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May 10, 2013

Re: Request for Comments Concerning Proposed Transatlantic Trade and Investment Agreement

Document No. USTR-2013-07430

The U.S. Meat Export Federation (USMEF) appreciates the opportunity to comment on the TTIP agreement. USMEF is a nonprofit trade association that represents the U.S. beef, pork, and lamb industries through its network of offices and consultants in foreign markets. USMEF's membership encompasses a broad cross-section of American agriculture and includes farmers; meat packers, processors, purveyors and traders; selected agribusinesses with an interest in U.S. meat exports; and other agricultural organizations. In addition to the support USMEF receives from its broad membership base, USMEF also has a close working relationship with the United States Department of Agriculture as a longstanding partner of the Foreign Agricultural Service under the Foreign Market Development and Market Access Programs.

The members of USMEF share the U.S. government's ambitions for the TTIP; it should be a comprehensive, high-standard agreement that addresses the challenges we face in the 21<sup>st</sup> century. To us "comprehensive" means that the agreement covers all products, including ones like pork and beef that might be considered sensitive by the European Union (EU). We also support a single undertaking approach; nothing should be agreed until everything is agreed, and there should be no "early harvest."

On market access, we were encouraged to see the U.S.-EU High Level Working Group call for "eliminating all duties on bilateral trade" and developing options for the treatment of sensitive products. At the same time, we wish to emphasize that an agreement that eliminates duties on beef and pork but leaves the EU's hormone and ractopamine bans in place will be of limited value to the U.S. beef and pork industries. This is why the way sanitary and phytosanitary (SPS) issues are dealt with will ultimately determine whether the U.S. beef and pork industries are able to support the TTIP agreement.

Reaching agreement on market access commitments, even for sensitive products, could turn out to be the "easy" part of the TTIP negotiations. The much more difficult part is likely to involve eliminating SPS restrictions that currently limit access for many U.S. agriculture and food products, including beef and pork, in the EU market.

Conventional wisdom holds that SPS measures should be based on the scientific consensus, but in the U.S.-EU context this poses special challenges, as consensus has

proven impossible to reach on several high-profile issues. This is because the United States and Europe have different ways of thinking about food, about how we produce food, and about the role of technology in food production. We also have different attitudes toward risk and the role of science in the standard-setting process, and there are different levels of trust in regulatory bodies on the part of the public in the United States and the EU.

Many of these differences are fundamental to the two societies. Such ingrained differences cannot be changed overnight, but maybe there is the potential for some convergence through a process of education (seminars, conferences, etc.) involving “thought leaders” from both sides of the ocean. Optimally, this process could take place outside the context of trade and focus on bigger topics like global food security where the United States and the EU have a shared interest in making progress and where both countries need to show leadership for the rest of the world.

We would like to suggest that launching such a “*Trans-Atlantic Dialogue on Food and Food Production*” could be one of the early concrete SPS deliverables that comes from the TTIP negotiations. At the same time, we hasten to note that the kind of dialogue we are proposing is not a substitute for dealing with the specific SPS issues that need to be addressed as part of the TTIP negotiations even if it could contribute to improved understanding and achieving increased openness on both sides of the Atlantic.

On specific SPS issues, we suggest that progress will come more quickly if issues are divided into those from the past, like hormones and GMOs, and potential ones that optimally can be prevented in the future. For the reasons outlined above, bridging the differences between the United States and the EU on longstanding SPS issues poses special challenges. Both sides are dug in behind their positions, and they perceive that they have too much to lose if they acknowledge the validity of the other side’s position. Breaking away from this kind of thinking is going to require the sustained commitment and involvement of government leaders on both sides of the Atlantic who understand that resolving these issues will be a necessary condition for garnering the needed votes for the TTIP agreement in Congress.

For future, potential issues, the goal of both the United States and the EU should be avoiding another hormone or GMO dispute. As noted above, the obvious way to do this is by working harder to achieve a scientific consensus before either government adopts new standards or implements new requirements. This is going to require improved bilateral communication and coordination between our regulators and scientists, together with a sincere commitment to openness and avoiding future SPS trade disputes.

Although the stakes are high, negotiations on the TTIP offer a unique opportunity to resolve our differences with the EU on some longstanding SPS issues and to put structures in place that will permit us to jointly prevent future SPS discontinuities and the trade friction that results from them. This would represent an achievement of

historical proportions and would show the rest of the world that the United States and the EU are committed to a science-based trading system. In addition, and of more immediate commercial significance, it would open up new, meaningful opportunities for cross-Atlantic trade in agriculture and food products consistent with the broad objectives of the TTIP negotiations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip M. Seng', with a large, sweeping flourish at the end.

Philip M. Seng  
President and CEO