

November 15, 2012

Ambassador Ron Kirk  
United States Trade Representative  
Office of the United States Trade Representative  
600 17th Street, NW  
Washington, DC 20508

Dear Ambassador Kirk:

A broad-based group of U.S. food and agricultural organizations and companies earlier this year wrote you to express support for proposed U.S.-EU free trade agreement negotiations and to urge you to ensure that any resulting agreement would be comprehensive in nature and address important impediments to trade in agricultural products. We applaud continued statements by Administration officials confirming their intention to insist on such an outcome, but recent statements by EU officials suggest they are thinking differently.

Press reports in connection with the recent approval by the European Parliament of the FTA negotiations have raised doubts about whether the EU will be prepared to deal with sanitary and phytosanitary issues and other non-tariff barriers, which have become the most important form of barrier to U.S. food and agricultural exports to the EU. Unless these measures are addressed satisfactorily, the effort to achieve free trade in the agricultural sector will fail.

We believe that, carried out properly, a U.S.-EU FTA would generate economic growth and create many thousands of new jobs on both sides of the Atlantic. This means negotiating the type of high-standard, 21st-century agreement that has been central to the Administration's trade policy efforts. This is not the type of agreement the EU has negotiated with other trading partners. Its FTAs have excluded agricultural goods it produces and have not included a way to address regulatory measures that conflict with U.S. interests and World Trade Organization rules. Examples of these run the gamut from the EU's ban on the use of hormones in cattle and GMO approval and labeling regulations that restrict U.S. corn, soy and refined corn product exports to unjustifiable restrictions on production methods in poultry, pork and beef (pathogen reduction treatments), unscientific restrictions on the use of safe feed additives in pork and beef (ractopamine), imposition of arbitrary sustainability requirements on the production in the United States and in other countries of feedstocks for biofuels used in the EU and many other unjustified restrictions affecting a wide swath of U.S. agriculture. Such measures must be resolved as part of the FTA negotiations.

The EU has also worked to accomplish in its FTAs what it has been unable to achieve multilaterally. The EU has sought the inclusion of language on geographical indications (GIs) that would grant it exclusive rights to certain product names that have been widely used outside of Europe for many years. This objective was reinforced by the EU Parliament, which made U.S. acceptance of EU GI policy an expressed element of its approval of the talks with the United States.

For these reasons, we cannot help but be skeptical that the EU is prepared to undertake a U.S.-style comprehensive negotiation and to include the agricultural sector in a truly positive manner.

As we stated in our previous letter, the Trans-Pacific Partnership (TPP) negotiation should serve as the template for a U.S.-EU FTA. As you said in a speech earlier this year, “TPP is also about building the best trade policy for the future.” We agree with this sentiment and applaud the approach you have consistently taken to achieve those objectives. A free trade agreement with the EU based on the same principles would validate your policies and help ensure that U.S. trade policy remains on the right path.

Sincerely,

American Farm Bureau Federation  
American Feed Industry Association  
American Frozen Food Institute  
American Meat Institute  
American Peanut Product Manufacturers, Inc.  
American Seed Trade Association  
American Sheep Industry Association  
American Soybean Association  
Blue Diamond Growers  
California Cherry Export Association  
California Date Commission  
California Dried Plum Board  
California Fig Advisory Board  
California Fresh Tomato Growers  
California Pear Growers  
California Strawberry Commission  
California Walnut Commission  
Commodity Markets Council  
Corn Refiners Association  
Grocery Manufacturers Association  
Hormel Foods Corporation  
International Dairy Foods Association  
National Association of State Departments of Agriculture (NASDA)  
National Association of Wheat Growers  
National Barley Growers Association  
National Cattlemen's Beef Association  
National Chicken Council  
National Confectioners Association  
National Corn Growers Association  
National Council of Farmer Cooperatives  
National Grain and Feed Association  
National Milk Producers Federation  
National Oilseed Processors Association  
National Pork Producers Council

National Renderers Association  
National Turkey Federation  
North American Blueberry Council  
North American Equipment Dealers Association  
North American Export Grain Association  
North American Meat Association  
Northwest Horticultural Council  
Pet Food Institute  
Smithfield Foods  
Sunsweet Growers Inc.  
Tyson Foods, Inc.  
U.S. Apple Association  
U.S. Canola Association  
U.S. Dairy Export Council  
U.S. Grains Council  
U.S. Livestock Genetics Export, Inc.  
U.S. Meat Export Federation  
U.S. Wheat Associates  
United Egg Association  
United Egg Producers  
US Dry Bean Council  
USA Dry Pea & Lentil Council  
USA Poultry & Egg Export Council  
USA Rice Federation  
Valley Fig Growers  
Western Growers Association