

# Congress of the United States

Washington, DC 20510

September 20, 2017

The Honorable Robert Lighthizer  
United States Trade Representative  
Office of the U.S. Trade Representative  
600 17th St, NW  
Washington, DC 20508

Dear Ambassador Lighthizer:

As members of the Washington and Oregon delegations, we write to convey concerns regarding a possible trade remedy provision for perishable and seasonal products as a part of the North American Free Trade Agreement (NAFTA) renegotiation process. Given that there are serious, unresolved stakeholder concerns about the negative impact of such a provision on U.S. exports and jobs, we ask that you not move forward with this proposal. We urge you to consult closely with stakeholders and Congress on these matters.

Fruits and vegetables are an important part of Pacific Northwest agricultural production and exports, and Canada and Mexico are key markets supporting exports from the region. For example, growers, packers, and shippers in the Pacific Northwest produce more than three quarters of the fresh apples and cherries, and approximately 84 percent of the fresh pears, grown in the United States. Mexico and Canada are the top two export markets for apples and pears, with about 15 percent of the apple crop and 20 percent of the pear crop, worth approximately \$442 million, shipped to our southern and northern neighbors each year. Canada has historically been the top market for cherries, with sales approaching \$100 million; an additional \$5 million to \$10 million worth of cherries are exported to Mexico annually. It is estimated that these tree-fruit sales alone to consumers residing within the borders of our NAFTA trading partners support 4,100 jobs in the Pacific Northwest.

Because these jobs are dependent on exports to our NAFTA partners, we have a significant interest in how this negotiation affects the ability of Pacific Northwest growers to maintain their duty-free access to these vital commercial markets. We appreciate that USTR's "Summary of Objectives for the NAFTA Renegotiation" included maintaining reciprocal duty-free market access for agricultural goods as a negotiating objective. However, we are concerned that the proposed provision for perishable and seasonal products, if adopted, would run counter to this goal and leave our growers vulnerable to new duties from these two critically important trading partners.

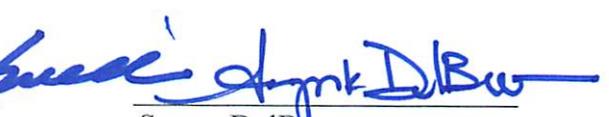
We expect that Canadian and Mexican industries, including the tree fruit industry, may take advantage of such a provision to restrict exports of U.S. products. The U.S. apple industry has been the subject of trade remedy investigations in Canada and Mexico, and therefore any new rule may be applied by these countries in a future proceeding against U.S. producers. Failure to consider these concerns will leave our tree-fruit growers and other producers, who have proven highly successful in competing in the Mexican and Canadian marketplaces, vulnerable to tariffs that would have a negative impact on rural communities throughout our states.

Again, given the concerns of Pacific Northwest fruit and vegetable producers, we ask that you not move forward with this proposal. We appreciate your continued commitment to this matter as negotiations with Mexico and Canada to reform NAFTA progress.

Sincerely,

  
David Reichert  
Member of Congress

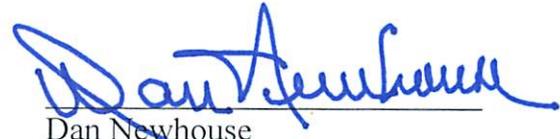
  
Maria Cantwell  
United States Senator

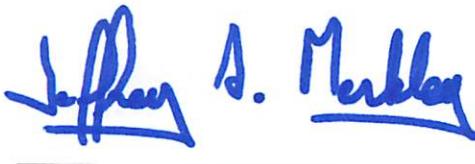
  
Suzan DelBene  
Member of Congress

  
Ron Wyden  
United States Senator

  
Jaime Herrera Beutler  
Member of Congress

  
Patty Murray  
United States Senator

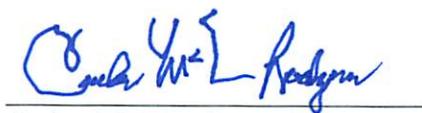
  
Dan Newhouse  
Member of Congress

  
Jeffrey A. Merkley  
United States Senator

  
Kurt Schrader  
Member of Congress

  
Rick Larsen  
Member of Congress

  
Denny Heck  
Member of Congress

  
Cathy McMorris Rodgers  
Member of Congress

  
Greg Walden  
Member of Congress