National Pork Producers Council®

The Global Voice for the U.S. Pork Industry

October 28, 2022

Office of United States Trade Representative
600 17th Street, N.W.
Washington, D.C. 20508

Dear Office of the United States Trade Representative (USTR), Trade Policy Staff Committee,

NPPC submits these comments in response to a Federal Register Notice (Document No. USTR-2022-0013) request for comments regarding foreign trade barriers to U.S. exports for 2023 reporting.

NPPC is a national association representing a federation of 43 state producer organizations and represents the federal and global interests of 66,000 U.S. pork operations. The U.S. pork industry is a major value-added enterprise in the U.S. agricultural economy and a significant contributor to the overall U.S. economy, producing high-quality, safe, and affordable pork. More than 500,000 American jobs are supported by U.S. pork production. U.S. pork exports sustain more than 70,000 of these jobs. In any given year, the U.S. pork industry ships product to more than 100 countries. Exports contribute significantly to the bottom line of all U.S. pork producers, adding $63, or more than a third, to the value of each hog marketed in 2021. In 2021, the U.S. pork industry exported 2.9 million metric tons of pork and pork products valued at over $8.1 billion.

NPPC welcomes the opportunity to provide comments on the Office of United States Trade Representative's (USTR) annual National Trade Estimate report.

Australia
In 2021, the U.S. exported $197 million in pork and pork products to Australia. The sanitary and phytosanitary (SPS) trade barrier issues surrounding Porcine Reproductive Respiratory Syndrome (PRRS) remains the same. NPPC continues to find no science or legal justification for these barriers and continues to push for full market access.

Brazil
Brazil has a de facto ban on U.S. pork that lacks any scientific justification and must be eliminated. NPPC supports opening the Brazilian market to allow fresh, frozen, and processed U.S. pork to be shipped to Latin America's largest economy.

China
NPPC concurs with the myriad of issues listed in the report but would also like to recognize the continuing issues impacting trade barriers with regards to African Swine Fever (ASF), COVID-19, and ongoing issues and challenges with moving forward with the Phase I agreement.

Ecuador
U.S. pork faces onerous import licensing schemes which block access. In 2020, the U.S.- Ecuador Trade and Investment Council Agreement (TIC) identified simplification of this process as a goal. The opposite has occurred. Since the TIC was negotiated, import permits are painfully slow to materialize or denied without justification. Ecuador has established additional export registration requirements known as “Annex 2.” This ambiguous process is seriously impeding U.S. pork’s ability to successfully export to Ecuador. There is also growing concern with the AGROCALIDAD Resolution 115-2019 and Resolution 003-2016 requiring registration of foreign establishments that export animals or animal products and of products to be fed or applied to animals. NPPC is requesting that Ecuador remove protectionist barriers on the importation of U.S. pork and will continue to work with USG to remove these non-tariff barriers.

European Union
NPPC requests the EU: a) eliminate tariff and non-tariff barriers in line with the free trade agreements it has with 20 + other nations and b) recognize the equivalence of U.S. pork production practices and accept exports from all USDA approved facilities. NPPC concurs with the issues listed in the report. NPPC remains concerned about the several EU published initiatives proposing legislative change, and the impact on U.S. pork and pork products.

Honduras
NPPC will work closely with the USG to monitor the local content requirements and push for the removal of the discriminatory tax for pork imports into Honduras.

India
In early 2022, India granted access for U.S. pork and pork products. However, in late Summer of 2022, India required an additional export certificate with additional attestations that were not negotiated with U.S. regulatory authorities. NPPC implores the USG to continue working with the Indian government to resolve this issue.

Indonesia
The plant approval process is unnecessarily cumbersome and laborious, which discourages U.S. pork plants from registering. In addition, Indonesia requires payment to conduct audits, a highly unusual demand. NPPC is continuing to work with the USG for additional plant approvals and a more streamlined questionnaire process.

Jamaica
Despite decades of negotiations, Jamaica’s ban on U.S. pork remains while it has granted access to other pork-producing nations. NPPC strongly supports a science-based approach to trade and the opportunity to compete on a level playing field with countries with the same commercial swine herd health status. Jamaica only allows U.S. pork that is hermetically sealed. There is no science-based justification for this unfair trade barrier. NPPC is actively working with USG on resolving this issue. This includes ongoing communication with the Jamaican government on the best way to move forward.

Japan
NPPC is working with the USG to monitor the gate price mechanism.

Malaysia
U.S. pork can only ship from six pork plants and access is limited to fresh and frozen unprocessed pork. NPPC is continuing to work with USG on this issue.

New Zealand
NPPC concurs with the issues listed in the report and will continue to monitor with the assistance of the USG.

Nigeria
In early 2022, Nigeria granted access for U.S. pork sausage. However, Nigeria still has a de facto ban on other U.S. pork that lacks any scientific justification and must be eliminated. NPPC is continuing to work with the USG to resolve these non-tariff barriers to trade for U.S. pork exports.

Panama
NPPC remains concerned about Decree 255 and will continue to work with USG to monitor its implementation.

Philippines
The Philippines government in May 2021, again cut the in-quota tariff on pork to 15% from 30% and the out-of-quota rate to 25% from 40%. Those reduced duty rates are in place through the end of 2022. Recent elections in the Philippines have stalled efforts to expanded minimum access volume (MAV) quota for imported pork cuts. The MAV, which expired Jan. 31, was raised to 254,210 metric tons (MT) from just 54,210 MT last year. As a result of those actions, U.S. pork exports to the Philippines soared in 2021 topping $204 million compared with $114.5 million in 2020, a 78.5% increase. The Philippines has been battling African swine fever (ASF) since 2019 and NPPC has been pressing both the U.S. and Philippines governments to lower pork import tariffs since ASF outbreaks began in the country.

Russia
NPPC concurs with the information provided in the report regarding trade barriers for U.S. pork and pork product exports to Russia.

Singapore
NPPC concurs with the information provided in the report regarding trade barriers for U.S. pork and pork product exports to Singapore. NPPC is continuing to work with the USG to resolve these trade barriers.

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South Africa
South Africa has a partial ban on other U.S. pork and pork products for which there is no science-based reasons. NPPC wants full market access for U.S. pork, including offals, heat-treated products, and casings for export to South Africa. NPPC is continuing to work with the USG to resolve these issues and concurs with the information provided in the report.

Taiwan
NPPC agrees with the issues listed in the report and continues to be deeply concerned regarding the country-of-origin labeling (COOL) and the Codex MRLs for ractopamine issues. NPPC will continue to defend the right of U.S. hog farmers to use production processes and products that are safe. NPPC opposes government mandates that, with no scientific backing, dictate production practices and unnecessarily increase food prices and inhibit consumer choice. NPPC is continuing to work with the USG to resolve these longstanding issues.

Thailand
NPPC is requesting that Thailand remove its de-facto ban on and full market access for U.S. pork and pork products. NPPC is continuing to work with the USG to resolve these issues and concurs with the information provided in the report.

Vietnam
From July 2020 – December 2020, Vietnam temporarily reduced its Most Favored Nation (MFN) tariff rates from 15 percent to 10 percent for frozen pork products. In the Fall of 2021, Vietnam began discussions to again reduce the MFN from 15 percent to 10 percent for frozen pork products, but potentially on a permanent basis. NPPC is pleased with this reduction and the positive impact it will have on U.S. pork exports. A trade agreement with Vietnam remains a top priority for U.S. pork producers, especially as the country battles African swine fever and needs safe, reliable, and affordable sources of pork

Again, NPPC expresses its appreciation for the opportunity to comment on the NTE 2023 Report and is looking forward to continuing to work with USTR, and other USG agencies to open and maintain market access for U.S. pork and pork products.

Sincerely,

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National Pork Producers Council