



National Association of State Departments of Agriculture
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March 18, 2021

The Honorable Tom Vilsack
Secretary, U.S. Department of Agriculture
U.S. Department of Agriculture
1400 Independence Ave. SW
Washington, DC 20250

The Honorable Katherine Tai
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Secretary Vilsack and Ambassador Tai:

On behalf of the National Association of State Departments of Agriculture (NASDA), I want to congratulate each of you on your recent confirmations. NASDA is committed to working with you in support of policies and programs that benefit food and fiber producers, processors, and consumers throughout the United States.

NASDA supports a robust and beneficial trade agenda and encourages the Biden administration to pursue new opportunities for free and fair trade in agricultural products, while enforcing existing free trade agreements.

On this latter point, NASDA is concerned about actions taken by Mexico to implement a version of the precautionary principle and use this as an unscientific tool to restrict access to certain agricultural products and technologies.

NASDA has reviewed the requirements articulated in chapter 9 of the USMCA agreement relating to sanitary and phytosanitary (SPS) measures. Specifically, we wish to highlight requirements that each party (a) ensure that sanitary or phytosanitary measures implemented by a Party do not create unnecessary barriers to trade; (b) enhance transparency in and understanding of the application of each Party's sanitary and phytosanitary measures; and (c) encourage the development and adoption of science-based international standards, guidelines, and recommendations, and promote their implementation by the Parties.

Recent decisions by Mexico to reject certain crop protection products and to prohibit applications of agricultural biotechnology have been based on a hazard only assessment model. Such an approach ignores the requirements under USMCA that SPS decisions be founded on science-based risk assessment that incorporates an evaluation of hazards and the impact of various controls and measures that are taken, or that can be taken to reduce or eliminate the risk associated with those hazards.

NASDA members recently completed our annual Winter Policy Conference during which we adopted a number of new policy action items. One specifically dealt with these concerns and commits NASDA to working with our counterparts in Mexico to "encourage their federal

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partners to adhere to the principals of the Sanitary and Phytosanitary Measures chapter of USMCA which calls on the parties to ensure that Sanitary and Phytosanitary measures not create unnecessary barriers to trade; to adopt science-based standards, guidelines, and recommendations; and to advance science-based decision making.”

NASDA is encouraged by the comments each of you have made thus far on this topic and requests that you allow state departments of agriculture to work with you to identify opportunities and strategies to address this concern.

Sincerely,

A handwritten signature in black ink that reads "Barbara L. Glenn". The signature is written in a cursive style with a large initial 'B' and 'G'.

Dr. Barb Glenn, Ph.D.
Chief Executive Officer