultural Services, Darci Vetter, discussed the Bali WTO agricultural outcome. The briefing included the issues of public stockholding agreement, export subsidies and TRQ administration. A fact sheet from the USTR on the outcome of the Bali WTO conference can be found [here](#).

NAEGA is currently doing a side-by-side analysis of the Rapid Response Mechanism (RRM) we are supporting and the WTO Agreement on Trade Facilitation that resulted from the Bali meeting. We will also incorporate the Bali outcome into NAEGA policy and actions related to public stockholding and export subsidies.

World – Codex DON

NAEGA is reviewing the Codex Committee on Contaminants in Foods’ (CCCF) plan to establish low maximum levels (ML) for deoxynivalenol (DON) in raw grains that may lead to significant trade disruptions of grains in global commerce. CCCF intends to set a level of 2ppm for DON, a Mycotoxin from the *Fusarium graminearum* pathogen, in raw grains.

A copy of the proposed draft can be found [here](#).

NAEGA is considering making comments on the following items. Please contact us with your advice or suggestions:

2013

Feb. 10 – Comments to Customs and Border Protection (CBP) on the Request of Information via CBP Form 28 in an effort to reduce paperwork. http://ofr.gov/OFRUpload/OFRData/2013-29713_PI.pdf

Feb. 17 – Comments to Animal and Plant Health Inspection Service (APHIS) on RSPM 41 “Guidelines for Oversight Programs” at North American Plant Protection Organization (NAPPO) William.D.Wesela@aphis.usda.gov

Feb. 20 – Comments due by National Plant Protection Organization officials to International Plant Protection Convention (IPPC). More information can be found at [IPPC Draft Specifications Member Consultations](#) and the [Grades and Inspections](#) page.

Feb. 24 – Comments to Animal and Plant Health Inspection Service (APHIS) on Environmental Impact Statement for Determination of Nonregulated Status of Herbicide 2, 4-D Resistant Corn and Soybeans. <http://www.regulations.gov/#!docketDetail;D=APHIS-2013-0042>

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NAEGA Actions on Current Issues are tracked on both the Member’s Only Section under their relevant committee pages and the on the Personal Page’s site. Updates to tracked issues are posted in this section.

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New Issues & Opportunities for NAEGA Consideration

Europe-U.S. – Transatlantic Trade and Investment Partnership

The U.S. and the European Union (EU) announced the week of January 27 that the next round of negotiations on the Transatlantic Trade and Investment Partnership (T-TIP) will be held in Brussels March 10-14. Prior to that round, EU Trade Commissioner Karel De Gucht and U.S. Trade Representative Mike Froman will meet in Washington, D.C., Feb. 17 and 18 to assess the progress made to date and provide political guidance to the chief negotiators on how best to take the negotiations forward. The third round of talks was held in Washington last November.

Also this week the European Commission announced the launch of an advisory group of 14 “experts in consumer interests, labor law, the environment and public health, business, manufacturing, agriculture and services sectors.” Group members will examine specific challenges that may arise during the T-TIP talks in these fields and provide candid feedback to EU negotiators.

Both announcements come amid increasing concerns within the EU about the proposed TTIP on issues ranging from data privacy to regulatory standards to investment. Last week the EU said it would suspend talks on the investment provisions of the TTIP to solicit more public input.

U.S – Farm Bill

The U.S. House of Representatives passed a new five-year farm bill on January 29, 2014. After much delay, the House passed the conference committee bill with an overwhelming majority of 251 to 166 vote. The Senate is expected to pass the farm bill this week and President Obama will likely sign it soon thereafter.

Criticism of the Bill includes the possibility of billions of dollars’ worth of retaliatory sanctions against U.S. exports. The retaliatory sanctions would stem from two separate cases: 1. The Brazil Cotton/ GSM-102 Dispute and the Country of Origin of Labeling Dispute. Concerns are that provisions in the Bill do not do enough to satisfy Brazil from not pursuing retaliatory sanctions; which have already been approved by the World Trade Organization (WTO).

Further, the Bill does not repeal the country of origin labeling requirements for certain meat products. Canada and Mexico have brought a claim against the labeling requirement. The WTO is expected to rule whether the USDA rule discriminates against imported products. If the WTO

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determines it does discriminate against imported products, Canada and Mexico will be allowed to implement retaliatory sanctions against U.S. products.

U.S. – Trade Promotion Authority

Legislation to reauthorize trade promotion authority (TPA) will likely experience a short delay due to the expected transition from Sen. Max Baucus, D-Mont., to Sen. Ron Wyden, D-Ore., as chairman of the Senate Finance Committee. Wyden, who will likely take the gavel at Senate Finance once the Senate confirms Baucus as ambassador to China (which is expected sometime in February), reportedly said this week that the TPA bill will need to be revised in response to those concerns.

TPA would establish congressional priorities for trade agreement negotiations and require lawmakers to consider legislation to implement such agreements on an expedited basis, subject to a straight yes or no vote with no amendments. The most recent grant of TPA expired in 2007, but the White House is pushing for a renewal in conjunction with its efforts to conclude talks on the Trans-Pacific Partnership (TPP) with 11 Pacific Rim countries and the Transatlantic Trade and Investment Partnership (T-TIP) with the European Union (EU).

If you would like more information or wish to provide comments on any of these news topics monitored by NAEGA, please contact us.

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NAEGA Calendar & Member Notices

2014

February

10 Washington, DC – TPP Coalition Steering Committee Meeting

18 Washington, DC – USBCA Meeting with Darci Vetter

20-21 Arlington, Virginia – USDA Agricultural Outlook Forum – USDA’s annual event to discuss the changing face of agriculture.

March,

6-7 Washington, D.C. – CBP East Coast Trade Symposium held at the Washington Hilton Hotel in Washington, D.C. This was originally scheduled for October 24-25, 2013 but had to be rescheduled due to the government shutdown.

31 – Hilton Head, South Carolina – 2014 NAEGA Annual Meetings – Westin Hilton Head Resort (in conjunction with NGFA’s Convention March, 30 – April, 1). Reservations can be made [here](#).

April,

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14-16 – Winnipeg, Manitoba, Canada – Canadian Global Crops Symposium – Hosted by the Canada Grains Council

June

10 – London, United Kingdom – IGC Grains Conference – Tower Hotel, Tower Bridge – You can register [here](#).

July

15-16 – Alexandria, VA – USAEDC Attaché Seminar

September

29-October 3 – 7th Meeting of the Parties/Conference of the Parties for the So-called Cartagena Biosafety Protocol under the Convention on Biodiversity, which governs trans-boundary movements of Living Modified Organisms for feed, food and processing. More information can be found at: <http://bch.cbd.int/protocol/>

November

17-20 – Baltimore, MD – USAEDC Annual Workshop

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